# LEGISLATIVE COUNCIL

### Monday 7 November 2005

The PRESIDENT (Hon. R.R. Roberts) took the chair at 2.18 p.m. and read prayers.

# STATUTES AMENDMENT AND REPEAL (AGGRAVATED OFFENCES) BILL

The Hon. P. HOLLOWAY (Minister for Industry and Trade): I move:

That the sitting of the council be not suspended during the continuation of the conference on the bill.

Motion carried.

# **QUESTIONS ON NOTICE**

The PRESIDENT: I direct that written answers to the following questions be distributed and printed in Hansard: Nos 3, 130 to 132, 134 to 136, 208, 213, 218, 223, 226, 228, 229, 248, 250, 251, 254 to 258, 260, 264, 280, 281 and 285.

### O'LOUGHLIN, Ms C.

### 3. The Hon. J.M.A. LENSINK:

1. Can the Minister for the Status of Women advise the date on which the government made the decision to appoint Carmel O'Loughlin to the position of director of Foster Care Relations?

2. On what date did the government advertise the position of director of the Office for Women to fill the facancy resulting from Ms. O'Loughlin's retirement?

The Hon. T.G. ROBERTS: The Minister for Families and Communities has provided the following information relating to part 1 of the question:

1. The Government made the decision to appoint Ms Carmel O'Loughlin to the position of Director, Foster Carer Relations on 3 June 2004.

The Minister for the Status of Women has provided the following information relating to part 2 of the question:

2. The Government advertised a vacancy for the position of Director Office for Women through the government's weekly Notice of Vacancies on August 20 2004.

# MINISTERIAL STAFF

130. The Hon. R.I. LUCAS:

1. Can the Minister advise the names of all officers working in the Minister's office as at 1 December 2004?

What positions were vacant as at 1 December 2004?

3. For each position, was the person employed under Ministerial contract, or appointed under the Public Sector Management Act?

4. What is the salary for each position and any other financial benefit included in the remuneration package?

- 5. (a) What is the total approved budget for the Minister's office in 2004-05; and
  - (b) Can the Minister detail any of the salaries paid by a Department or Agency rather than the Minister's office budget?

6. Can the Minister detail any expenditure incurred since 5 March 2002 and up to 1 December 2004 on renovations to the Minister's office and the purchase of any new items of furniture with a value greater than \$500?

# The Hon. P. HOLLOWAY:

1, 3 and 4. The following public service staff were employed in the Minister's office as at 1 December 2004: · . . . . . .

iii. Tenure	iv. Salary & Other
	Benefits
PSM Act	ASO-2
PSM Act	ASO-2
	PSM Act

Admin Assistant	PSM Act	ASO-2
PA to Minister	PSM Act	ASO-5
PA to Chief of Staff	PSM Act	ASO-4
Parliamentary & Admin Officer	PSM Act	ASO-5
Administrative manager	PSM Act	ASO-6
Ministerial Liaison Officer	PSM Act	MAS-3
* Plassa nota tha PA to the M	inister was o	n Leave Without

Please note the PA to the Minister was on Leave Without Pay from 26/11/04 to 17/12/04 as a result of maternity leave.

Details of Ministerial contract staff were printed in the Government Gazette dated 16 December 2004.

2. Admin Assistant

5. (a) \$1,160,726

(b) Ministerial Liaison Officer (MAS-3)

Parliamentary and Administration Officer (ASO-5)

6. Material relating to this was released to the Hon Angus Redford MLC as a response to a Freedom of Information request.

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

1. Can the Premier advise the names of all officers working in the Premier's office as at 1 December 2004?

2. What positions were vacant as at 1 December 2004?

3. For each position, was the person employed under Ministerial contract, or appointed under the Public Sector Management Act?

4. What is the salary for each position and any other financial benefit included in the remuneration package?

- 5. (a) What is the total approved budget for the Premier's office in 2004-05; and
  - (b) Can the Premier detail any of the salaries paid by a Department or Agency rather than the Premier's office budget?

6. Can the Premier detail any expenditure incurred since 5 March 2002 and up to 1 December 2004 on renovations to the Premier's office and the purchase of any new items of furniture with a value greater than \$500?

The Hon. P. HOLLOWAY: The Premier has been advised of the following information:

Details of Ministerial Contract staff were printed in the Government Gazette dated 16 December 2004.

Details of public servant staff located in the Premier's office as at 1 December 2004 are as follows:

1. Title	<ol><li>Ministerial</li></ol>	5. Salary & Other
	Contract/PSM Act	Benefits
Receptionist	PSM Act	\$24,744
Administrative Officer	PSM Act	\$24,744
Administrative Assistar	nt PSM Act	\$41,516
Personal Assistant, Poli	cy	
Unit	PSM Act	\$44,451
Personal Assistant,		
Representation	PSM Act	\$47,677

2. As at 1 December 2004, there were no vacant PSM Act positions.

5. (a) The total approved budget for the Premier's Office in 2004-05 was \$4,500,000 as published in the 2004-05 Portfolio Statement, Volume 1, page 1.6.

(b) All PSM Act positions' salaries listed in the above table are paid by the Department of the Premier and Cabinet.

6. Material relating to this was released to the Hon Angas Redford MLC as a response to a Freedom of Information request.

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

1. Can the Deputy Premier advise the names of all officers working in the Deputy Premier's office as at 1 December 2004?

What positions were vacant as at 1 December 2004?

3. For each position, was the person employed under Ministerial

contract, or appointed under the Public Sector Management Act? 4. What is the salary for each position and any other financial

- benefit included in the remuneration package? 5. (a) What is the total approved budget for the Deputy
  - Premier's office in 2004-05; and (b) Can the Deputy Premier detail any of the salaries paid by
    - a Department or Agency rather than the Deputy Premier's office budget?

 Can the Deputy Premier detail any expenditure incurred since
 March 2002 and up to 1 December 2004 on renovations to the Deputy Premier's office and the purchase of any new items of furniture with a value greater than \$500?

The Hon. P. HOLLOWAY: The Deputy Premier has provided the following information:

1. The following public service staff were employed in the Minister's office as at 1 December 2004:

	3. Ministerial	4. Salary &
	Contract/PSM	Other
1. Name	Act	Benefits
Ministerial Liaison Officer	PSM Act	ASO-8
Ministerial Liaison Officer	PSM Act	$ASO-5^+$
Ministerial Liaison Officer	PSM Act	$ASO-5^+$
Office Manager	PSM Act	ASO-7
Senior Administrative Officer		
(Part time—0.8 FTE)	PSM Act	ASO-5
Administrative Officer		
(Part time—0.4 FTE) <sup>#</sup>	PSM Act	ASO-4
Personal Assistant to Chief of		
Staff	PSM Act	ASO-3*
Ministerial Support Officer	PSM Act	ASO-2^
Records Officer	PSM Act	ASO-2
Records Officer	PSM Act	ASO-2
Administrative Support Officer	r	
(Part time—0.4 FTE)	PSM Act	AS0-1
1 11 6 6 6	1	

+ plus an allowance for out of hours work

while substantively part time, this officer worked full time in December to cover the then vacant Parliamentary and Cabinet Officer position

\* plus an additional duties allowance and use of car park whilst acting in role of Personal Assistant to the Minister

^ plus an additional duties allowance for covering the role of Personal Assistant to the Chief of Staff

The Member is referred to the Government Gazette dated 16 December 2004 as details of Ministerial Contract staff were printed in that issue.

2. Ministerial Adviser

Personal Assistant to Minister

- Parliamentary & Cabinet Officer
- Receptionist

3. The Member is referred to the Government Gazette dated 16 December 2004 as details of Ministerial Contract staff were printed in that issue.

4. The Member is referred to the Government Gazette dated 16 December 2004 as details of Ministerial Contract staff were printed in that issue

4. (a) \$1,230,000

6.

- (b) Salaries of the following positions were funded outside of the above allocation by the agencies indicated:
  - Ministerial Liaison Officer (Business, Manufacturing &Trade)
  - Ministerial Liaison Officer (Treasury & Finance) Ministerial Liaison Officer (Justice portfolio-Attorney-General's)
  - Senior Administrative Officer (part time) (Treasury & Finance)
  - Records Officer (Justice portfolio Attorney-General's)
  - Administrative Officer (Treasury & Finance)
  - Records Officer (Treasury & Finance)

Ministerial Support Officer (Treasury & Finance)

Construction of two new offices	\$29,265
Installation of additional workstation and alterations	
to existing workstations	\$5,989
Installation of surplus DTF conference room bench	\$1,815
Purchase of replacement chairs	\$5.896

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

1. Can the Attorney-General advise the names of all officers working in the Minister's office as at 1 December 2004?

2. What positions were vacant as at 1 December 2004?

3. For each position, was the person employed under Ministerial contract, or appointed under the Public Sector Management Act?

4. What is the salary for each position and any other financial benefit included in the remuneration package?

- 5. (a) What is the total approved budget for the Minister's office in 2004-05; and
  - (b) Can the Minister detail any of the salaries paid by a Department or Agency rather than the Minister's office budget?

6. Can the Minister detail any expenditure incurred since 5 March 2002 and up to 1 December 2004 on renovations to the Minister's office and the purchase of any new items of furniture with a value greater than \$500?

The Hon. P. HOLLOWAY: The Attorney General has received this advice: Part 1

Details of Ministerial Contract staff were printed in the Government Gazette dated 16 December, 2004.

Details of Public Servant staff located in the Minister's office as at 1 December, 2004, follows: . .. . · 1/D C M

	Ministerial/P.S.M.	Salary and
Title	Act	Other Beneftis
Trainee	P.S.M. Act	\$17.215
J.P. (Justice of the Peace)		
Clerk	P.S.M. Act	\$33,526
Receptionist	P.S.M. Act	\$38.584
Receptionist	P.S.M. Act	\$38.584
Correspondence Clerk	P.S.M. Act	\$38.584
Correspondence Clerk	P.S.M. Act	\$38,584
Ministerial Liaison Officer	P.S.M. Act	\$47,677
Ministerial Liaison Officer	P.S.M. Act	\$47,677
Project Officer J.P.		
Implementation	P.S.M. Act	\$49,879
Parliamentary Liaison Offic	er P.S.M. Act	\$57,384
Manager Admin Services		
(Office Manager)	P.S.M. Act	\$61,596
Snr Min Liaison Officer	P.S.M. Act	\$68,032
Part 2		

Part 2. There were no vacant positions as at 1 December 2004.

Part 3.

Refer to Part 1. Part 5.

Refer to Part 1.

Part 5.

- (a) The approved budget for the Attorney-General's Office in 2004-05 was \$1.154m.
- (b) All positions are funded from the Minister's Office budget with the exception of the J.P. Clerk and the Project Officer

J.P. Implementation who are funded from the project line. Part 6.

Material was released to the Hon A.J. Redford, M.L.C., as a response to a Freedom of Information request.

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

1. Can the Minister for Transport advise the names of all officers working in the Minister's office as at 1 December 2004?

2. What positions were vacant as at 1 December 2004?

3. For each position, was the person employed under Ministerial contract, or appointed under the Public Sector Management Act?

4. What is the salary for each position and any other financial benefit included in the remuneration package?

- 5. (a) What is the total approved budget for the Minister's office in 2004-05; and
  - (b) Can the Minister detail any of the salaries paid by a Department or Agency rather than the Minister's office budget?

6. Can the Minister detail any expenditure incurred since 5 March 2002 and up to 1 December 2004 on renovations to the Minister's office and the purchase of any new items of furniture with a value greater than \$500?

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

Part 1, 3, and 5. Details of Ministerial Contract staff were printed in the Government Gazette dated 16 December 2004.

Details of Public Servant staff located in the Minister's office as at 1 December 2004 is as follows:

1. Position Title	3. Ministrial Contract/PSM	4. Salary and Other
	Act	Benefits
Manager Administration	PSM Act	\$71,655
PA to the Chief of Staff	PSM Act	\$42,948
Correspondence/Admin Suppo Officer	rt PSM Act	\$37,279
Correspondence/Admin Suppo	rt	,
Officer	PSM Act	\$37,279
Senior Officer, Transport	PSM Act	\$77,340
Ministerial Liaison Officer		
(Transport)	PSM Act	\$57,547
External Relations & Promotio	ns PSM Act	\$57,547

Parliamentary & Projects Adm	in	
Officer	PSM Act	\$48,192
Cabinet & Projects Admin Offi	icer PSM Act	\$48,192
Boards/Committees & Projects		
Admin Officer	PSM Act\$	48,192
Senior Correspondence & Brie	fing	
Officer	PSM Act	\$48,192
Correspondence/Admin Support	rt	
Officer	PSM Act	\$37,279
Customer Support &		
Administrative Officer	PSM Act	\$37,279
Ministerial Liaison Officer		
(Planning)	PSM Act	\$71,655
Ministerial Liaison Officer		¢ (2, 1, (2)
(Science)	PSM Act	\$63,163
Part 2.	1 D	1 2004
The following positions were v		ember 2004:
Correspondence/Admin Suppo Officer	rt PSM Act	¢27.070
	PSM Act	\$37,279
Customer Support & Administrative Officer	PSM Act	\$27.270
Part 5.	FSM Act	\$37,279
(a) The total approved budget for	or the Minister's (	Office in $2004$
05 was \$1,013,000.	of the winnster s (	5mee m 2004-
(b) The salaries paid for by a De	nartment/Agency	rather than the
Ministers office are as follo		rutier than the
(c)		
	id by Departmen	t/Agency
	epartment of Tran	
	Irbon Plonning	

Position Title	Paid by Department/Agency
Senior Officer, Transport	Department of Transport &
	Urban Planning
Ministerial Liaison Officer	
(Transport)	Department of Transport &
	Urban Planning
External Relations &	
Promotions	Department of Transport & Urban Planning
Parliamentary & Projects	Ū.
Admin Officer	Department of Transport & Urban Planning
Cabinet & Projects Admin	0
Officer	Department of Transport & Urban Planning
Boards/Committees & Projects	
Admin Officer	Department of Transport &

Urban Planning

Senior Correspondence &	
Briefing Officer	Department of Transport & Urban Planning
Correspondence/Admin	e
Support Officer	Department of Transport & Urban Planning
Customer Support &	C C
Administrative Officer	Department of Transport & Urban Planning
Ministerial Liaison	6
Officer (Planning)	Department of Transport & Urban Planning
Ministerial Liaison Officer	6
(Science)	Department of Further Education, Employment, Science and Training
Part 6.	8
This information was releas as a response to a Freedom of I	ed to the Hon Angus Redford MLC nformation request.
136. <b>The Hon. R.I. LUC</b>	AS:

1. Can the Minister for the River Murray advise the names of all officers working in the Minister's office as at 1 December 2004?

What positions were vacant as at 1 December 2004?
 For each position, was the person employed under Ministerial contract, or appointed under the Public Sector Management Act?

4. What is the salary for each position and any other financial benefit included in the remuneration package?

- 5 (a) What is the total approved budget for the Minister's office in 2004-05; and
  - (b) Can the Minister detail any of the salaries paid by a Department or Agency rather than the Minister's office budget?

6. Can the Minister detail any expenditure incurred since 5 March 2002 and up to 1 December 2004 on renovations to the Minister's office and the purchase of any new items of furniture with a value greater than \$500?

The Hon. P. HOLLOWAY: The Minister for the River Murray, Regional Development, Small Business, Consumer Affairs and Science and Information Economy has provided the following information:

Parts 1, 3, and 4. Details of Ministerial Contract staff were printed in the Government Gazette dated 16 December 2004.

Details of Public Servant staff located in the Minister's office as at 1 December 2004 is as follows:

	3. Ministerial Contract/PSM	
1. Position Title	Act	4. Salary & other Benefits
Ministerial Liaison Officer—River Murray	PSM Act	\$75,257 Salary paid by the Department of Water, Land and Biodiversity Conservation
Ministerial Liaison Officer—Regional Development and Small Business	PSM Act	(.4) \$32,600 Salary paid by the Department of Trade and Economic Development
Ministerial Liaison Officer—Consumer Affairs	PSM Act	\$80,047 Salary paid by the Office of Consumer and Business Affairs
Ministerial Research Officer	PSM Act	(.5) \$32,995 Salary paid by the Department of Treasury and Finance (Parliamentary Services)
Personal Assistant to the Minister	PSM Act	\$48,192
Office Manager	PSM Act	\$63,163
Transition Administrator	PSM Act	\$74,163 Salary paid by the Department of Water, Land and Biodiversity Conservation
Correspondence/Records Officers	PSM Act	\$45,668
Parliamentary Officer	PSM Act	\$48,192
Correspondence/Cabinet Officer	PSM Act	\$45,668
Receptionist	PSM Act	\$37,279

Ministerial Adviser-River Murray 3.

Administrative Officer x 2

<sup>5. (</sup>b)

Position	Department
Ministerial Liaison Officer—River Murray	Salary paid for by the Department of Water, Land and Biodiversity
Ministerial Liaison Officer—Regional Development and Small Business	Salary paid for by the Department of Trade and Economic Development
Ministerial Liaison Officer—Consumer Affairs	Salary paid for by the Department the Office of Consumer and Business Affairs
Ministerial Research Officer	Salary paid for by the Department of Treasury and Finance (Parliamentary Services)

6. Information relating to this was released to the Hon Angus Redford MLC as a response to a Freedom of Information request.

### **ROBERTS**, Hon. T.G.

208.The Hon. R.I. LUCAS: How many written representations has the Minister for Administrative Services received from the Hon. T. G. Roberts MLC, on behalf of South Australian constituents, since March 2002?

The Hon. T.G. ROBERTS: The Minister for Administrative Services/Industrial Relations/Recreation, Sport & Racing/Gambling has provided the following information:

I am advised that a search of the records management system within my office has revealed that I have received six written representations from the Hon. T. Roberts MLC on behalf of South Australian constituents, since March 2002.

### HOLLOWAY, Hon. P.

213. The Hon. R.I. LUCAS: How many written representations has the Minister for Administrative Services received from the Hon. P. Holloway MLC, on behalf of South Australian constituents, since March 2002?

The Hon. T.G. ROBERTS: The Minister for Administrative Services/Industrial Relations/Recreation, Sport & Racing/Gambling has provided the following information:

I am advised that a search of the records management system within my office has revealed that I have received 16 written representations from the Hon. P. Holloway MLC on behalf of South Australian constituents, since March 2002.

The Hon. R.I. LUCAS: How many written representa-218. tions has the Minister for Employment, Training and Further Education received from the Hon. P. Holloway MLC, on behalf of South Australian constituents, since March 2002?

The Hon. CARMEL ZOLLO: The Minister for Employment, Training and Further Education has provided the following information:

The Minister for Employment, Training and Further Education has received no written representations from the Hon P Holloway MLC, on behalf of South Australian constituents, since March 2002.

#### **ROBERTS**, Hon. T.G.

223. The Hon. R.I. LUCAS: How many written representations has the Minister for Employment, Training and Further Education received from the Hon. T. G. Roberts MLC, on behalf of South Australian constituents, since March 2002?

The Hon. CARMEL ZOLLO: The Minister for Employment, Training and Further Education has provided the following information:

The Minister for Employment, Training and Further Education has received no written representations from the Hon. T. Roberts MLC, on behalf of South Australian constituents, since March 2002.

#### **BAXTER DETENTION CENTRE**

### 226. The Hon. T.G. CAMERON:

1. How many SAPOL officers were injured as a result of protecting the Baxter Detention Centre over Easter?

2. What financial compensation and emotional support is available to South Australian Police Officers injured in the line of duty?

- 3. (a) How many Police Officers have been financially compensated: and
  - (b) How much has been paid out due to injury for the years: 2002-03; and (i) (ii)

2003-04?

4. (a) How much in total did the Police operation at the Baxter Detention Centre cost South Australian taxpayers; and (b) Will the State Government be seeking restitution from the Federal Government as a result?

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

The Commissioner of Police has advised that:

1. A total of seven injuries were reported during the Baxter Operation. Five required no treatment. Two officers were treated by onsite SA Ambulance personnel with one officer treated at the Port Augusta Hospital.

2. As far as possible, risks and hazards were identified in the operation order. A safety and welfare co-ordinator and SA Ambulance personnel were on site 24 hours a day throughout the operation. Access to SAPOL Welfare Section staff was also possible at any time if required. All officers injured in the line of duty also have full access to all SAPOL resources regarding workers compensation, injury management and return to work programs.

3. In relation to injuries for the year 2002-03, two officers submitted claims in relation to Baxter 2003 totalling \$2,624.55. Both claims are now closed.

No claims are registered for 2003-04.

4. The Police Operation at Baxter over Easter 2005 incurred costs to SAPOL of \$1,567,671-55. A claim for the entire amount was submitted by SAPOL to DIMIA on 21 July 2005. Payment in full was received on 18 August 2005.

### SPEED CAMERAS

#### The Hon. J.M.A. LENSINK: 228.

1. (a) Can the Minister for Police advise whether a speed camera device was operating at Swanport Road, Murray Bridge; and

(b) If so, what hours was it operating? (a)ere there any roadworks operating in that location; and 2

(b) What were the speed limits?3. What was the total value of expiation fees issued for the above location in:

(a) 2002:

(b) 2003; and

(c) 2004?

4. Can the Minister provide details as to what road safety risks are associated with that location?

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

1 and 2. SAPOL is unable to provide a response to Questions 1 and 2, as there is no time frame attached to this aspect of the question.

3. The Commissioner of Police has advised that the total value of expiation fees issued for the above location in 2002, 2003 and 2004 is as follows:

Calendar Year	Notices Issued	Total Value
2002	88	\$13,645
2003	62	\$10,931
2004	0	\$0
Total	150	\$24,576

The total value for Expiation Notices includes the levy to the Victim of Crime Fund.

4. Speed cameras are deployed as part of the strategy to reduce excessive speed and to establish a firm base for long-term change in driver attitude to speeding. Achieving these aims will lead to a reduction in the general level of speed, with a corresponding reduction in the number and severity of road crashes. The deployment of speed cameras is based on an intelligence assessment of locations, which have a 'road safety risk', or locations, which contribute to a 'road safety risk' at another location.

In assessing the 'road safety risk' for a location the following factors are considered:

- whether the location has a crash history;
- whether the location contributes to crashes in other locations;
- whether the location has been identified by SAPOL Road Safety Audits as having a road safety risk;
- where intelligence reports provide information of dangerous driving practices associated with speeding, especially speed dangerous;
- whether the physical conditions of a location creates a road safety risk.

Speed cameras are then allocated a location where they will best reduce the risk of crashes. Speed camera deployment is an important part of the road safety strategy, as speed remains a significant contributing causal factor in road crashes with higher speeds resulting in an increased chance of a crash and increased road trauma at a crash.

Swanport Road, Murray Bridge has had 24 crashes recorded for the period 1 January 2002 to 30 June 2005.

### TRAFFIC SPEED ANALYSER

### 229. The Hon. J.M.A. LENSINK:

1. Can the Minister for Police advise the dates and time when a traffic speed analyser device was located at:

- (a) Murray Road, Port Noarlunga, between 1 January and 30 April 2005;
- (b) Swanport Road, Murray Bridge, during the month of May 2005; and
- (c) Barton Terrace West, North Adelaide, between 1 January 2003 and 30 May 2005?

2. What was the total value of expiation fees issued for each of the above locations?

3. What were the specific road safety risks at each location which contributed to the decision to deploy the devices at those locations?

The Hon. P. HOLLOWAY: The Minister for Police has advised the following:

Note: Data included in this document in relation to "traffic speed analyser devices" includes mobile radars, laser and speed cameras unless otherwise specified.

1. (a) Traffic Speed Analyser deployment on Murray Road, Port Noarlunga, between 1 January 2003 and 30 April 2005. Speed camera utilised only.

amera atmised omy.		
Date	Time Commenced	Time Completed
30/01/2003	2100	2210
3/04/2003	1730	2310
19/04/2003	1650	2020
21/04/2003	1505	1805
25/04/2003	2135	2305
8/05/2003	0655	1055
6/06/2003	2100	2210
19/06/2003	0800	1140
14/08/2003	1015	1245
3/10/2003	2050	2305
25/11/2003	1100	1300
6/12/2003	1055	1355
11/12/2003	2035	2200
16/01/2004	1110	1315
11/02/2004	0710	1300
20/04/2004	1105	1250
27/05/2004	1815	2100
29/07/2004	2000	2200

30/09/2004	1935	2055
30/11/2004	0910	1220
3/12/2004	1520	1820
7/12/2004	1045	1245
9/12/2004	0825	1125
9/12/2004	0825	1125
11/01/2005	0700	0927
29/04/2005	1840	2045

(b) Traffic Speed Analyser deployment on Swanport Road, Murray Bridge, between 1 May 2005 and 31 May 2005. Laser device utilised only

Date	Time Commenced	Time Completed
7/05/2005	2200	2230
8/05/2005	0500	0600
8/05/2005	1015	1045

(c) Traffic Speed Analyser deployment on Barton Terrace West, North Adelaide, between 1 January 2003 and 31 May 2005. Camera utilised only.

unsed only.		
Date	Time Commenced	Time Completed
2/11/2003	1115	1245
6/01/2004	1625	2055
7/01/2004	0900	1130
6/03/2004	1525	1925
7/03/2004	0810	1340
16/03/2004	1845	2330
21/03/2004	0805	1120
11/04/2004	0705	1115
26/04/2004	1530	1900
2/05/2004	0705	1005
26/05/2004	0825	0840
13/06/2004	0705	1055
22/06/2004	1540	1950
23/06/2004	0910	1210
8/07/2004	1620	1830
11/07/2004	1245	1515
13/07/2004	1632	2102
16/07/2004		
	0716	1116
27/07/2004	1547	1947
3/08/2004	1430	1900
7/08/2004	0804	1104
13/08/2004	1627	1957
15/08/2004	0835	1215
31/08/2004	1439	1809
5/09/2004	0811	1111
7/09/2004	1422	1752
15/09/2004	1119	1409
18/09/2004	0746	1101
19/09/2004	1445	2115
5/10/2004	0740	1245
10/10/2004	1240	1320
17/10/2004	0730	1100
22/10/2004	0900	1230
16/11/2004	1635	2005
1/12/2004	0915	1245
4/12/2004	1142	1420
7/12/2004	1545	1955
18/12/2004	0733	1033
19/12/2004	0750	1400
28/12/2004	1530	1930
7/01/2005	1537	1807
11/01/2005	1945	2215
18/01/2005	1520	1930
19/01/2005	0910	1230
20/01/2005	1426	1843
30/01/2005	1145	1350
8/02/2005	1420	1915
15/02/2005	1420	1350
3/04/2005	1045	1325
4/04/2005	0735	1055
30/04/2005	1112	1422
4/05/2005	1540	1840
24/05/2005	1545	1845

2. Total value of expiation fees issued for each location:

DATE INTERVAL	LOCATION	EXPIATION FEES
1 January 2003—30 April 2005	Murray Road, Port Noarlunga	\$45,891
May 2005	Swanport Road, Murray Bridge	\$507
1 January 2003-31 May 2005	Barton Terrace West, North Adelaide	\$319,424
TOTAL		\$365,822

The expiation fees include the levy to the Victims of Crime Fund. 3. Speed cameras are deployed as part of the strategy to reduce excessive speed and to establish a firm base for long-term change in driver attitude to speeding. Achieving these aims will lead to a reduction in the general level of speed, with a corresponding reduction in the number and severity of road crashes. The deployment of speed cameras is based on an intelligence assessment of locations, which have a 'road safety risk' or locations, which

contribute to a 'road safety risk' at another location. In assessing the 'road safety risk' for a location the following factors are considered:

- whether the location has a crash history; whether the location contributes to crashes in other locations;
- whether the location has been identified by SAPOL Road Safety Audits as having a road safety risk;
- where intelligence reports provide information of dangerous driving practices associated with speeding, especially speed dangerous:
- whether the physical conditions of a location creates a road safety risk.

Speed cameras are then allocated a location where they will best reduce the risk of crashes.

Speed camera deployment is an important part of the road safety strategy, as speed remains a significant contributing causal factor in road crashes with higher speeds resulting in an increased chance of a crash and increased road trauma at a crash.

Murray Road, Port Noarlunga has had 12 crashes and one vehicle was recorded by speed cameras travelling at 102 km/h; this is 42 km/h in excess of the 60 km/h speed limit. There have been two complaints by local residents regarding speeding vehicles on Murray Road.

Swanport Road, Murray Bridge has had 20 crashes and one vehicle was recorded by speed cameras travelling at 106 km/h; this is 46 km/h in excess of the 60 km/h speed limit.

Barton Terrace West, North Adelaide has had 6 crashes and two vehicles were recorded by speed cameras travelling at 91 and 97 km/h this is 41 and 47 km/h in excess of the 50 km/h speed limit.

### TRANSPORT SA

248. The Hon. D.W. RIDGWAY: Can the Minister for Transport advise what positions have been vacated within Transport A in the last three months?

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

Below is a list of the positions with the Transport Services Division (formally Transport SA), which have been vacated within the last three months.

Position vacated is defined as a current open position for which there is no occupant for greater than four weeks.

Posn #	Position Title	Agency
TS0879	Field Support Officer	Transport Services
TS0880	Maintenance Officer	Transport Services
TS2426	Directorate Admin Officer	Transport Services
TS1346	Asset Info Manager	Transport Services
TS2041	Contract Supervisor Pave Rehab	Transport Services
TS0821	Reseal Delivery Co-ordinator	Transport Services
TS0598	Oper Services Off. L3	Transport Services
TS2316	Senior Administrative Officer	Transport Services
TS2472	Project Officer eProcurement	Transport Services
TS1815	ShipWright Morgan	Transport Services
TS2487	Administrative Officer	Transport Services
TS1557	Qualified Technical Officer	Transport Services
TS2190	Engineer Project Planning	Transport Services
TS0063	Project/ Admin Officer	Transport Services
TS1390	Customer Services Officer	Transport Services
TS2513	Internet Content Manager	Transport Services
TS1532	Director TSR	Transport Services
TS1347	Administrative Officer	Transport Services

ce West, M	North Adelaide	\$319,424
		\$365,822
TS0521	Finance Officer	Transport Comissos
TS1923	Cons/Maint Wkr L4 L/Creek Pat	Transport Services
TS0890	NTW Trainee	Transport Services Transport Services
TS2234	Administrative Officer	Transport Services
TS1056	Snr Route Access Cons	
TS0146	Site Engineer	Transport Services Transport Services
TS2121		
TS0458	Senior Budget Officer Vehicle Inspector	Transport Services Transport Services
TS2277	Customer Services Officer	Transport Services
TS2285	Customer Services Officer	
TS1285	HR Administrator	Transport Services
	Customer Services Officer	Transport Services
TS0397 TS1107	Graduate Officer	Transport Services
TS1107 TS1172	Graduate Officer	Transport Services Transport Services
TS2330	Customer Services Officer	
TS2938		Transport Services
TS2526	Manager Commercial Marine Customer Services Officer	Transport Services
TS0453	Customer Services Officer	Transport Services
TS0455 TS0351		Transport Services
TS1104	Structural Engineer	Transport Services Transport Services
TS2008	Graduate Engineer Const & Mtce Worker L4	
TS0597		Transport Services
	Contract Supervisor Projects	Transport Services
TS2932	Senior Project Officer	Transport Services
TS2132 TS0632	Trnsprt Security & Mgmnt CoOrd Accreditation Auditor	
TS2537	Customer Services Officer	Transport Services
		Transport Services
TS2357	Customer Services Officer	Transport Services
TS2270	Assistant HR Consultant	Transport Services
TS2525	Customer Services Officer	Transport Services
TS2947	Project Officer	Transport Services
TS2885	Service Quality Manager	Transport Services
TS0850	Senior HR Consultant	Transport Services
TS0059	Administration Officer	Transport Services
TS1456	Contract Manager	Transport Services
TS2260	Asst Vehicle Permits Officer	Transport Services
TS2377	Senior Finance Officer	Transport Services
Total	Positions	54

### SPEED CAMERAS

### 250 and 285. The Hon. J.M.A. LENSINK:

1. Can the Minister for Police advise how many times a speed camera device was operated at Victor Harbor Rod, Mount Compass in

- (a) 2002;
- (b) 2003; and
- (c) 2004?
- At what hours was it operating?
- 3 (a) Were there any road works operating in that location at these times; and
  - (b) What were the speed limits?

What was the total value of expiation fees issued at this 4. location in:

(c) 2004?

5. Can the Minister provide details as to what road safety risks are associated with this location?

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

The Commissioner of Police has advised:

1. That a speed camera device was operated at Victor Harbor Road, Mount Compass

(a) 8 times in 2002

- (b) 67 times in 2003, and
- (b) 23 times in 2004
- 2. Speed cameras were operating at Victor Harbor Road, Mount Compass during the following times: 01/01/2002—7.15 to 12.15

<sup>(</sup>a) 2002

<sup>(</sup>b) 2003; and

30/03/2002– 04/05/2002– 26/10/2002– 21/11/2002– 22/11/2002– 24/11/2002– 20/12/2002–	
50/05/2002	_7 10 to 12 25
04/05/2002	7.10  to  12.25
04/03/2002-	-7.40 to 12.25
26/10/2002-	-7.00 to 12.00
21/11/2002-	-10.10 to 15.15
22/11/2002_	-6 50 to 14 35
22/11/2002 -	-0.50 10 14.55
24/11/2002-	-/.10 10 11.10
20/12/2002-	-8.30 to 14.00
31/12/2002-	-10.45 to 00.45
01/09/2002	7 20 40 12 20
01/08/2005-	-7.50 to 12.50
01/08/2003-	-15.45 to 20.45
02/08/2003 -	-7.05 to $12.30$
02/08/2003_	-15 30 to 20 30
02/00/2003 = 02/00/2003	-13.30 10 20.30
05/08/2005-	-7.30 to 12.30 -15.45 to 20.45 -7.05 to 12.30 -15.30 to 20.30 -7.45 to 12.30 -15.30 to 20.30 -9.30 to 13.30 -2.55 to 20.30
03/08/2003-	-15.30 to 20.30
04/08/2003-	-9.30 to 13.30
05/08/2002	-7.35 to 9.35
05/08/2003-	-7.55 10 9.55
05/08/2003-	-12.30 to $15.00$
06/08/2003-	-12.30 to 15.00 -8.30 to 15.00 -10.50 to 14.05
06/08/2003-	-10 50 to 14 05
07/08/2003	7.00  to  0.20
07/08/2003-	-7.00 to 9.30 -7.30 to 10.30 -17.30 to 23.00
08/08/2003-	-7.30 to $10.30$
08/08/2003-	-17.30 to 23.00
09/08/2003_	-7.15 to $9.45$
00/08/2003 =	17 15 40 22 45
09/08/2005-	-17.15 to 22.45
09/08/2003-	-17.20 to 22.55
10/08/2003 -	-7.10 to 10.10
10/08/2002	-17.30 to 23.00 -7.15 to 9.45 -17.15 to 22.45 -17.20 to 22.55 -7.10 to 10.10 -7.35 to 10.35 -17.10 to 22.45
10/08/2003-	17 10 4 22 45
10/08/2003-	-17.10 to 22.45
11/00/2002	$9.20 \pm 0.12.20$
13/08/2003-	-7.30 to 14.00
14/08/2003	7.30 to $14.00$
14/08/2003-	-7.50 to 14.00
15/08/2003-	-1.30 to 14.00
15/08/2003-	-16.30 to 19.00
15/08/2003-	-8.30 to 15.30 -7.30 to 14.00 -7.30 to 14.00 -7.30 to 14.00 -16.30 to 19.00 -19.00 to 22.00
16/08/2003	18.00 to 22.00
10/08/2003-	-10.00 10 22.00
17/08/2003-	-7.30 to $12.30$
17/08/2003-	-19.00 to 22.00 -18.00 to 22.00 -7.30 to 12.30 -15.10 to 20.35 -8.20 to 13.15
18/08/2003-	-8.20 to 13.15
10/08/2003	-8.10 to 13.20 -8.05 to 13.20
19/08/2003-	-0.10 10 13.20
20/08/2003-	-8.05 to $13.20$
21/08/2003-	-8.05 to 13.20
22/08/2003-	-8.15 to 13.20 -17.45 to 22.00
22/08/2002	17.45 to 22.00
22/08/2003-	-17.43 to 22.00 -8.00 to 13.20 -17.10 to 22.10
23/08/2003-	-8.00 to $13.20$
23/08/2003-	-17.10 to 22.10
24/08/2002	-9.00 to 13.30
	100 10 10100
24/08/2003-	17 40 to 22 20
24/08/2003– 24/08/2003–	-17.40 to 22.30
24/08/2003– 24/08/2003– 25/08/2003–	-17.40 to 22.30 -7.15 to 12.45
24/08/2003- 24/08/2003- 25/08/2003- 26/08/2003-	-17.40 to 22.30 -7.15 to 12.45 -8.30 to 13.45
24/08/2003– 24/08/2003– 25/08/2003– 26/08/2003– 27/08/2003–	-17.40 to 22.30 -7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30
25/08/2003– 26/08/2003– 27/08/2003–	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30
25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003–	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15
25/08/2003- 26/08/2003- 27/08/2003- 29/08/2003- 29/08/2003-	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50
25/08/2003- 26/08/2003- 27/08/2003- 29/08/2003- 29/08/2003-	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50
25/08/2003- 26/08/2003- 27/08/2003- 29/08/2003- 29/08/2003-	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50
25/08/2003- 26/08/2003- 27/08/2003- 29/08/2003- 29/08/2003-	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50
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25/08/2003- 26/08/2003- 27/08/2003- 29/08/2003- 29/08/2003-	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50
25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003–	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50 -15.15 to 18.25 -18.45 to 20.45 -15.10 to 20.45 -7.40 to 12.15 -9 10 to 12.15
25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003–	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50 -15.15 to 18.25 -18.45 to 20.45 -15.10 to 20.45 -7.40 to 12.15 -9 10 to 12.15
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25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003–	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50 -15.15 to 18.25 -18.45 to 20.45 -15.10 to 20.45 -7.40 to 12.15 -9.10 to 12.15 -16.00 to 20.45 -7.15 to 12.15
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25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003–	-7.15 to 12.45 -8.30 to 13.45 -7.45 to 12.30 -15.15 to 18.15 -18.30 to 20.50 -15.15 to 18.25 -18.45 to 20.45 -15.10 to 20.45 -7.40 to 12.15 -9.10 to 12.15 -16.00 to 20.45 -7.15 to 12.15
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25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003– 27/09/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 19/01/2004– 03/03/2004– 16/03/2004–	$\begin{array}{c} -7.15 \text{ to } 12.45 \\ -8.30 \text{ to } 13.45 \\ -7.45 \text{ to } 12.30 \\ -7.45 \text{ to } 12.30 \\ -15.15 \text{ to } 18.15 \\ -18.30 \text{ to } 20.50 \\ -15.15 \text{ to } 18.25 \\ -15.10 \text{ to } 20.45 \\ -7.40 \text{ to } 12.15 \\ -9.10 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -7.15 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -16.20 \text{ to } 21.45 \\ -16.40 \text{ to } 21.40 \\ -16.35 \text{ to } 21.35 \\ -9.30 \text{ to } 14.15 \\ -9.15 \text{ to } 12.15 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 14.45 \\ -16.40 \text{ to } 21.26 \\ -16.40 \text{ to } 21.26 \\ -15.15 \text{ to } 14.45 \\ -15.15 \text{ to } 14.45 \\ -15.15 \text{ to } 14.45 \\ -16.20 \text{ to } 21.26 \\ -16.20 \text{ to } 21.26 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.212 $
25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003– 27/09/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 19/01/2004– 03/03/2004– 16/03/2004–	$\begin{array}{c} -7.15 \text{ to } 12.45 \\ -8.30 \text{ to } 13.45 \\ -7.45 \text{ to } 12.30 \\ -7.45 \text{ to } 12.30 \\ -15.15 \text{ to } 18.15 \\ -18.30 \text{ to } 20.50 \\ -15.15 \text{ to } 18.25 \\ -15.10 \text{ to } 20.45 \\ -7.40 \text{ to } 12.15 \\ -9.10 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -7.15 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -16.20 \text{ to } 21.45 \\ -16.40 \text{ to } 21.40 \\ -16.35 \text{ to } 21.35 \\ -9.30 \text{ to } 14.15 \\ -9.15 \text{ to } 12.15 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 14.45 \\ -16.40 \text{ to } 21.26 \\ -16.40 \text{ to } 21.26 \\ -15.15 \text{ to } 14.45 \\ -15.15 \text{ to } 14.45 \\ -15.15 \text{ to } 14.45 \\ -16.20 \text{ to } 21.26 \\ -16.20 \text{ to } 21.26 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.212 $
25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003– 27/09/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 19/01/2004– 03/03/2004– 16/03/2004–	$\begin{array}{c} -7.15 \text{ to } 12.45 \\ -8.30 \text{ to } 13.45 \\ -7.45 \text{ to } 12.30 \\ -7.45 \text{ to } 12.30 \\ -15.15 \text{ to } 18.15 \\ -18.30 \text{ to } 20.50 \\ -15.15 \text{ to } 18.25 \\ -15.10 \text{ to } 20.45 \\ -7.40 \text{ to } 12.15 \\ -9.10 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -7.15 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -16.20 \text{ to } 21.45 \\ -16.40 \text{ to } 21.40 \\ -16.35 \text{ to } 21.35 \\ -9.30 \text{ to } 14.15 \\ -9.15 \text{ to } 12.15 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 14.45 \\ -16.40 \text{ to } 21.26 \\ -16.40 \text{ to } 21.26 \\ -15.15 \text{ to } 14.45 \\ -15.15 \text{ to } 14.45 \\ -15.15 \text{ to } 14.45 \\ -16.20 \text{ to } 21.26 \\ -16.20 \text{ to } 21.26 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.215 \\ -10.212 $
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25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003– 27/09/2003– 27/09/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2004– 12/07/2004– 12/07/2004– 12/07/2004– 25/07/2004– 25/07/2004–	$\begin{array}{c} -7.15 \text{ to } 12.45 \\ -8.30 \text{ to } 13.45 \\ -7.45 \text{ to } 12.30 \\ -7.45 \text{ to } 12.30 \\ -15.15 \text{ to } 18.15 \\ -18.30 \text{ to } 20.50 \\ -15.15 \text{ to } 18.25 \\ -18.45 \text{ to } 20.45 \\ -15.10 \text{ to } 20.45 \\ -7.40 \text{ to } 12.15 \\ -9.10 \text{ to } 12.15 \\ -9.10 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -7.15 \text{ to } 12.15 \\ -16.00 \text{ to } 21.45 \\ -16.20 \text{ to } 21.40 \\ -16.35 \text{ to } 21.40 \\ -16.35 \text{ to } 21.35 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 12.15 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 12.40 \\ -9.00 \text{ to } 13.10 \\ -8.25 \text{ to } 12.40 \\ -9.00 \text{ to } 13.10 \\ -8.40 \text{ to } 12.40 \\ -8.23 \text{ to } 12.40 \\ -17.15 \text{ to } 21.40 \\ -15.40 \text{ to } 20.00 \\ -15.40 $
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25/08/2003– 26/08/2003– 27/08/2003– 29/08/2003– 30/08/2003– 30/08/2003– 30/08/2003– 26/09/2003– 26/09/2003– 26/09/2003– 26/09/2003– 27/09/2003– 27/09/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2003– 21/11/2004– 12/07/2004– 12/07/2004– 12/07/2004– 25/07/2004– 25/07/2004–	$\begin{array}{c} -7.15 \text{ to } 12.45 \\ -8.30 \text{ to } 13.45 \\ -7.45 \text{ to } 12.30 \\ -7.45 \text{ to } 12.30 \\ -15.15 \text{ to } 18.15 \\ -18.30 \text{ to } 20.50 \\ -15.15 \text{ to } 18.25 \\ -15.10 \text{ to } 20.45 \\ -7.40 \text{ to } 12.15 \\ -9.10 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -7.15 \text{ to } 12.15 \\ -16.00 \text{ to } 20.45 \\ -16.20 \text{ to } 21.45 \\ -16.40 \text{ to } 21.40 \\ -16.35 \text{ to } 21.40 \\ -16.35 \text{ to } 21.35 \\ -9.30 \text{ to } 14.15 \\ -9.15 \text{ to } 12.15 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 14.45 \\ 14.20 \text{ to } 21.20 \\ -16.20 \text{ to } 21.25 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 12.45 \\ -16.40 \text{ to } 21.20 \\ -16.20 \text{ to } 21.25 \\ -9.30 \text{ to } 11.40 \\ -11.55 \text{ to } 12.15 \\ -9.30 \text{ to } 11.40 \\ -11.25 \text{ to } 12.20 \\ -11.25 \text{ to } 12.20 \\ -10.25 \text{ to } 21.20 \\ -10.25$

01/10/2004—14.04 to 16.11
03/10/2004—6.48 to 10.20
16/10/2004—7.11 to 10.31
30/10/2004—7.40 to 11.40
10/11/2001 010 1010

- 18/11/2004-8.10 to 13.10 18/11/2004-18.15 to 22.20
- 23/11/2004—9.40 to 14.30
- 27/11/2004-8.35 to 13.35
- 3. (a) There were no roadworks where the speed camera was operating.
  - (b) The speed camera was setup in a 60 km/h limit on 10 occasions and the remainder of the locations were 80 and 100 km/h zones.

4. The total value of Expiation Fees (including the Victims of Crime Levy) for Victor Harbor Road, Mount Compass is as follows

EXPIATION FEES
\$31,998
\$59,437
\$10,891
\$102,326

5. Speed cameras are deployed as part of the strategy to reduce excessive speed and to establish a firm base for long-term change in driver attitude to speeding. Achieving these aims will lead to a reduction in the general level of speed, with a corresponding reduction in the number and severity of road crashes. The deployment of speed cameras is based on an intelligence assessment of locations which have a 'road safety risk' or locations which contribute to a 'road safety risk' at another location.

In assessing the 'road safety risk' for a location the following factors are considered:

- whether the location has a crash history:
- whether the location contributes to crashes in other locations;
- whether the location has been identified by SAPOL Road Safety Audits as having a road safety risk;

where intelligence reports provide information of dangerous driving practices associated with speeding, especially speed dangerous;

whether the physical conditions of a location creates a road safety risk.

Speed cameras are then allocated a location where they will best reduce the risk of crashes.

There were 60 casualty crashes, including 14 fatalities, on the Victor Harbor Road from 2002 to 2004 and this would have contributed to the road being considered a 'road safety risk'.

#### The Hon. T.G. CAMERON: 251.

1. Can the Minister for Police advise how many fines were issued and how much revenue was raised by speed cameras sited on Barramundi Drive, Hallett Cove, for the years:

(a) 2002 -03;

(b) 2003-04; and (c) 2004-05?

2. How many fines were issued and how much revenue was raised by speed cameras sited on Ocean Boulevard, for the years: (a) 2002 -03;

(b) 2003-04; and

(c) 2004-05?

3. How many fines were issued and how much revenue was raised by speed cameras sited on Lonsdale Road, for the years: (a) 2002 -03; (b) 2003-04; and

(c) 2004-05? (June 30)

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

The Commissioner of Police has advised the following:			
1. Speed Camera Offences—Barramundi Drive, Hallett Cove			
NOTICES ISSUED	NOTICES EXPIATED		
18	\$ 2,692		
1	\$ 141		
14	\$ 2,408		
33	\$ 5,241		
2. Speed Camera Offences—Ocean Boulevard			
NOTICES ISSUED	NOTICES EXPLATED		
2,196	\$ 360,042		
648	\$ 111,274		
373	\$ 64,096		
3,217	\$ 535,412		
	Camera Offences—Barr NOTICES ISSUED 18 1 14 33 Camera Offences—Ocea NOTICES ISSUED 2,196 648 373		

The revenue from Explation Notices includes the levy to the Victims of Crime Fund.

### SHOPPING SURVEYS

# 254. The Hon. J.F. STEFANI:

1. Is the Minister for Transport aware of a shopping survey which was conducted along Port Road, Hindmarsh, at approximately 8.30 a.m. on 8 September 2004?

- 2. (a) For what purpose was the survey undertaken by the Government; and
  - (b) Will the result of the survey be made public?
- 3. Will the Minister:
- (a) Confirm which areas have been surveyed by the Government;(b) Provide the reason for carrying out the surveys in such areas; and
- (c) Provide the results?

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

On 8 September 2004 at approximately 8.30 am, an officer from the Transport Services Division of the Department for Transport, Energy and Infrastructure, inspected the road pavement along Port Road at Hindmarsh for major pavement rehabilitation works.

The Government plated vehicle used displayed a "Survey" sign mounted on the roof. There was an additional "Frequently Stopping" variable message sign attached to the roof of the vehicle.

### 255. The Hon. J.F. STEFANI:

1. Is the Attorney-General aware of a shopping survey which was conducted along Port Road, Hindmarsh, at approximately 8.30 a.m. on 8 September 2004?

- 2. (a) For what purpose was the survey undertaken by the Government; and
  - (b) Will the result of the survey be made public?
  - 3. Will the Attorney-General:
  - (a) Confirm which areas have been surveyed by the Government;
  - (b) Provide the reason for carrying out the surveys in such areas;
  - and

(c) Provide the results?

The Hon. P. HOLLOWAY: The Attorney-General has provided the following information:

The Attorney-General has no knowledge of a shopping survey being conducted along Port Road, Hindmarsh, at about 8.30am on 8 September, 2004.

### 256. The Hon. J.F. STEFANI:

1. Is the Minister for Environment and Conservation aware of a shopping survey which was conducted along Port Road, Hindmarsh, at approximately 8.30 a.m. on 8 September 2004?

2. (a) For what purpose was the survey undertaken by the Government; and

- (b) Will the result of the survey be made public?
- 3. Will the Minister:
  - (a) Confirm which areas have been surveyed by the Government;
  - (b) Provide the reason for carrying out the surveys in such areas; and
  - (c) Provide the results?

The Hon. T.G. ROBERTS: The Minister for Environment and Conservation has provided the following information: 1. No.

### 257. The Hon. J.F. STEFANI:

1. Is the Minister for Administrative Services aware of a shopping survey which was conducted along Port Road, Hindmarsh, at approximately 8.30 a.m. on 8 September 2004?

- 2. (a) For what purpose was the survey undertaken by the Government; and
- (b) Will the result of the survey be made public?
- 3. Will the Minister:
  - (a) Confirm which areas have been surveyed by the Government;

(b) Provide the reason for carrying out the surveys in such areas; and

# (c) Provide the results?

**The Hon. T.G. ROBERTS:** The Minister for Administrative Services has provided the following information:

I am advised that the Department for Administrative and Information Services has not conducted nor has any knowledge of a shopping survey on Port Road on 8 September 2004. The department does not have any Government vehicles with flashing amber lights.

## 258. The Hon. J.F. STEFANI:

1. Is the Minister for Families and Communities aware of a shopping survey which was conducted along Port Road, Hindmarsh, at approximately 8.30 a.m. on 8 September 2004?

- 2. (a) For what purpose was the survey undertaken by the Government; and
  - (b) Will the result of the survey be made public?
- 3. Will the Minister:
  - (a) Confirm which areas have been surveyed by the Government;
  - (b) Provide the reason for carrying out the surveys in such areas; and
    - (c) Provide the results?

The Hon. T.G. ROBERTS: The Minister for Families and Communities has provided the following information:

I am advised that there were no shopping surveys undertaken along Port Road, Hindmarsh by officers of the Department for Families and Communities on 8 September 2004.

### 260. The Hon. J.F. STEFANI:

1. Is the Minister for Health aware of a shopping survey which was conducted along Port Road, Hindmarsh, at approximately 8.30 a.m. on 8 September 2004?

- 2. (a) For what purpose was the survey undertaken by the Government; and
  - (b) Will the result of the survey be made public?
- Will the Minister:

   (a) Confirm which areas have been surveyed by the Government:
  - (b) Provide the reason for carrying out the surveys in such areas; and
  - (c) Provide the results?

The Hon. CARMEL ZOLLO: The Minister for Health has provided the following information:

The Minister for Health is not aware of and did not authorise a shopping survey undertaken in Hindmarsh on 8 September 2004.

### BAROSSA VALLEY WAY

# 264. The Hon. J.M.A. LENSINK:

1. Can the Minister for Transport advise of any maintenance work planned for the Barossa Valley Way, between Tanunda and Lyndoch?

2. Are there any planned, major developments on the Barossa Valley Way?

3. When will this road's maintenance requirements next be reviewed, given that the Barossa Valley Way has become a crucial transport corridor?

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

1. In 2005-06, \$790,000 has been allocated for Periodic Maintenance works on the Barossa Valley Way between Tanunda and Lyndoch. A detailed scoping of these works is yet to be completed but the first stage will involved \$100,000 of asphaltic concrete overlay between Gomersal Road and the entrance to Tanunda.

2. The State Government has been progressively delivering improvements along the Barossa Valley Way. In the past 5 years, \$4.3 million has been allocated to this road.

In 2005-06, two major infrastructure projects will be constructed. These are improvements intersection of the to the Barossa Valley Way and Seppeltsfield Road to facilitate heavy vehicle movements, and lighting of the junction of the Sturt Highway with the Barossa Valley Way. Other improvements will be considered in the coming years.

The Department for Transport, Energy and Infrastructure, through the Transport Services Division, undertakes an annual review of the condition of the road to assess maintenance requirements. The next review for periodic maintenance is scheduled to take place in February 2006.

### CRIME STATISTICS

280. The Hon. A.J. REDFORD: Can the Attorney-General provide full details of crime statistics for the past four years in the suburbs of:

- 1. Hove;
- 2. Brighton;
- 3. South Brighton;
- Seacliff;
- 4. 5. Kingston Park;

- 6. Seacliff Park;
- Marino; Hallett Cove; 7.
- 8.
- 9. Lonsdale;
- 10. O'Sullivan Beach;
- 11. Christie Downs; and
- 12. Christies Beach?

The Hon. P. HOLLOWAY: The Attorney-General has provided the following information:

1. This table provides an analysis of the offences recorded in the suburb of Hove. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

1. This table provides an analysis of the offences recorded in the suburb of Hove. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of rea	corded offence	es	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	14	10	14	12	*	*
Homicide	0	0	0	0	*	*
Major Assault	1	0	0	0	*	*
Minor Assault	10	10	11	10*	*	*
Other	3	0	3	2	*	*
Sexual offences	0	1	1	5	*	*
Rape	0	0	1	0	*	*
Indecent assault	0	0	0	2	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	0	1	0	3	*	*
Robbery and extortion	0	0	2	0	*	*
Armed robbery	0	0	0	0	*	*
Unarmed robbery	0	0	2	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	246	298	265	245	-7.5	-0.1
Serious Criminal trespass/break and enter	51	69	52	59	13.5	5.0
Fraud and misappropriation	0	5	4	1	*	*
Receiving and unlawful possession of stolen goods	1	4	0	1	*	*
Theft/illegal use of motor vehicle	16	14	12	10	*	*
Other larceny	85	82	87	79	-9.2	-2.4
Theft from shops	7	7	8	6	*	*
Theft from a motor vehicle	31	43	37	30	*	*
Arson/explosives	4	2	4	3	*	*
Property damage and environmental offences	51	72	61	56	-8.222	3.2
Offences against good order	11	31	23	18	*	*
Drug Offences	2	1	1	0	*	*
Possess/use	0	1	0	0	*	*
Sell/trade	1	0	0	0	*	*
Produce/manufacture	1	0	1	0	*	*
Possess implement for drug use	0	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	26	36	32	35	*	*
Driving offences involving alcohol or drugs	4	9	9	4	*	*
Dangerous, reckless or negligent driving	2	3	3	5	*	*
Driving licences offences	4	3	0	6	*	*
Traffic offences		_		-		

Average

Motor vehicle registration offences	15	13	15	18	*	*		
Parking and other motor vehicle offences	0	1	0	0	*	*		
Other offences	0	0	0	4	*	*		
Total	299	377	338	319	-5.6	2.2		

\*Percentage changes are not calculated for offences categories with less than 50 offences recorded in the base year.

2. This table provides an analysis of the offences recorded in the suburb of Brighton. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of rec	corded offence	S	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	28	29	55	30	-45.5	*
Homicide	0	0	0	0	*	*
Major Assault	5	3	6	8	*	*
Minor Assault	22	23	41	18	*	*
Other	1	3	8	4	*	*
Sexual offences	10	3	7	10	*	*
Rape	4	0	4	0	*	*
Indecent assault	5	1	0	4	*	*
Unlawful sexual intercourse	0	1	1	1	*	*
Other	1	1	2	5	*	*
Robbery and extortion	2	2	5	6	*	*
Armed robbery	2	0	3	4	*	*
Unarmed robbery	0	2	2	2	*	*
Extortion	0	0	0	0	*	*
Offences against property	543	630	599	560	-6.5	1.0
Serious Criminal trespass/break and enter	80	99	77	82	*	*
Fraud and misappropriation	20	23	21	14	*	*
Receiving and unlawful possession of stolen goods	3	7	11	7	*	*
Theft/illegal use of motor vehicle	41	37	46	47	*	*
Other larceny	137	204	180	146	-18.9	2.1
Theft from shops	29	35	32	25	*	*
Theft from a motor vehicle	94	60	82	74	-9.8	-7.7
Arson/explosives	8	8	4	11	*	*
Property damage and environmental offences	131	157	146	154	5.5	5.5
Offences against good order	50	48	45	59	*	5.7
Drug Offences	10	3	5	5	*	*
Possess/use	1	0	1	0	*	*
Sell/trade	2	0	1	2	*	*
Produce/manufacture	5	3	1	2	*	*
Possess implement for drug use	2	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	108	162	154	156	1.3	13.0
Driving offences involving alcohol or drugs	16	39	32	25	*	*
Dangerous, reckless or negligent driving	10	12	8	17	*	*
Driving licences offences	12	25	21	19	*	*
Traffic offences	6	18	12	17	*	*
Motor vehicle registration offences	63	66	80	75	-6.3	6.0
Parking and other motor vehicle offences	1	2	1	3	*	*
Other offences	14	12	9	10	*	*
Total	766	889	879	836	-4.9	3.0

# 3. This table provides an analysis of the offences recorded in the suburb of South Brighton. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of rea	corded offence	es	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	15	14	10	5	*	*
Homicide	0	0	0	0	*	*
Major Assault	4	5	2	0	*	*
Minor Assault	7	9	8	5	*	*
Other	4	0	0	0	*	*
Sexual offences	2	0	0	1	*	*
Rape	0	0	0	1	*	*
Indecent assault	1	0	0	0	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	1	0	0	0	*	*
Robbery and extortion	0	2	1	3	*	*
Armed robbery	0	1	0	3	*	*
Unarmed robbery	0	1	0	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	173	156	191	147	-23,0	-5.3
Serious Criminal trespass/break and enter	23	35	43	10	*	*
Fraud and misappropriation	4	0	0	5	*	*
Receiving and unlawful possession of stolen goods	1	1	2	1	*	*
Theft/illegal use of motor vehicle	8	8	26	16	*	*
Other larceny	52	46	47	36	*	-11.5
Theft from shops	4	1	1	0	*	*
Theft from a motor vehicle	27	20	25	30	*	*
Arson/explosives	6	5	2	2	*	*
Property damage and environmental offences	48	40	45	47	*	*
Offences against good order	22	36	14	20	*	*
Drug Offences	2	1	6	1	*	*
Possess/use	1	0	0	0	*	*
Sell/trade	0	0	2	0	*	*
Produce/manufacture	1	1	4	1	*	*
Possess implement for drug use	0	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	42	35	64	71	101.9	*
Driving offences involving alcohol or drugs	7	5	21	14	*	*
Dangerous, reckless or negligent driving	4	3	3	4	*	*
Driving licences offences	9	3	9	13	*	*
Traffic offences	3	3	7	5	*	*
Motor vehicle registration offences	19	21	23	34	*	*
Parking and other motor vehicle offences	0	0	1	1	*	*
Other offences	0	0	0	0	*	*
Total	256	244	286	248	-13.3	-1.1

		Number of rec	orded offence	1	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	11	16	23	16	*	*
Homicide	0	0	0	0	*	*
Major Assault	0	2	4	4	*	*
Minor Assault	8	14	18	12	*	*
Other	3	0	1	0	*	*
Sexual offences	0	3	0	3	*	*
Rape	0	1	0	2	*	*
Indecent assault	0	0	0	0	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	0	2	0	1	*	*
Robbery and extortion	0	1	1	0	*	*
Armed robbery	0	0	0	0	*	*
Unarmed robbery	0	1	1	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	232	258	199	165	-17.1	-10.7
Serious Criminal trespass/break and enter	30	35	25	30	*	*
Fraud and misappropriation	0	0	1	1	*	*
Receiving and unlawful possession of stolen goods	0	0	0	0	*	*
Theft/illegal use of motor vehicle	22	24	4	15	*	*
Other larceny	50	71	62	48	-22.6	-1.4
Theft from shops	3	3	1	3	*	*
Theft from a motor vehicle	52	39	42	23	*	-23.8
Arson/explosives	1	4	1	2	*	*
Property damage and environmental offences	74	82	63	43	-31.7	-16.6
Offences against good order	18	32	19	28	*	*
Drug Offences	3	4	1	2	*	*
Possess/use	1	1	0	1	*	*
Sell/trade	0	1	0	0	*	*
Produce/manufacture	2	2	1	0	*	*
Possess implement for drug use	0	0	0	1	*	*
Other	0	0	0	0	*	*
Driving Offences	38	35	24	52	*	*
Driving offences involving alcohol or drugs	7	7	7	12	*	*
Dangerous, reckless or negligent driving	4	6	1	4	*	*
Driving licences offences	4	3	5	9	*	*
Traffic offences	4	1	1	4	*	*
Motor vehicle registration offences	19	17	10	23	*	*
Parking and other motor vehicle offences	0	1	0	0	*	*
Other offences	0	2	1	0	*	*
Total	302	351	268	266	-0.7	0.4.1

4. This table provides an analysis of the offences recorded in the suburb of Seacliff. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

# 5. This table provides an analysis of the offences recorded in the suburb of Kingston Park. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of re	corded offence	2S	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	2	4	5	2	*	*
Homicide	0	0	0	0	*	*
Major Assault	0	0	0	0	*	*
Minor Assault	1	4	5	2	*	*
Other	1	0	0	0	*	*
Sexual offences	0	1	0	1	*	*
Rape	0	1	0	0	*	*
Indecent assault	0	0	0	0	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	0	0	0	1	*	*
Robbery and extortion	0	0	0	0	*	*
Armed robbery	0	0	0	0	*	*
Unarmed robbery	0	0	0	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	65	85	48	38	*	-16.4
Serious Criminal trespass/break and enter	8	11	9	7	*	*
Fraud and misappropriation	0	0	2	0	*	*
Receiving and unlawful possession of stolen goods	0	0	0	0	*	*
Theft/illegal use of motor vehicle	2	2	2	1	*	*
Other larceny	17	24	23	20	*	*
Theft from shops	0	0	0	0	*	*
Theft from a motor vehicle	15	7	1	5	*	*
Arson/explosives	0	1	0	0	*	*
Property damage and environmental offences	23	40	11	5	*	*
Offences against good order	10	7	5	2	*	*
Drug Offences	2	0	0	2	*	*
Possess/use	1	0	0	0	*	*
Sell/trade	0	0	0	0	*	*
Produce/manufacture	1	0	0	2	*	*
Possess implement for drug use	0	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	6	8	0	6	*	*
Driving offences involving alcohol or drugs	3	1	0	0	*	*
Dangerous, reckless or negligent driving	1	1	0	0	*	*
Driving licences offences	0	2	0	2	*	*
Traffic offences	1	0	0	0	*	*
Motor vehicle registration offences	1	4	0	4	*	*
Parking and other motor vehicle offences	0	0	0	0	*	*
Other offences	0	0	1	0	*	*
Fotal	85	105	59	51	-13.6	-15.7

		Number of rec	corded offence	es	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	16	11	10	6	*	*
Homicide	0	0	0	0	*	*
Major Assault	0	1	2	0	*	*
Minor Assault	13	9	7	4	*	*
Other	3	1	1	2	*	*
Sexual offences	2	5	2	1	*	*
Rape	1	0	1	1	*	*
Indecent assault	0	3	1	0	*	*
Unlawful sexual intercourse	1	2	0	0	*	*
Other	0	0	0	1	*	*
Robbery and extortion	2	1	0	0	*	*
Armed robbery	1	1	0	0	*	*
Unarmed robbery	1	0	0	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	136	177	140	116	-17.1	-5.2
Serious Criminal trespass/break and enter	21	23	15	16	*	*
Fraud and misappropriation	0	0	1	4	*	*
Receiving and unlawful possession of stolen goods	0	0	0	0	*	*
Theft/illegal use of motor vehicle	10	8	9	15	*	*
Other larceny	36	46	42	32	*	*
Theft from shops	5	5	4	5	*	*
Theft from a motor vehicle	21	33	24	12	*	*
Arson/explosives	2	1	3	1	*	*
Property damage and environmental offences	41	61	42	31	*	*
Offences against good order	15	18	15	13	*	*
Drug Offences	2	3	3	0	*	*
Possess/use	0	1	0	0	*	*
Sell/trade	0	0	0	0	*	*
Produce/manufacture	1	2	3	0	*	*
Possess implement for drug use	1	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	68	78	56	54	-3.6	-7.4
Driving offences involving alcohol or drugs	5	9	4	9	*	*
Dangerous, reckless or negligent driving	11	12	12	6	*	*
Driving licences offences	7	12	9	7	*	*
Traffic offences	8	15	16	5	*	*
Motor vehicle registration offences	37	29	15	26	*	*
Parking and other motor vehicle offences	0	1	0	1	*	*
Other offences	1	0	0	0	*	*
Total	242	293	226	190	-15.9	-7.7

6. This table provides an analysis of the offences recorded in the suburb of Seacliff Park. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

# 7. This table provides an analysis of the offences recorded in the suburb of Marino. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of re-	corded offence	es	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	6	10	6	8	*	*
Homicide	0	0	0	0	*	*
Major Assault	0	1	1	1	*	*
Minor Assault	6	8	5	3	*	*
Other	0	1	0	4	*	*
Sexual offences	2	1	0	0	*	*
Rape	1	0	0	0	*	*
Indecent assault	0	0	0	0	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	1	1	0	0	*	*
Robbery and extortion	0	0	0	0	*	*
Armed robbery	0	0	0	0	*	*
Unarmed robbery	0	0	0	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	123	151	65	120	84.6	-0.8
Serious Criminal trespass/break and enter	16	20	12	22	*	*
Fraud and misappropriation	2	0	0	0	*	*
Receiving and unlawful possession of stolen goods	1	1	0	0	*	*
Theft/illegal use of motor vehicle	6	5	1	7	*	*
Other larceny	39	40	21	43	*	*
Theft from shops	0	1	0	0	*	*
Theft from a motor vehicle	26	33	9	15	*	*
Arson/explosives	1	1	1	0	*	*
Property damage and environmental offences	32	50	21	33	*	*
Offences against good order	10	11	5	21	*	*
Drug Offences	2	2	1	4	*	*
Possess/use	0	0	0	1	*	*
Sell/trade	0	0	0	0	*	*
Produce/manufacture	2	2	1	3	*	*
Possess implement for drug use	0	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	9	1	10	15	*	*
Driving offences involving alcohol or drugs	2	1	1	5	*	*
Dangerous, reckless or negligent driving	3	0	1	2	*	*
Driving licences offences	1	0	0	3	*	*
Traffic offences	0	0	2	1	*	*
Motor vehicle registration offences	2	0	5	2	*	*
Parking and other motor vehicle offences	1	0	1	2	*	*
Other offences	0	0	0	0	*	*
Total	152	176	87	168	93.1	3.4

		Number of rec	corded offence	es	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	75	54	59	44	-25.4	-16.3
Homicide	1	0	0	0	*	*
Major Assault	7	7	7	7	*	*
Minor Assault	57	42	42	32	*	*
Other	10	5	10	5	*	*
Sexual offences	7	9	7	7	*	*
Rape	4	2	1	2	*	*
Indecent assault	1	6	3	2	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	2	1	3	3	*	*
Robbery and extortion	4	3	2	1	*	*
Armed robbery	3	0	0	0	*	*
Unarmed robbery	1	3	2	1	*	*
Extortion	0	0	0	0	*	*
Offences against property	877	621	730	684	-6.3	-8.0
Serious Criminal trespass/break and enter	118	83	76	85	11.8	-10.4
Fraud and misappropriation	11	0	15	9	*	*
Receiving and unlawful possession of stolen goods	3	3	8	2	*	*
Theft/illegal use of motor vehicle	65	35	55	34	-38.2	-19.4
Other larceny	221	158	230	218	-5.2	-0.5
Theft from shops	19	15	11	10	*	*
Theft from a motor vehicle	105	100	111	107	-3.6	0.6
Arson/explosives	21	9	14	16	*	*
Property damage and environmental offences	314	218	210	203	-3.3	-13.5
Offences against good order	160	88	104	103	-1.0'-13.7	
Drug Offences	36	18	14	14	*	*
Possess/use	5	1	1	3	*	*
Sell/trade	10	4	5	2	*	*
Produce/manufacture	16	13	6	9	*	*
Possess implement for drug use	5	0	0	0	*	*
Other	0	0	2	0	*	*
Driving Offences	73	81	74	67	-9.5	-2.8
Driving offences involving alcohol or drugs	6	7	13	8	*	*
Dangerous, reckless or negligent driving	14	15	6	10	*	*
Driving licences offences	12	11	11	15	*	*
Traffic offences	10	12	5	5	*	*
Motor vehicle registration offences	29	36	37	29	*	*
Parking and other motor vehicle offences	2	0	2	0	*	*
Other offences	2	5	2	1	*	*
Total	1,234	879	992	921	-7.2	-9.3

8. This table provides an analysis of the offences recorded in the suburb of Hallett Cove. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

# 9. This table provides an analysis of the offences recorded in the suburb of Lonsdale. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of rec	corded offence	S	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	28	18	27	15	*	*
Homicide	0	0	1	0	*	*
Major Assault	7	3	3	1	*	*
Minor Assault	14	11	19	11	*	*
Other	7	4	4	3	*	*
Sexual offences	1	1	0	1	*	*
Rape	1	0	0	0	*	*
Indecent assault	0	1	0	0	*	*
Unlawful sexual intercourse	0	0	0	0	*	*
Other	0	0	0	1	*	*
Robbery and extortion	3	2	1	0	*	*
Armed robbery	0	0	0	0	*	*
Unarmed robbery	1	2	1	0	*	*
Extortion	2	0	0	0	*	*
Offences against property	474	498	423	381	-9.9	-7.0
Serious Criminal trespass/break and enter	112	80	84	111	92.1	-0.3
Fraud and misappropriation	45	84	13	3	*	*
Receiving and unlawful possession of stolen goods	6	11	5	6	*	*
Theft/illegal use of motor vehicle	45	23	21	20	*	*
Other larceny	127	159	146	122	-16.4	-1.3
Theft from shops	11	17	10	15	*	*
Theft from a motor vehicle	47	39	38	32	*	*
Arson/explosives	18	18	19	11	*	*
Property damage and environmental offences	63	67	87	61	-29.9	-1.1
Offences against good order	34	71	74	74	0.0	*
Drug Offences	4	4	3	1	*	*
Possess/use	2	0	1	0	*	*
Sell/trade	0	2	1	1	*	*
Produce/manufacture	1	2	1	0	*	*
Possess implement for drug use	1	0	0	0	*	*
Other	0	0	0	0	*	*
Driving Offences	135	160	214	244	14.0	21.8
Driving offences involving alcohol or drugs	6	14	16	20	*	*
Dangerous, reckless or negligent driving	14	17	21	19	*	*
Driving licences offences	24	30	40	65	14	21
Traffic offences	14	21	31	33	*	*
Motor vehicle registration offences	77	76	105	103	-1.9	10.2
Parking and other motor vehicle offence	0	2	1	4	*	*
Other offences	4	9	1	4	*	*
Total	683	763	743	720	-3.1	1.8

		Number of rec	orded offence	es	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	31	27	21	23	*	*
Homicide	0	0	0	0	*	*
Major Assault	6	1	1	3	*	*
Minor Assault	18	23	16	19	*	*
Other	7	3	4	1	*	*
Sexual offences	1	2	3	7	*	*
Rape	0	1	0	2	*	*
Indecent assault	0	1	1	1	*	*
Unlawful sexual intercourse	1	0	0	2	*	*
Other	0	0	2	2	*	*
Robbery and extortion	0	0	0	0	*	*
Armed robbery	0	0	0	0	*	*
Unarmed robbery	0	0	0	0	*	*
Extortion	0	0	0	0	*	*
Offences against property	224	220	132	119	-9.8	-19.0
Serious Criminal trespass/break and enter	60	54	19	21	*	-29.5
Fraud and misappropriation	0	0	0	0	*	*
Receiving and unlawful possession of stolen goods	2	1	2	3	*	*
Theft/illegal use of motor vehicle	12	14	6	7	*	*
Other larceny	57	71	36	33	*	-16.7
Theft from shops	3	1	3	1	*	*
Theft from a motor vehicle	29	28	20	9	*	*
Arson/explosives	4	5	3	2	*	*
Property damage and environmental offences	57	46	43	43	*	-9.0
Offences against good order	32	55	45	42	*	*
Drug Offences	11	12	5	20	*	*
Possess/use	4	2	0	3	*	*
Sell/trade	2	5	0	9	*	*
Produce/manufacture	5	5	4	8	*	*
Possess implement for drug use	0	0	0	0	*	*
Other	0	0	1	0	*	*
Driving Offences	36	44	34	55	*	*
Driving offences involving alcohol or drugs	1	1	1	4	*	*
Dangerous, reckless or negligent driving	1	1	3	4	*	*
Driving licences offences	8	12	10	12	*	*
Traffic offences	3	1	2	4	*	*
Motor vehicle registration offences	22	25	16	31	*	*
Parking and other motor vehicle offences	1	4	2	0	*	*
Other offences	0	0	1	1	*	*
Total	335	360	241	267	10.8	-7.3

10. This table provides an analysis of the offences recorded in the suburb of O'Sullivan Beach. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

# 11. This table provides an analysis of the offences recorded in the suburb of Christie Downs. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

		Number of rec	corded offence	s	Percentage change	Average annual percentage change
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	128	166	138	120	-13.0	-2.1
Homicide	0	0	0	0	*	*
Major Assault	15	20	6	8	*	*
Minor Assault	89	120	119	104	-12.6	5.3
Other	24	26	13	8	*	*
Sexual offences	14	10	30	15	*	*
Rape	7	3	6	5	*	*
Indecent assault	3	3	2	5	*	*
Unlawful sexual intercourse	3	4	15	2	*	*
Other	1	0	7	3	*	*
Robbery and extortion	17	17	11	9	*	*
Armed robbery	5	6	5	3	*	*
Unarmed robbery	12	11	6	5	*	*
Extortion	0	0	0	1	*	*
Offences against property	935	900	794	669	-15.7	-10.6
Serious Criminal trespass/break and enter	184	156	129	97	-24.8	-19.2
Fraud and misappropriation	9	18	4	41	*	*
Receiving and unlawful possession of stolen goods	24	16	20	9	*	*
Theft/illegal use of motor vehicle	45	40	48	30	*	*
Other larceny	241	236	236	177	-25.0	9.8
Theft from shops	29	24	8	9	*	*
Theft from a motor vehicle	128	81	53	61	15.1	-21.9
Arson/explosives	33	24	34	16	*	*
Property damage and environmental offences	242	305	262	229	-12.6	-1.8
Offences against good order	256	328	377	435	15.4	19.3
Drug Offences	20	29	24	27	*	*
Possess/use	7	4	7	6	*	*
Sell/trade	7	6	1	7	*	*
Produce/manufacture	6	15	11	11	*	*
Possess implement for drug use	0	1	2	2	*	*
Other	0	3	3	1	*	*
Driving Offences	288	384	348	358	2.9	7.5
Driving offences involving alcohol or drugs	22	29	18	18	*	*
Dangerous, reckless or negligent driving	16	20	12	9	*	*
Driving licences offences	71	89	74	113	52.7	16.8
Traffic offences	20	40	39	38	*	*
Motor vehicle registration offences	152	201	198	170	-14.1	3.8
Parking and other motor vehicle offences	7	5	7	10	*	*
Other offences	8	2	3	10	*	*
Total	1,666	1,838	1,725	1,643	-4.8	0.5

		Number of rec	Percentage change	Average annual percentage change		
	2001	2002	2003	2004	2003 to 2004	2001 to 2004
Offences against the person, excluding sexual offences	83	86	69	63	-8.7	-8.8
Homicide	0	0	0	0	*	*
Major Assault	8	11	8	7	*	*
Minor Assault	66	64	49	50	*	-8.8
Other	9	11	12	5	*	*
Sexual offences	7	8	11	15	*	*
Rape	2	0	1	2	*	*
Indecent assault	4	6	3	4	*	*
Unlawful sexual intercourse	0	0	0	5	*	*
Other	1	2	7	4	*	*
Robbery and extortion	3	6	9	4	*	*
Armed robbery	1	3	2	1	*	*
Unarmed robbery	2	3	6	3	*	*
Extortion	0	0	1	0	&	&
Offences against property	1,050	746	794	692	-12.8	-13.0
Serious Criminal trespass/break and enter	235	128	127	139	9.4	-16.1
Fraud and misappropriation	22	19	15	34	*	*
Receiving and unlawful possession of stolen goods	8	11	9	6	*	*
Theft/illegal use of motor vehicle	65	44	30	28	*	-24.5
Other larceny	318	266	218	211	-3.2	-12.8
Theft from shops	51	29	79	49	-38.0	-1.3
Theft from a motor vehicle	170	80	95	57	-40.0	30.5
Arson/explosives	20	16	16	15	*	*
Property damage and environmental offences	161	153	205	153	-25.4	-1.7
Offences against good order	177	128	173	118	-31.8	-112.6
Drug Offences	32	23	16	15	*	*
Possess/use	9	0	0	0	*	*
Sell/trade	16	7	3	7	*	*
Produce/manufacture	2	9	12	6	*	*
Possess implement for drug use	2	1	0	0	*	*
Other	3	6	1	2	*	*
Driving Offences	280	340	251	275	9.6	-0.6
Driving offences involving alcohol or drugs	24	34	20	26	*	*
Dangerous, reckless or negligent driving	7	16	4	18	*	*
Driving licences offences	62	67	49	62	*	00.0
Traffic offences	24	36	24	31	*	*
Motor vehicle registration offences	159	186	148	132	-10.8	-6.0
Parking and other motor vehicle offences	4	1	6	6	*	*
Other offences	8	14	8	2	*	*
Total	1,640	1,351	1,331	1,184	-11.0	-10.3

12. This table provides an analysis of the offences recorded in the suburb of Christies Beach. The number of recorded offences, the percentage change (2003 to 2004) and the average annual percentage change (2001 to 2004).

## EMERGENCY SERVICES LEVY

281. **The Hon. T.G. CAMERON:** How much Emergency Services Levy funds were spent in the years:

- 1. 1999-00;
- 2. 2000-01:
- 4. 2001-02; and
- 4. 2003-04.

for the following areas:

- (a) SA Metropolitan Fire Service;
- (b) SA Country Fire Service;
- (c) State Emergency Service:

- (d) Emergency Services Administrative Unit;
- (e) Surf Life Saving SA;
  (f) Volunteer Marine Rescue Organisations;
- (g) SA Police;
- (h) SA Ambulance Service;
- (i) Department for Environment and Heritage;
- (j) Revenue SA ESL Collection Costs;
- (k) Transport SA ESL Collection Costs;
- (1) Fund Administration; and
- (m) Other?

The Hon. CARMEL ZOLLO: The Emergency Services Levy, along with remissions and concessions are paid into the Community Emergency Services Fund. Payments from the Community Emergency Services Fund for the years 1999-2000 to 2003-04 have been as follows:

	1999-00	2000-01	2001-02	2002-03	2003-04
SA Metropolitan Fire Service	\$63.5m	\$64.0m	\$57.7m	\$68.5m	\$76.2m
Country Fire Service	\$36.1m	\$39.7m	\$41.2m	\$42.7m	\$44.5m
State Emergency Service	\$5.2m	\$6.5m	\$7.6m	\$9.7m	\$10.8m
Emergency Services Administrative Unit	\$1.0m	\$1.0m	\$0.5m	\$0.5m	\$0.5m
Surf Life Saving SA	\$0.3m	\$0.8m	\$0.8m	\$0.4m	\$0.9m
Volunteer Marine Rescue Organisations	-	\$0.6m	\$0.6m	\$0.8m	\$0.7m
SA Police	\$16.7m	\$16.5m	\$16.7m	\$16.7m	\$16.8m
SA Ambulance Service	\$1.0m	\$1.0m	\$1.0m	\$1.0m	\$1.0m
Department for Environment and Heritage	\$1.9m	\$1.9m	\$2.0m	\$2.0m	\$2.1m
RevenueSA ESL Collection Costs	\$8.3m	\$7.6m	\$7.0m	\$7.0m	\$6.2m
Transport SA ESL Collection Costs	\$0.2m	\$0.6m	\$0.6m	\$0.7m	\$0.6m
Fund Administration	\$0.8m	\$1.3m	\$1.0m	\$1.0m	\$1.1m
Other	\$0.4m	\$1.7m	\$3.5m	\$3.9m	\$3.3m
TOTAL	\$135.3m	\$143.2m	\$140.2m	\$154.9	\$164.7m

### PAPERS TABLED

The following papers were laid on the table:

By the President (Hon. R.R. Roberts)-

Reports, 2004-2005-

District Council of Ceduna. District Council of Cleve.

By the Minister for Aboriginal Affairs and Reconciliation (Hon. T.G. Roberts)—

Children in State Care Commission of Inquiry-Report, 2005.

# STATUTORY AUTHORITIES REVIEW COMMITTEE

**The Hon. R.K. SNEATH:** I lay on the table the report of the committee into the WorkCover Corporation of South Australia.

Report received and ordered to be published.

# **QUESTION TIME**

# MENTAL HEALTH

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make an explanation prior to asking a question of the Minister for Mental Health and Substance Abuse on the subject of mental health.

Leave granted.

The Hon. R.I. LUCAS: Members will be aware that there has been ongoing debate about the future of mental health services and, in particular, the future of Glenside, for a number of years. I refer the minister to an article in *The Advertiser* of 18 March this year which stated:

Glenside Hospital will close in the next seven years, as part of the state's long-term mental health plan, health minister Lea Stevens revealed yesterday. The 330-bed hospital will be replaced with new facilities in the community. 'Glenside is outdated and really on its knees. The idea is to rebuild closer to where people live. We just won't need Glenside any more', Ms Stevens said.

There were a number of other interviews, and I will not refer to all of them but just to two. On 17 March on radio station 5AA I refer the minister to the following question from Mr Leon Byner:

Now, just back to the closure of Glenside, what's going to happen to the land there? Are developers interested?

The Hon. Lea Stevens said:

We haven't even started to look at that because it's six to seven years in the future but obviously once we've moved all of our services away from Glenside, well then the government needs to think about what then do we do with this land?

Again, on 17 March from Mr Byner:

When are you going to shut Glenside?

The answer from the Hon. Lea Stevens was:

As we build these new facilities, those services will move off Glenside and eventually we'll have a situation where we won't need Glenside for mental health. These things will be built over the next six to seven years but things will continue. We are not just going to wipe things out at Glenside without having something else new to take their place.

My question to the minister is as follows. When the former Minister for Health, the Hon. Lea Stevens, indicated on a number of occasions since March of this year that it was the government's policy to close Glenside, was she telling the truth?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): I place on record, as I believe we have done before, that we do recognise a responsibility and a duty of care to maintain a level of service, unlike the previous government. So, no current facility on the campus will close, as has been said by the previous minister, until a new one is open, commissioned or running. Perhaps before I continue I should place on record the commitment and dedication of the former Minister for Health, and I know all in this chamber wish her a speedy recovery back into politics.

We are developing mental health services into the community and into new units in public hospitals, as has been announced for quite a few years, unlike the member for Finniss in the other place who announced it but never actually got started. Of course, this will take some years. The honourable member who asked the question mentioned six to seven years, and I believe that will be the case; it will take that long. The future of Glenside as a piece of real estate certainly has not been to cabinet. There would be no reason for it to go to cabinet. It is a working campus at the moment, so there has been no decision to close Glenside, and certainly we do not have any deadlines. We are talking six to seven years down the track.

The Hon. R.I. Lucas: Do you support the closure?

**The Hon. CARMEL ZOLLO:** Not only does this government agree with devolving services in the community but so does your party, so what is the issue?

The Hon. P. Holloway: Perhaps they don't have a view. The Hon. CARMEL ZOLLO: Perhaps they do not have a view. Perhaps we should ask the member for Finniss in the

other place what his view is. As I said, we are replacing outdated facilities as part of the \$110 million building program—

*The Hon. A.J. Redford interjecting:* **The PRESIDENT:** Order!

**The Hon. CARMEL ZOLLO:** —that has been undertaken in the state. I can tell members where we are building those new facilities—

Members interjecting:

**The PRESIDENT:** Order! There is too much interjection from Her Majesty's loyal opposition and too much from my right. The minister is doing very well.

**The Hon. CARMEL ZOLLO:** —the Flinders Medical Centre, the Margaret Tobin Centre—and perhaps members would like to visit to see what a beautiful new centre is being built—the Repatriation General Hospital and the Lyell McEwin Hospital. They are all places where people actually live.

The Hon. R.D. Lawson interjecting:

The Hon. CARMEL ZOLLO: I can assure the honourable member that our health services are not stuffed and neither are our mental health services. They are—

The Hon. R.I. Lucas: Do you support the closure?

The Hon. CARMEL ZOLLO: Eventually—

The Hon. R.I. Lucas: Yes.

**The Hon. CARMEL ZOLLO:** Eventually, as I said, we are devolving our services into hospitals where people live, and we will also have rehabilitation services. At this time—

The Hon. R.I. Lucas: Do you support the closure?

**The Hon. D.W. Ridgway:** It is a very simple question. **The Hon. CARMEL ZOLLO:** It is a very simple answer. We are doing the right thing and it is important that we get

it right. We are devolving services into the community. **The Hon. R.I. Lucas:** Do you support the closure?

The PRESIDENT: Order!

**The Hon. R.I. LUCAS:** As a supplementary question, does the minister support the closure of Glenside?

The Hon. CARMEL ZOLLO: As the previous minister did, we have taken the advice, starting from the Brennan report (a report undertaken by the previous government), the Generational Health Review and, indeed, even the HREOC report which says that we need to devolve our services into the community, and that is what we are doing. I support what we are doing now with Glenside.

The Hon. R.I. Lucas: What are you doing?

**The Hon. CARMEL ZOLLO:** We are devolving the services of the community and we are building good facilities in the community and in rehabilitation centres.

**The Hon. R.I. LUCAS:** I have a further supplementary question. Why is the minister refusing to answer the question on her first day in this chamber in relation to whether she supports the closure of Glenside Hospital?

The PRESIDENT: That is the same question.

The Hon. CARMEL ZOLLO: The Leader of the Opposition may not like my answer, but I have answered him.

The Hon. R.I. LUCAS: I have a further supplementary question.

**The PRESIDENT:** Order! What is the supplementary question?

**The Hon. R.I. LUCAS:** I am about to ask it, Mr President. Given that the minister has indicated that Lea Stevens and the government's policy has been for the 'eventual' (to use her word) closure of Glenside Hospital, why did the acting minister for health indicate last week that there had been no decision by cabinet to close Glenside Hospital?

The Hon. CARMEL ZOLLO: Because there has been no decision. We are talking about a campus; we are talking about a piece of real estate. There has been no decision. It has not gone to cabinet.

The Hon. R.I. Lucas: She did not tell the truth.

The **PRESIDENT:** Order! I think if we remain formal and we address members by their correct titles, there will be less offence and heat in the arguments and we will have sensible answers and more questions in question time.

**The Hon. KATE REYNOLDS:** I have a supplementary question. Will the Minister for Health and Substance Abuse please tell the council when the devolution plan will be released?

The Hon. CARMEL ZOLLO: Is that a supplementary question?

**The PRESIDENT:** Apparently you referred to a report, so the question is in order.

**The Hon. CARMEL ZOLLO:** As I responded to the Leader of the Opposition, Glenside is being devolved even as we speak—that is already happening—but it has to happen when places are available.

Members interjecting:

The Hon. CARMEL ZOLLO: Okay. According to all the advice and all the reports that we have received, it is.

*Members interjecting:* **The PRESIDENT:** Order!

The Hon. KATE REYNOLDS: I have a further supplementary question arising from the minister's answer. I

thought my question was quite plain but apparently it was not. When will the devolution plan be released? **The Hon. CARMEL ZOLLO:** I have already answered

that. We have a building plan, which is happening.

The Hon. Kate Reynolds: Where's the plan?

The Hon. CARMEL ZOLLO: I am just so pleased that everybody is interested in mental health today. The plan is that, as soon as those facilities which I have talked about and perhaps we can send you some information—are completed, people will be gradually moved out to the community, into hospitals and rehabilitation centres. It is very important that, when they are moved through that system, all the correct support is there for them. It is happening slowly at the moment because the building plan is on track, but it will take time. It will take six to seven years.

The Hon. Caroline Schaefer: Either there is a plan or there is not.

**The Hon. CARMEL ZOLLO:** You can look at any press release we put out and there is a plan there.

**The Hon. NICK XENOPHON:** By way of supplementary question, does the minister believe that the current deinstitutionalisation approach that has driven mental health policy for a generation ought to be reviewed and indeed abandoned?

The PRESIDENT: That question is seeking opinion. There are rules about that. The minister can choose to answer or not answer. Questions soliciting opinion are out of order. Members know that, and the minister can decide whether or not to answer that question.

The Hon. CARMEL ZOLLO: I am very surprised to hear that question from the honourable member. We have report after report being brought down in relation to our health services and mental health services that continually tell us that people need to go out into areas where they live and into the community, but with the strong proviso—as I just said to the Hon. Kate Reynolds—that we ensure that the support those people need follows them.

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Mental Health and Substance Abuse a question about ministerial responsibilities. Leave granted.

**The Hon. R.D. LAWSON:** As is well known, South Australia presently has the lowest per capita funding for mental health of any of the Australian states.

The Hon. G.E. Gago: For eight years you ran down the system.

Members interjecting:

**The PRESIDENT:** Order! Members on both sides should cease their interjections. I am having difficulty hearing the Hon. Mr Lawson, who has the floor.

**The Hon. R.D. LAWSON:** This notorious fact is in reports to the Productivity Commission and in other recent reports. Funding to the South Australian health system is directed and allocated through regional boards. I am delighted to see the chair of one of those regional boards in the gallery today.

**The PRESIDENT:** Order! I have raised this matter with the Hon. Mr Lawson before—stick to the point.

**The Hon. R.D. LAWSON:** Those boards, sometimes called super boards, allocate the funding to hospitals, which in turn allocate funding to various departments within the hospitals. My questions in relation to that matter are:

1. What control over funding will the minister have for mental health programs which are administered through hospitals?

2. Through what department is the substance abuse portfolio to be administered?

3. What is the extent of the budget appropriations for programs for substance abuse in South Australia?

4. What responsibility will the Minister for Mental Health and Substance Abuse have in relation to substance abuse on the APY lands in the northwest of the state?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): I thank the honourable member for his question. As the honourable member would be aware, I was sworn in at 5 p.m. last Friday and had the opportunity for some briefings for a quick half an hour after cabinet. Nonetheless, I will be responsible for the Mental Health Act and for the Public Intoxication Act.

The Hon. Sandra Kanck interjecting:

**The Hon. CARMEL ZOLLO:** Yes, I will be responsible for tobacco. In relation to the Controlled Substances Act and the Drugs Act, it is felt that for administrative, operational and regulatory reasons they are best left with other responsibilities. I have not had the opportunity to sit down with the Minister for Health in the other place and have further discussions. Obviously, mental—

The Hon. J.M.A. Lensink interjecting:

The Hon. CARMEL ZOLLO: Well, I did not have delegation before. The honourable member clearly does not understand what 'minister assisting' means. It has taken her a long time to do it and all she wanted to do was a 'dear diary' with me. I will be sitting down with the minister in the other place to try to sort out our areas of responsibility. I know my own areas of responsibility, but there will always be some areas where we will need joint discussions and joint submissions. I think anyone who is realistic would understand that would be the case.

The Hon. CAROLINE SCHAEFER: My question is to the Minister for Mental Health and Substance Abuse. Which minister will take responsibility for a mental health patient admitted to a ward in, for example, the Royal Adelaide Hospital? Would it be the Minister for Health or the Minister for Mental Health?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): It would depend on why the person is admitted but, if the honourable member is saying that the person is a mental health patient, I would be taking that responsibility.

**The Hon. KATE REYNOLDS:** I have a supplementary question. Would the minister please advise who will be taking responsibility for people with psychiatric disabilities?

The Hon. G.E. Gago: Isn't that a separate question?

The Hon. CARMEL ZOLLO: Indeed, it is a separate question. We have already commenced at the ministerial level and the officer level to work with the Minister for Families and Communities. Obviously, there are many cross-agency issues in relation to disability and psychiatric issues. I advise the honourable member that I will continue working with him, and I am certain we can do better in some of those areas.

**The PRESIDENT:** I take it that the question is in order because we are talking about a psychiatric injury and it is part of mental health services.

## **METROPOLITAN FIRE SERVICE**

**The Hon. G.E. GAGO:** I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about new Metropolitan Fire Service stations. Leave granted.

**The Hon. G.E. GAGO:** I am aware that new MFS fire stations are planned for the eastern suburbs. Will the minister advise the details of these new stations?

The Hon. CARMEL ZOLLO (Minister for Emergency Services): The government is committed to ensuring that our emergency services are properly resourced so that they can continue to play their vital safety and support role in our communities. I am pleased to announce that the ability of the MFS to respond to fire emergencies in Adelaide's eastern suburbs will continue to meet the highest standards as a result of the government deciding to build two new MFS stations at Beulah Park and Paradise. The MFS has purchased land on The Parade at Beulah Park, with a tender process for construction of the new station set to begin in February next year. Early site works should begin soon after that, with full construction scheduled to start in July next year. The MFS has nearly finalised a contract to purchase land at Paradise for a second new fire station. It is expected that settlement of the land will be reached by May next year, and construction is due to begin by early 2008.

The government has committed more than \$8 million to fund these important projects: \$3.95 million for the new Beulah Park station and an estimated \$4.4 million for the Paradise station. The new MFS stations will significantly increase emergency services resources to Adelaide's eastern and north-eastern suburbs. With the opening of these two new stations, there will now be an extra station in the northeastern suburbs of Adelaide. This announcement also means that the government is returning an MFS presence back to the Parade, a move the member for Norwood has been strongly lobbying for. I remember the days when the MFS was located just before the intersection of Portrush Road, and we all trotted along with our children.

The proposed new Paradise MFS station and the recently opened MFS station at Golden Grove mean that Adelaide eastern communities now have their highest ever level of MFS support and response. The new stations are part of the fire services' configuration of the stations located in Adelaide's north, north-east and east, including the relocation of the former Ridgehaven station to Golden Grove, and the planned replacement of the Glynde station with the Beulah Park and Paradise stations. The relocations are in response to emerging changes in demographics, traffic density and fire risk profiles in these areas.

**The Hon. J.F. STEFANI:** I have a supplementary question. Can the minister advise how much the land for the Paradise station cost, and from whom was it purchased?

**The Hon. CARMEL ZOLLO:** The land and building for the Paradise station is anticipated to cost \$4.4 million, as I said in my press release. I have not yet signed a lease for the station. It is my understanding that it will be with the Assemblies of God community.

# ATTENTION DEFICIT HYPERACTIVITY DISORDER

**The Hon. SANDRA KANCK:** I seek leave to make a brief explanation before asking the Minister for Mental Health and Substance Abuse a question about the treatment of ADHD in South Australia.

Leave granted.

The Hon. SANDRA KANCK: ADHD (attention deficit hyperactivity disorder) is a debilitating condition for many

young South Australians. It results in great difficulties for the children suffering from the condition, and increased levels of stress for their families, classmates and teachers. Prescription amphetamines are one common form of treatment for ADHD. Specialists in the field have long been concerned about an over-reliance on prescription amphetamines. Multi-modal therapy and treatment are necessary to ensure the best health outcomes for the children, which was a recommendation of the Social Development Committee. My questions to the minister are:

1. How many children were diagnosed with ADHD during the years 2000 to 2004 inclusive?

2. How many amphetamine prescriptions were issued for children with ADHD during the years 2000 to 2004 inclusive?

3. Does the minister support a review of the prevalence and effectiveness of prescription medications for ADHD sufferers?

4. Consistent with the recommendations of the Social Development Committee's report of January 2002, does the minister support the establishment of a centre, staffed by health, mental health and educational professionals, to develop and disseminate best practice treatment protocols based on the multi-modal philosophy; and, also, consistent with the January 2002 recommendations of the Social Development Committee, does the minister support the development of a multi-modal approach to diagnosis to complement multi-modal therapy and treatment?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): I thank the member for her question in relation to ADHD in South Australia. I obviously remember the report of the Social Development Committee. I have to admit that this is something I will need to take advice on. I have not had the opportunity to be across everything in half a day but, as I said, I will take advice and bring back a response. I think we have established some good protocol in my office whereby we respond to questions as soon as we possibly can, and I will do that. I also do not have the statistics that the member asks for and, again, I will bring back a response.

# **EMERGENCY ACCOMMODATION**

**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 Families and Communities, a question about emergency accommodation. Leave granted.

The Hon. A.L. EVANS: A recent media report of 28 September 2005 described the plight of young mothers aged 16 to 24 in South Australia who, according to the report, are experiencing increased levels of homelessness. The media report refers to the report of the state government, entitled 'A Roof to Start off With: Young, Homeless, Pregnant and Parenting in Adelaide,' which found that, in 2003-04, the number of homeless mothers was likely to be greater than 894 women and 1 500 children. The report finds that, without supporting housing, mothers and children face increased risk of abuse, poor health and, if pregnant and homeless, an increased risk of abuse, neglect, poor development and behavioural outcomes. The report makes the following statement:

The single most powerful intervention likely to make a difference to young mothers and children is housing.

My questions are:

1. Will the minister advise what action the state government has taken in regard to its own findings detailed in the report 'A Roof to Start off With: Young, Homeless, Pregnant and Parenting in Adelaide'?

2. Will the minister advise whether he has established additional state housing specifically designed to cater for the needs of young mothers, particularly those in the north and north-eastern suburbs?

3. Will the minister advise of the number of existing programs currently addressing this issue and the measures, if any, taken to financially assist lapsed programs to re-tender for additional funding?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I thank the honourable member for his question. Certainly, affordable housing, with the rising cost of housing at all levels, will be one of the greatest challenges governments face in the future. I will taken those questions on notice, contact my colleague in another place (Hon. J. Weatherill) and bring back a reply.

### **EMERGENCY TELEPHONE SERVICE**

**The Hon. A.J. REDFORD:** I seek leave to make a brief explanation before asking the Minister for Emergency Services a question about 000 telephone calls.

Leave granted.

The Hon. A.J. REDFORD: Last week, I received a call from a member of the Metropolitan Fire Service (in fact, I get a lot of calls from that service) regarding the 000 emergency number. Every member of the community knows or should know that, when people are confronted with a serious emergency or life-threatening situation, they can ring 000 and report the incident and the appropriate emergency service will respond in a timely fashion. Indeed, emergencies with which ordinary people are confronted include police and emergencies; obviously, health emergencies and the ambulance; of course, importantly, when large numbers of lives can, from time to time, be put at risk; and fire emergencies, when it is the responsibility of the Metropolitan Fire Service, in particular, to go out there and protect the lives of ordinary South Australians. Indeed, a significant sum of money is allocated through the budgetary process to ensure that the lives of South Australians are adequately, appropriately and properly protected.

My constituent tells me that, on 8 October 2005, at approximately 2.30 a.m. the MFS was not getting 000 telephone calls. In fact, it became so concerning that the police tried to ring the MFS without success. As a consequence, they had to physically send a patrol car to the MFS to get its attention. So, it is back to the future and the 19th century. As a consequence, the MFS had to call in a technician to fix the problem. So, for a period, the lives of South Australians were put at great risk as a consequence of the failure of the 000 telephone number and communications system to work.

Just as serious, I am also told that there is a lack of continual maintenance of the MFS communications system, which caused this particular problem. I have also been informed that this is not a one-off incident and that it has occurred on a previous occasion. I am informed that, as a consequence of this lack of maintenance, stations at Elizabeth and Ridgehaven have also dropped out of the communications system, putting the lives of large numbers of residents in those important suburbs at great risk. My questions are: 1. Was the minister aware that the 000 service in the communications system at MFS headquarters dropped out on 8 October?

2. Was the minister aware of similar drop-outs at Ridgehaven and Elizabeth?

3. Is the minister concerned about public safety during these dropout periods?

4. What is being done to prevent these drop-outs in future?

The Hon. CARMEL ZOLLO (Minister for Emergency Services): I thank the honourable member for his question. Indeed, I am concerned about public safety. I am very concerned about what the honourable member has to say. I will undertake to get an immediate report and bring back a response for him.

The Hon. A.J. REDFORD: Is the minister aware of the incident, or is this the first time that it has been drawn to her attention?

The Hon. CARMEL ZOLLO: I was not aware. I am sorry that the constituent who rang you did not call my office as well. We would have got onto it straight away.

# MENTAL HEALTH REPORT

**The Hon. J.M.A. LENSINK:** I seek leave to make a brief explanation before asking the Minister for Mental Health and Substance Abuse a question about the HREOC report.

Leave granted.

The Hon. J.M.A. LENSINK: The report commissioned by the Human Rights and Equal Opportunity Commission entitled 'Not for Service: Experiences of injustices and despair in mental health care in Australia' was released on 19 October. Indeed, the minister herself made a ministerial statement in response to that, in which she misquoted statistics. My questions are:

1. What input did the minister have into the state government's response to the report?

2. Does the Minister for Mental Health and Substance Abuse fully support the official response of the South Australian government to this report?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): The South Australian government's response to the HREOC report obviously went through cabinet, and I was aware of it. I do not have the report in front of me, but as a cabinet we pointed out that, whilst this state still has some way to go, we are addressing all the issues as quickly as we possibly can. I will not reiterate all the history that the member continues to talk about, because what I want the member and, indeed, everybody in this chamber to do is to work on the issue of mental health in a bipartisan way. We are prepared to take advice and to listen.

In relation to the HREOC report, the honourable member may also be aware that 'Paving the way', the review of mental health legislation in this state, to a major extent addresses all of those issues. We have committed to progressing that legislation. A lot of consultation has already occurred in the community. I do not believe that there would be sufficient time to introduce the legislation this year, but we are committed to that legislation and indeed progressing it. I understand that it is out for further consultation even now.

**The Hon. J.M.A. LENSINK:** Does the minister agree with all of the comments that were contained in the government's response to the HREOC report?

**The Hon. CARMEL ZOLLO:** Yes. It went through cabinet; I do agree with it.

# **COMMUNITY SERVICE**

**The Hon. J. GAZZOLA:** I seek leave to make a brief explanation before asking the Minister for Correctional Services a question regarding community service.

Leave granted.

The Hon. J. GAZZOLA: Community service is a component of sentencing and is part of the rehabilitation of prisoners prior to release back into society. The minister has previously informed the council of the positive contributions being made to local and regional communities through the Department for Correctional Services run community service program. My question to the minister is: has the community service program run by the Department for Correctional Services been operational in more remote areas of the state and, if so, will the minister provide some detail of this important work to the council?

The Hon. T.G. ROBERTS (Minister for Correctional Services): I thank the honourable member for his question and his interest in the remote regions in South Australia and correctional services. I would like to report that the community service projects that are carried out by offenders provide valuable benefits to communities across the state. This system was set up with bipartisan support. It has continued to run services through metropolitan, outer metropolitan and regional areas and is now operating in a more efficient way in the remote regions.

In 2004-05 nearly 155 000 hours of community service work were undertaken for government, local government, welfare and other non-profit organisations. The APY lands and the Yalata community are serviced by a community service work team based in Port Augusta which I visited some time ago. Two experienced correctional officers visit most APY communities three times per year and the Yalata community four times per year. The officers spend up to 15 days at a time in each of the communities providing offenders who have community service orders with the opportunity to complete them. One of the criticisms we have had in the past is that, because of the remoteness, the community service orders had voluntary attendance and there was not a lot of supervision. That situation now has changed. I understand that the community service work team has been very successful and that in its first full year of operations in 2004 over 3 000 hours of community service were completed compared with the 600 hours completed in 2003.

Projects being undertaken have directly benefited the Aboriginal communities and resulted in the completion of a number of projects that might otherwise not have been completed. During the past few years, community service participants in the Fregon community have undertaken work including dismantling a disused machinery shed, which was reused elsewhere in the community. This recycled material was used to provide roofing for an undercover work space, stockyard fabrication and community beautification projects. The work of the participants and staff of the Department of Correctional Services who were involved in these projects has gained the gratitude of the manager of the Community Development Employment Program.

Bicycle SA has been delivering bicycle education programs on the APY lands, and community service work groups in conjunction with the local schools have been involved with building a BMX bike track for the Amata community. It is important to note that, were it not for the work contributed to the completed bike track project by these offenders, the local community would not have had the benefit of the bicycle education project that is now running. I understand the department has received the sincere thanks of Bicycle SA.

The community service work team will continue to service the APY lands to provide offenders with genuine opportunities to successfully complete their community service hours and at the same time provide training for useful work for the future. In consultation and partnership with local communities, work on projects which provide a lasting benefit to the community will continue to be sought, and we hope to be able to bring about alternatives for sentencing to the residents within the APY lands through community service orders, which provide an alternative to prison sentences. Hopefully, the projects that are put into place will have a lasting impact on changing the lives of those people who are part of the projects and the communities as well.

# INFORMATION TECHNOLOGY CONTRACTS

The Hon. IAN GILFILLAN: I seek leave to make an explanation before asking the Minister for Industry and Trade, representing the Minister for Infrastructure, a question about the future information technology contracts for South Australian companies.

Leave granted.

**The Hon. IAN GILFILLAN:** In *The Advertiser* of Tuesday 25 October 2005, an article titled 'Fears for Future Contracts' deals with concerns raised by David Raffin, the Managing Director of Microarts and chair of South Australia's Information and Communications Technology Council.

The Hon. A.J. Redford: Good bloke.

The Hon. IAN GILFILLAN: It is nice to hear that interjection, 'Good bloke'. Mr Raffin is concerned, and therefore the Hon. Angus Redford would also be concerned, about information that he has received that indicates that the process will unofficially favour large multinational corporations over local companies. He is quoted in this article as saying that the information, because it is not official but seems to have been leaked from government, is that there will not be any South Australian companies on the panel. The panel is the actual list of companies which are available for contracts, and his information is that no South Australian companies will be on the panel. I will quote further: 'In fact, they will be worse off than they were under EDS.' This is not the first time I have heard local companies complain that our government favours foreign over local. One company has a product that is distributed around the world with one of the leading database management systems and yet it is apparently invisible to our state government.

Another complained that they have sales practically everywhere in the world but cannot sell to the government here. This company quipped that it would do better if it made its approaches from one of its foreign offices, rather than its local head office. I am sure members would have seen recent commentary in the information technology section of *The Australian* in which the minister backs up plans to source IT workers from India because he believes South Australia does not have developed IT capabilities. My questions are:

1. What steps is the minister taking to familiarise himself with the breadth of ICT services available in South Australia?

I make the offer to the minister that he can have a briefing from my office, if it would help him.

2. Which contracts have been finalised and what percentage of these contracts are in fact with South Australian firms?

3. What review process will he put in place to ensure that contracts are not awarded to foreign firms in preference to local firms based solely on the false idea that South Australian firms are unable to supply these services?

The PRESIDENT: The Minister for Industry and Trade.

The Hon. P. HOLLOWAY (Minister for Industry and Trade): Thank you, Mr President, and happy birthday for today. The honourable member has asked for comments about IT contracts. Obviously it would be inappropriate for any government minister to comment on those if those contracts are still under negotiation, but I will pass the questions on to the Minister for Infrastructure and see whether he can—

The Hon. A.J. Redford interjecting:

**The Hon. P. HOLLOWAY:** Do you think any minister should make comments on contracts when they are under way? It would be completely improper to do that, but I will pass the questions on to—

**The Hon. A.J. Redford:** You are taking accountability out of the system—

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: Let us get this on the record, because it would be a scary thing for all South Australian voters to think that someone on the front bench of the opposition is talking about removing accountability when he is suggesting that ministers should be talking about contracts which are currently being let. I mean, really, it is a frightening proposition that the honourable member should show such appalling ignorance of probity and propriety in relation to contracts, but I will see what information the minister can provide.

The Hon. IAN GILFILLAN: I have a supplementary question. I know this is a matter of opinion, but the minister would have done better to listen to the question, rather than being worried about the contents of the introduction. The question was: which contracts have been finalised and what percentage of these contracts are with South Australian firms? Does the answer that the minister gave to this chamber imply that no contracts have been finalised?

**The Hon. P. HOLLOWAY:** As I said, I will refer that question to the Minister for Infrastructure so that he can provide whatever information is available.

# DRUG REHABILITATION PROGRAMS

**The Hon. NICK XENOPHON:** I seek leave to make a brief explanation before asking the Minister for Mental Health and Substance Abuse questions about the Mount Theo substance abuse program.

Leave granted.

**The Hon. NICK XENOPHON:** In the early 1990s, the Yuendumu community in the Northern Territory, which comprises some 800 mainly indigenous Australians, was in a crisis over the scourge of petrol sniffing in that community—many would say similar to the crisis on the AP lands in relation to petrol sniffing. Approximately 70 young indigenous Australians had succumbed to petrol sniffing and had a serious problem with petrol sniffing and, in the early 1990s, the community decided to take decisive action without, I might add, government grants but something they

did out of their own initiative. It began to take the petrol sniffers out of the community and sent them to spend time with elders under strict supervision at the Mount Theo outstation some 160 kilometres away—in effect, a form of mandatory rehabilitation—for a month at a time.

That program had a dramatic success. The Mount Theo program has been acknowledged nationally for the dramatic success that it has had in virtually eliminating the scourge of petrol sniffing from that community and has been emulated in other respects in terms of juvenile justice issues as well, with great effect. The Yuendumu community gave a presentation in relation to the Mount Theo program to the Drug Summit organised by the Premier in June 2002. They gave a comprehensive presentation as to how the Mount Theo program worked and how effective it was in virtually eradicating petrol sniffing from that community.

On the weekend of 29-30 October at the people's Drug Summit, the organisation of which I was involved in, community leaders from the Yuendumu community gave a presentation at that conference with respect to the Mount Theo program and reiterated its success and how effective it was in relation to substance abuse. On 31 October I understand that representatives of that community had a meeting with Drug and Alcohol Services Council (DASC) representatives to further discuss the program and presumably how it could be implemented here in South Australia to good effect. My questions to the minister are:

1. Following the 2002 Drug Summit, what liaison was there between government departments, and in particular with DASC, with the Yuendumu community in relation to the Mount Theo program, and to what extent were those policy initiatives from the Mount Theo program implemented with respect to eradicating or at least significantly reducing the scourge of petrol sniffing in indigenous communities?

2. What is the interrelation between the minister's portfolio and that of her colleague, the Minister for Aboriginal Affairs and Reconciliation, when it comes to substance abuse that is specifically related to indigenous communities, such as petrol sniffing, and how is it proposed that that relationship between the two will operate in terms of effective policy implementation?

3. Will the minister advise whether DASC, as the peak body for substance abuse in the state, is directly within her purview and control as minister for substance abuse and, if not, why not?

4. Finally, what is the government's policy with respect to implementing a Mount Theo program in this state, given that this question has been raised on a number of occasions previously and given the terrible problems we have with petrol sniffing in some communities in this state?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): I thank the honourable member for his question. I am aware that he was involved in the Drug Summit last month, jointly convened with Mr Paul Maddern, who emailed me on the weekend seeking an appointment time with him. I have not had the opportunity to respond to him at this time. I understand that one of the recommendations from the summit was in relation to the Mount Theo model. I can advise the honourable member that officers of the Drug and Alcohol Services Council of South Australia, who are involved in the development of the APY lands substance misuse facility, have met with staff of the Mount Theo program to discuss it further. Much of the success of the program I understand is the fact that it is run by the community. Following that meeting I will take some advice and be able to respond to the questions the honourable member has asked.

A lot of the work in relation to the APY lands has been led by the Social Inclusion Board. It is my view that that will continue. The Social Inclusion Board will have a stronger focus on social policy review program design and delivery systems, and the Premier has indicated that a key focus will be on mental health. It has had several meetings. I attended the last Social Inclusion Board meeting and it will continue with that focus in recognition of its importance to the community of South Australia. It is something that I will be discussing with the board. The honourable member has asked quite a few specific questions—

### The Hon. Nick Xenophon: What about DASC?

The Hon. CARMEL ZOLLO: I will be working with DASC, which reports to me. I am minister responsible for the Public Intoxication Act, so it will be working with me as well. I will take on notice any other questions the honourable member has asked and bring back a response.

**The Hon. NICK XENOPHON:** I have a supplementary question. What method is used to monitor the level of petrol sniffing on Aboriginal communities, and will the minister confirm that this form of substance abuse has become worse since 2002?

**The Hon. CARMEL ZOLLO:** I understand that police are monitoring the issue of petrol sniffing on the APY lands. I will have to take advice on whether it has become worse. Regrettably, I understand that it has become worse. I thank the honourable member for his question, interest and commitment, and I will ensure that it is an issue that I will progress in cooperation and collaboratively with the Minister for Aboriginal Affairs and Reconciliation.

**The Hon. KATE REYNOLDS:** I have a supplementary question. Will the minister read the second reading speeches and the committee stage of the debate on the regulated substances bill, which will provide considerable education about petrol sniffing on the lands?

**The PRESIDENT:** That is not a question but, rather, a patronising comment, I believe.

# MENTAL HEALTH, COUNTRY HOSPITALS

**The Hon. D.W. RIDGWAY:** Will the Minister for Mental Health and Substance Abuse outline what advice or support is available to the staff of country hospitals when they are presented with mental health patients?

The Hon. CARMEL ZOLLO (Minister for Mental Health and Substance Abuse): It would depend on where the people present.

**The Hon. D.W. Ridgway:** Country hospitals. Do you know what they are?

**The Hon. CARMEL ZOLLO:** I do know what country hospitals are. Our services are delivered from country hospitals, as well. I will get further advice as to exactly which people we have, although I do believe I have a table of which staff are where. I am happy to go through them with him if that is what he wants.

The Hon. D.W. Ridgway: What advice and support?

The Hon. CARMEL ZOLLO: I have been the minister for nearly half a day now.

Members interjecting:

The Hon. CARMEL ZOLLO: We have mental health services in all the regions. We have seven country regions,

and services are delivered from all those regions in country South Australia. It does depend which particular region the honourable member is asking about. I do not have a full list of staff with me today. I will take advice and bring back a response for the honourable member as to which services are available where.

# PARENTING CLASSES

**The Hon. KATE REYNOLDS:** I am not Marilyn Monroe so I will not offer to sing happy birthday to you, Mr President, but I will seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Families and Communities, a question about the loss of funding for parenting programs.

The PRESIDENT: I thank you for not singing.

Leave granted.

The Hon. KATE REYNOLDS: I think every member would thank me for not singing. A couple of weeks ago I attended the annual general meeting of the Offenders Aid and Rehabilitation Services, along with the Minister for Correctional Services. It was a very successful AGM where OARS outlined a number of initiatives and innovations it has achieved over the past 12 months. I think it is fair to say that members would know that it has a good working relationship with the state government.

However, as the staff and board members went through the annual report, some fairly distressing comments were made. Page 12 of the annual report in the section under 'Reports on prison and community service programs' states:

This year saw the termination of parenting programs in the Adelaide Women's and Mobilong Prisons. Both were recognised by field workers and participants as one of the best beneficial programs in our prisons. Broad and long term advocacy failed to secure the program or recognition of these children in state policy.

The targeted funding received (a small percentage from a grant received from the Department for Correctional Services and a shortterm trial project funded through the Telstra Foundation Grants) only allows us limited scope to work with the target group. Hence this year will see us continue to lobby for recognition of these 'stillinvisible victims of crime' and for funding to address issues confronting them and their families.

The annual report goes on to say:

If government is serious about building and strengthening families through early intervention/crime prevention, then I would argue the first place for them to intervene is with this high risk group of children who presently do not even get a mention in policy. Failing to do this is in itself social crime in my view.

All honourable members here would have heard the government make numerous announcements and pronouncements about its Keeping Them Safe programs and also the associated programs which assist families to, first, learn parenting skills and, secondly, help their children reach their potential, as the government says is its aim. So, my questions to the Minister for Families and Communities are:

1. Where in government policy are the particular needs of children of prisoners recognised?

2. Does the government believe that children of prisoners also deserve to be 'kept safe' and to have the opportunity to achieve their full potential, and that their parents should also be entitled to access parenting programs?

3. Why were the programs at Adelaide Women's and Mobilong prisons refused funding, and when will funding for these programs be provided to these prisons (and, indeed, eventually, to all South Australian prisons, because I understand that all South Australian prisons have, amongst their population, parents, and specifically parents of children at risk)?

The Hon. T.G. ROBERTS (Minister for Correctional Services): I thank the honourable member for her questions. I must agree with a lot of the assessment comment in relation to the parenting program, and certainly the work done by OARS, which is a non-profit organisation that does a lot of good work inside and outside prisons. Any of those particular needs programs that teach skills to prisoners, whether they be male or female, in relation to their role and responsibility as parents (even simple cooking classes) become important when prisoners exit the prison system. Unfortunately, we lose some contact with exiting prisoners who go back into the community and hope that community programs can pick them up but, while they are under the care and concern of our prison system, we hope, at a state level, to work with nonprofit organisations who are able to access grants from the commonwealth, and the commonwealth itself for targeted programs within the prison system.

So, we have to work hard to maximise the allocations of funding within the prison system. That means working with other agencies, non-profit organisations and across government. I will endeavour to get a reply to the question that the honourable member has targeted at the Minister for Families and Communities, but certainly, as minister, I would be arguing for and trying to get as much interest as possible for exit programs to give skills that become valuable for preventing recidivism. Sometimes if you spend \$1 on programs you can save \$5 or \$10 on rehabilitation at a future date. So, I will endeavour to get a reply. I will refer the questions to the Minister for Families and Communities, who is as sympathetic as the member who has asked the question in relation to these issues, and I hope to get a favourable reply.

# ELECTRONICS INDUSTRY

**The Hon. R.K. SNEATH:** I seek leave to make a brief explanation before asking the Minister for Industry and Trade a question about the electronics industry.

Leave granted.

The Hon. R.D. Lawson interjecting:

The Hon. R.K. SNEATH: It is nice to see that the Hon. Mr Lawson has woken up. The South Australian strategic plan has identified exports as a key strategy for improving the economic prosperity of the state. The electronics industry is very significant to South Australia and is achieving doubledigit export growth annually. What is the Rann government doing to support continued growth in the state's electronics industry?

The Hon. P. HOLLOWAY (Minister for Industry and Trade): I thank the honourable member for his question, because it gives an opportunity to talk about some of the significant success in a key industry in this state which has happened under this government. The growth of the electronics industry over the past decade has certainly been—

*Members interjecting:* 

**The PRESIDENT:** Order! The Hon. Mr Lucas is being orderly, and others should follow his example.

**The Hon. P. HOLLOWAY:** —one of South Australia's good news stories. By providing rewarding employment opportunities, strong economic growth and significant technological innovation, the industry is contributing to the prosperity of our state and its people at a time when the manufacturing sector faces significant challenges globally.

The State Strategic Plan, released in March last year, includes objectives and actions that have in turn been reflected as key focus areas in the state government's manufacturing framework report, 'Global Horizons, Local Initiatives', which was developed in partnership with the Manufacturing Consultative Council. These include innovations, skills development, exports, infrastructure and sustainable growth.

Last week, I had the pleasure to launch the new electronics industry strategic plan, entitled 'A Ten-Year Strategic Plan for the South Australian Electronics Industry, 2005-2015.' I was pleased that the Hon. Angus Redford was also present. Apart from that, it was a good night. The plan has been developed by industry for industry. As one would hope, there are some clearly articulated, high-level goals in the plan, including generating \$12 billion in revenue and \$7 billion in exports by 2015, and this would make the electronics industry the second largest contributor to the state's export performance.

To ensure that the industry achieves these targets, 10 areas have been identified within the plans. These include export development, skills, green manufacturing, marketing, industry cohesion, research, cluster development, new business, infrastructure and performance monitoring. The implementation of the action plan is under way, with a collaborative export network having already been established. The export network is being supported concurrently by the recruitment of export champions to provide mentoring to companies new to the export environment.

One of the most significant outcomes of the industry's previous plan is the emergence of the Electronics Industry Education Initiative, known as  $(ei)^2$ . It is hoped that the  $(ei)^2$ program will be a valuable resource in the skilling and retention of electronics engineers in South Australia. The (ei)<sup>2</sup> program represents an investment by the electronics industry in developing its own work force and tackling skills shortages at the training, mentoring and professional development levels. It includes a range of mechanisms to match engineering students with employers. Cadetships and part-time and vacation employment placements are arranged for final year electronics students at university or TAFE. There is also an internship program, when new graduates are rotated through four electronics companies over a two-year period. Professional engineers in industry provide mentoring for engineering students at all stages.

The Economic Development Board recommended that industry take greater responsibility for its own future. I salute the Electronics Industry Association for its leadership in taking on some responsibility for educating the next generation of skilled engineers.

### MENTAL HEALTH, COUNTRY HOSPITALS

**The Hon. CARMEL ZOLLO:** I seek leave to make a personal explanation.

Leave granted.

**The Hon. CARMEL ZOLLO:** The Hon. David Ridgway asked me a question about the mental health spend in country hospitals. I reminded myself afterwards that the Hon. Lea Stevens, as late as the end of September, announced that \$9.2 million would be spent on—

**The Hon. R.I. LUCAS:** I rise on a point of order. A personal explanation can be made only on the basis of a claim that a minister has been misrepresented. I ask you, Mr President, to ascertain where she claims to have been misrepresented by anyone—other than by herself.

**The PRESIDENT:** The point of order is upheld. The minister was trying to provide information that was being sought in a timely manner.

Members interjecting:

The Hon. CARMEL ZOLLO: Thank you, Mr President. The PRESIDENT: Order! I have upheld the point of order, minister. It is not a personal explanation. I have pointed out that you are prepared to provide the information that was sought, but it is out of order at this stage. Leave is not being granted for you to make an explanation.

### ANTI-CORRUPTION BRANCH INVESTIGATION

The Hon. P. HOLLOWAY (Minister for Industry and Trade): I lay on the table a copy of a ministerial statement relating to the Anti-Corruption Branch investigation made today by the Deputy Premier.

# The Hon. P. HOLLOWAY (Minister for Industry and Trade): I move:

That standing orders be so far suspended as to enable question time to be extended by one hour to enable questions to be asked in relation to the Auditor-General's Report for 2004-05.

Motion carried.

# AUDITOR-GENERAL'S REPORT

The Hon. R.I. LUCAS (Leader of the Opposition): I refer the Leader of the Government to the Annual Report, part B, on his agency, which I presume he has had a look at. On page 1338 of that section the Auditor-General notes:

Audit's review of the Department of Trade and Economic Development's control environment identified a number of control weaknesses. In addition, the conduct of the expenditure audit within PIRSA identified a number of weaknesses which impacted on Audit's ability to rely on the overall expenditure control environment. Control weaknesses specific to the Department of Trade and Economic Development control environment include...

And then there is a list of four, and I will not waste the hour by listing them. What action has the minister taken in response to Audit's concerns about the control weaknesses within his agency?

The Hon. P. HOLLOWAY (Minister for Industry and Trade): The Department of Trade and Economic Development was formed, shortly after and I became the minister, on 8 April 2004 and the new Chief Executive was appointed in June 2004. The Auditor-General, in his report for the 2004-05 financial year, has reported that there are a number of internal control deficiencies within the department. The Auditor-General, of course, acknowledged that the Department of Trade and Economic Development has responded appropriately to his concerns. But, I think that it should be acknowledged that substantial work has been undertaken in establishing procedures and policies in the new department.

Over the past year, almost 50 new policies have been developed and approved by the executive in the Department of Trade and Economic Development to put in place appropriate controls and procedures with respect to finances, human relations and other areas. I will be quite happy to go through that list shortly. The balance of the policies will be implemented in 2005-06. I point out that I am commencing as the chief executive, and following discussions with the new Chief Executive we undertook an independent review of the finances and controls within DTED. It should be remembered that this department was formerly, I think, the department of manufacturing and trade. It was referred to originally

as DMT, and it was restructured very significantly as a result of a review of that department undertaken at the instigation, I believe, of the Economic Development Board. So, there was significant restructuring of the department. Indeed, there were only three officers in that department when it was first established on 18 April.

One of the things that became clear very early in the formation of the new department was that there was a need for some review of the finances and controls. This independent review identified significant deficiencies in the internal controls that existed in the former department of business, manufacturing and trade. The poor controls and risk management in the former department were worse than expected, with many policies and procedures not in place, and the implementation of new policies and procedures has taken longer than hoped. Over the past year a process of redrafting all internal policies and enhancing internal controls and risk management procedures has been well underway.

Numerous new policies and procedures have now been implemented within DTED. While not all of these policies were fully in place in 2004-05, the requirements of the Treasury's instruction were fully complied with. I will give an indication of some of the new policies that have been approved to date in DTED. Under 'financial' there is the following: financial delegations, capturing financial commitments, petty cash, receivable sundry invoicing, receivable sundry credit notes, receivable collections, receivable provisions for doubtful debts, receivable writing off of debts, reconciliations—timetable and substantiation, unclaimed moneys, cash alignment and monitoring of cash balances, payment of accounts, reimbursements and credit notes received, payments from the DTED imprest account, fixed assets, credit cards and fringe benefit tax.

There are a number of others which perhaps I could table to save time but information technology, procurement policies, human resources and general have all been implemented. The point I wish to stress is that this department was essentially reformed from the ground up, and one of the early actions that was taken by the chief executive in consultation with me was to undertake that independent review and, as a result of that, about 50 of these new policies and procedures have been implemented with more to follow.

The Hon. R.I. LUCAS: Will the minister undertake to provide copies of the new policies that have been outlined to those members of the committee who might be interested? I suspect there might not be many. Is the minister prepared to undertake to provide copies of the new policies and the dates of operation of those new policies to which he has just been referring?

The Hon. P. HOLLOWAY: I assume these things would all be available under FOI anyway but, if for some reason parts of any of those—and there might be one or two of them—need to be kept confidential I will consider that, but I would not think there would be an impediment to doing that. So, I undertake to do that, unless of course any sound reason is brought to my attention for not doing so.

**The Hon. R.I. LUCAS:** The Auditor-General also refers to changes in relation to internal audit. He notes there was no internal audit function in place but that the department had advised that an audit and risk management committee had been established during 2004-05 and that he had anticipated that resources would be provided early in 2005-06 to implement the internal audit process. Will the minister indicate what resources he has allocated in terms of quantum of funding and personnel to the internal audit process for the department?

The Hon. P. HOLLOWAY: In his report for the 2004-05 financial year the Auditor-General has reported on risk management within DTED. The first point I would make is that it should be recognised that not one dollar of taxpayers' money has been lost by the new department since it was established by way of grants to companies that have either gone broke or downsized. I should point out that that is a far cry from previous practices, where millions of dollars of taxpayers' money were lost on bad deals, and of course we are still coming to terms with some of those.

The Hon. R.D. Lawson: Like the State Bank.

The Hon. P. HOLLOWAY: There have been a lot more since then.

*Members interjecting:* 

The Hon. P. HOLLOWAY: No; the State Bank was not the recipient of government grants under the former department of industry and trade. The department has acknowledged the need to improve risk management in the department, especially given some of those past practices. I can report that the following risk management measures have been put in place. A risk management policy has been developed and was in place in August 2004. The following initiatives have been undertaken during the 2004-05 financial year: established for the first time in DTED an audit and risk management committee; engaged external risk management specialists for training and internal support; undertaken risk management workshops with staff; developed a risk management plan for DTED; developed a risk matrix with allocated responsibilities; and also commenced recruitment of an internal auditor.

The risk management policy that was approved in August 2004 clearly outlined the roles and responsibilities of directors and staff in the management of risk. For the 2005-06 financial year DTED will ensure that risk mitigation strategies are incorporated into operational plans and provide continued training of staff and further enhance procedures and reporting requirements. In relation to the breakdown of the budget, I do not have those figures specifically with me, but I will take that part of the question on notice.

**The Hon. R.I. LUCAS:** On page 1 354, the Auditor-General notes the board fees paid to members of the Economic Development Advisory Board, the Defence Industry Advisory Board, the Manufacturing Consultative Council, the Small Business Development Council and the Regional Communities Consultative Council. Will the minister take on notice, first, to provide as of this day the current membership of those particular boards and councils, the names of the individuals represented; secondly, the extent of the board fees and allowances that are paid to each board member and chair; and, thirdly, when the decision was originally taken to pay board fees to each of these particular boards?

**The Hon. P. HOLLOWAY:** I will take that on notice. None of those boards report to me, but they are all part of DTED so I will get that information and bring it back.

**The Hon. R.I. LUCAS:** During the year 2004-05, has the minister been provided with any advice that there has been any breach of Treasurer's Instructions by any officer within a department or agency reporting to the minister?

The Hon. P. HOLLOWAY: I do not recall one. As I just indicated in my answer, the requirements of the Treasurer's

Instruction were fully complied with. I will check that, but I certainly do not recall any instance when that happened. It is possible, I suppose, that there might have been some technical breach. I certainly do not recall any serious breach in relation to those matters.

**The Hon. IAN GILFILLAN:** I ask the Minister for In dustry and Trade, representing the Minister for Police, a question relating to the DNA database. I refer to page 5 of the annual report, part A, Audit Overview. The report states:

During the year, audit undertook a review of one of the key systems under the responsibility of SAPOL that is critical in the matter of administration of justice within the state.

This system is the 'DNA database' system. Its configuration and use is, in a large part, governed by specific legislation. Under the legislation, the Commissioner of Police is responsible for the DNA database. Key aspects of its operations have been delegated under a Memorandum of Understanding to the Director, Forensic Science, Department for Administrative and Information Services.

The DNA database system provides for the searching and matching of certain personal DNA profiles, as determined by the legislation. The information contained in the DNA database is used by SAPOL for the investigation of criminal offences and in subsequent legal proceedings.

The audit of the system and associated controls revealed some important matters of administration, process, and security and control, that did not meet the quality standards required for such a critical system.

These matters of concern relate to:

- certain issues associated with the operation of the DNA database that, in my opinion, were not in strict compliance with the relevant statutory requirements. In particular, this relates to the important matter of the destruction and removal of DNA profile information as stipulated in the Criminal Law (Forensic Procedures) Act 1998 from all electronic and hard copy records, including temporary files and backup media;
- the security and control arrangements applying to the system did not, in some important respects, meet the government's required security standards;
- notwithstanding the system having been in operation for many years, the administrative arrangements for annual internal audit reviews of the DNA data base system operation have only recently been initiated.

There is a footnote at the head of that particular series of criticisms which says:

These matters have been raised with the relevant authorities, i.e. SAPOL, the Department for Administrative and Information Services, and corrective action is now being implemented.

The question relating to that is: what corrective action has been implemented and how far has the process of implementing these corrective actions gone? Is there any further requirement that the government feels is necessary in securing the proper treatment, confidentiality and otherwise of the DNA data system, which the auditor has so clearly emphasised as being a very important and critical activity undertaken by SAPOL?

**The Hon. P. HOLLOWAY:** I will refer that question to the Minister for Police and bring back a reply.

**The Hon. R.I. LUCAS:** Will the minister provide a detailed breakdown of expenditure on contractors in 2004-05 for all departments and agencies reporting to him, listing the name of the contractor's cost, the work undertaken and the method of appointment? I note that the Auditor-General in his report has called for departments to have similar reporting requirements for contractors as currently exists for consultants.

**The Hon. P. Holloway:** Is that just for the Treasury department?

**The Hon. R.I. LUCAS:** No; just for the minister's department. My question is to the minister in relation to trade

and all departments that report to him. Finally, does the minister have any displaced officers or transit lounge officers as a result of the restructuring who are no longer in substantive positions within the Department of Trade and Economic Development but whose salary in part or in whole continues to be paid by the department?

**The Hon. P. HOLLOWAY:** Certainly we had some during the course of the 2004-05 year. Does the leader want the situation as of this moment? There would be a small number. There were a significant number at the start of the period following the restructure of the department, but I believe there is now a small number. I will obtain the information and bring back a response.

**The Hon. R.I. LUCAS:** To clarify the question, not only the number but also the administrative or executive classification and salary that pertains to the particular positions.

The Hon. P. HOLLOWAY: I will take that question on notice.

The Hon. A.J. REDFORD: My questions will all be to the Minister for Emergency Services. I draw her attention, first, to page 393 of the Auditor-General's Report and to the series of questions asked by me of the minister on 18 October last relating to page 393 of the Auditor-General's Report. I refer to the Auditor-General's management letter to the chief executive. Has the minister seen that letter?

The Hon. CARMEL ZOLLO (Minister for Emergency Services): Yes, I have seen that letter. Because we have some very committed and dedicated public servants, I am certain that the Hon. Angus Redford would not have purposely misread something, but when he asked me the question that day he said, 'The audit communications to management are not sufficient to provide a reasonable assurance that the financial transactions are being conducted', and so on. In fact, the Auditor-General's Report states that communications to management are sufficient to provide reasonable assurances. I also say to him in relation to that letter that matters arising during the course of the audit were detailed in a management letter to the chief executive, and the response to the management letter was considered satisfactory.

The Hon. A.J. REDFORD: Is the minister prepared to table the management letter to the chief executive?

The Hon. CARMEL ZOLLO: Yes.

The Hon. A.J. **REDFORD:** What actions did the minister take to correct the matters that had gone uncorrected for so long? In that respect, I refer to the statement on page 393 of the Auditor-General's Report which states:

In audit's opinion it is extremely unsatisfactory that these matters have gone uncorrected for so long and this reflects poorly on the management of ESAU.

The Hon. CARMEL ZOLLO: I also need to place on record that the audit to which the honourable member is referring—as I did say on the day he asked those questions does in fact include the SES, because at that time they were the one reporting identity. The financial statements of ESAU, which for accounting purposes does include SES, are unqualified. I am sure the honourable member does know what 'unqualified' means. It means they are really true and fair accepted financial transactions, but there are some areas which need to be looked at. They are unqualified as stated in the Auditor-General's Report. They are presented fairly, in accordance with the Treasurer's Instructions promulgated under the provisions of the Public Finance and Audit Act 1987 applicable to—

**The Hon. A.J. Redford:** I did not ask any of that. Why do you just not answer the question?

The Hon. CARMEL ZOLLO: I am happy to answer the question. The concerns raised were in relation to credit cards. An education process is being included in the issue of purchase cards. Increased scrutiny of non-compliance with purchase card policy will be increased, with formal education, warning and then removal of card privileges from repeat offenders. In relation to accounts payable and purchasing, education of staff and volunteers will be undertaken in 2005-06, with the issue of updated staff and volunteer finance manuals. All master file changes are now supported by adequate documentation.

In relation to assets, a review of assets procedures and processes has commenced. In relation to payroll, policies and procedures will be updated by March 2006. The human resources section has advised that bona fide reports will be issued and followed up for return on a timely basis. It is anticipated that leave balances will be reported on employee pay slips over the course of 2005-06. A review of the payroll will commence shortly.

The Hon. A.J. REDFORD: Given that the Auditor-General found that ESAU had made little progress in effecting improvement in relation to various accounting processes, given that he reported that matters have gone uncorrected for a long time, and given that he reported that that reflected poorly on the management of ESAU, will the minister give an assurance that the issues regarding accounting and financial matters in relation to SAFECOM have been addressed?

The Hon. CARMEL ZOLLO: I can give the honourable member that assurance. The creation of SAFECOM and its sector-wide governance has meant the formation of an audit committee, which will provide central guidance and accountability. Issues raised in the audit will be closely scrutinised by the audit committee for progress. A restructure of SES to achieve better utilisation of resources has created business service officer positions, which will improve internal controls and assist volunteers in financial management.

The Hon. A.J. REDFORD: Am I to assume that the minister is saying that the new SAFECOM is not 'burdened by control weaknesses from previous administrative arrangements'?

The Hon. CARMEL ZOLLO: The member could understand that, with the creation of SAFECOM, as I have said, we have put new procedures in place. We have the audit committee, which will provide central guidance and accountability, and the issues that were raised by the audit will be strongly scrutinised.

The Hon. A.J. REDFORD: I will take that as a yes, because we do not get many yeses or noes out of this minister. On 18 October 2005, the Hon. Ian Gilfillan asked a question about what actual saving to South Australia had been effected as a result of the payroll review, and the minister responded that she could not give a figure off the top of her head but would undertake to bring back some advice. Is the minister now in a position to provide us with the figures as to what the saving is in relation to the payroll review? The Hon. CARMEL ZOLLO: At the time I said to the Hon. Ian Gilfillan that, because SAFECOM came into being on 1 October, it could, indeed, prove difficult, but I understand that perhaps the reports that recommended the creation of SAFECOM may well have contained some figures. It was a few years ago but, if I am able, I will take some advice in relation to this question. As I said, I think in the earlier response, we will have a human resources section, and have advised that the bona fide reports will be issued and followed up for return on a timely basis. It is anticipated that we will have a review, and that has not been tendered for yet but will commence shortly. As soon as that is completed, I will bring back a response for the honourable member.

**The Hon. A.J. REDFORD:** Am I to understand that we do not know whether or not there will be savings, if any?

The Hon. CARMEL ZOLLO: I would be incredibly surprised if there were not savings, with the creation of SAFECOM. Indeed, it was the intention to see those savings, but I cannot give a figure right now, for the reason that it is just newly created.

**The Hon. A.J. REDFORD:** The minister can take this question on notice. Will the minister provide a detailed breakdown of expenditure on contractors in 2004-05 for all departments and agencies reporting to the minister, listing the name of contractors, the cost, the work undertaken and the method of appointment?

The Hon. CARMEL ZOLLO: I will take that on notice.

**The Hon. A.J. REDFORD:** During the 2004-05 period, have any issues of concern about possible breaches of Treasurer's Instructions been raised with the minister and, if so, will the minister provide details?

The Hon. CARMEL ZOLLO: I am advised that there are no issues, other than perhaps some minor ones in relation to credit cards, and we have already talked about those. Again, the action is that education processes are being included on the correct use of credit cards, and we will see increased scrutiny of noncompliance with credit card policy. As I discussed before, we will also see formal education on the correct use of credit cards, along with a warning and the removal of card privileges from repeat offenders. We will also see an audit committee within SAFECOM. If there are any other breaches, I will bring back some advice for the honourable member.

The Hon. A.J. REDFORD: Will the minister bring back details of the credit card breaches of Treasury Instructions?

The Hon. CARMEL ZOLLO: Yes; I can undertake to do so.

The Hon. R.D. LAWSON: I direct my questions to the Minister for Aboriginal Affairs and Reconciliation. I refer to page 890, volume 3, part B, Agency Audit Reports, which deals with the Department of the Premier and Cabinet. Under the heading 'Department Restructure', it states:

The Department of the Premier and Cabinet was restructured during the year. The Department for Aboriginal Affairs and Reconciliation was transferred from the Department for Families and Communities to the Department of the Premier and Cabinet on 14 October 2004. As part of this transfer, the administration of the Commonwealth Essential Service Capital Works Fund was also transferred to the Department on the same date.

Will the minister indicate what was entailed in the transfer and, in particular, were all the staff, funds and assets (or, if not all of them, what proportion of the staff, assets, programs, etc.) transferred from the Department for Aboriginal Affairs and Reconciliation to the Department of the Premier and Cabinet?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): The Auditor-General's Report for the year ended 30 June was released on 17 October 2005. The Department for Aboriginal Affairs and Reconciliation is featured in reporting for both the Department for Families and Communities and the Department of the Premier and Cabinet. While the Auditor-General's Report acknowledges the transfer of DAARE from DFC to DPC, noting the expenditure and revenue impacts to these departments, no issues are raised in connection with DAARE.

DAARE was transferred by proclamation of Her Excellency the Governor on 14 October 2004 and commenced operation within DPC on 31 October 2004. The transfer of DAARE resulted in an increase of DPC employee expenses of \$2.3 million and supplies and services of \$3.9 million. The revenue increase of \$8.2 million for the Department of the Premier and Cabinet was a result of transferred DAARE appropriations. As part of the transfer, the administration of the Commonwealth Essential Services Works Fund was also transferred to the Department of the Premier and Cabinet on the same day (\$9.08 million for 2004-05). Relevant financial data contained within the Auditor-General's Report is in the report itself.

The only question unanswered relates to the assets, and these will remain within the departmental office responsibilities for infrastructure. There has been a transfer of personnel into the Department of the Premier and Cabinet, and this is still taking place. I will obtain a final assessment on the asset transfer and on which assets remain within general government responsibility and which assets have been transferred to the Office of the Premier and Cabinet.

**The Hon. R.D. LAWSON:** I refer to the same page of the Auditor-General's Report. The departmental structure of the DPC shows, in one box, the Indigenous Affairs and Special Projects. Is that unit conducting all the functions previously performed by the Department for Aboriginal Affairs and Reconciliation?

The Hon. T.G. ROBERTS: Department personnel have been transferred over into the Department of the Premier and Cabinet. There is another structure that is more up-to-date that I do not have with me, but I can pass that on to the honourable member. The indigenous affairs and special projects, along with the DAARE personnel, are responsible for all of the operations of Aboriginal affairs within the Department of the Premier and Cabinet. I will endeavour to get an updated structure to the honourable member.

The Hon. R.D. LAWSON: Page 894 of the same volume refers to the fact that revenues from government in the Department of the Premier and Cabinet increased by \$10 million, of which \$8.2 million related to appropriations for the Department of Aboriginal Affairs and Reconciliation. They are revenues from government. The next paragraph states:

Payments to Government for the year totalled \$31.6 million... representing cash transferred to the Department of Treasury and Finance in accordance with the Cash Alignment Policy.

The Auditor-General refers to note No. 28 which appears on page 911 and which confirms that \$31 million was transferred back from Premier and Cabinet to Treasury. It would appear that a significant portion of that was in fact funds for Aboriginal programs, which were unexpended. I refer the minister to page 913 where it states on the revenue side that there was \$7.684 million for the APY lands, of which only \$4.125 million was spent. The Commonwealth Community Essential Services Program received \$5.486 million of which only \$4.266 million was spent, the rest presumably going back to Treasury. Can the minister explain why funds allocated to these important purposes were apparently not expended during the year ending 30 June 2005?

The Hon. T.G. ROBERTS: I do not have any detail of the particular programs about which the honourable member indicates there was underspending. A general observation in relation to the funding of APY targeted moneys for particular programs is that it is difficult to get traction in some programs as quickly as you would like. There are difficulties with the remoteness where it is hard to get the specialist skills required and professional support for programs. Recruiting is difficult—almost impossible—in some specialist fields. But the government has tried as hard as possible to expend the funds that have been allocated without any wastage.

Too often funds are applied that have had targeted dates for spending, and some of the funding is not spent in an appropriate way to get the best value for dollar. There are problems associated with spending in housing as well. But, again, I am not clear on the detail of the underspending in these projects. I will endeavour to get the details of where the underspending has occurred and bring that back in detail for the honourable member.

**The Hon. R.D. LAWSON:** There was very recently some publicity about apparent financial irregularities in the Maralinga Tjarutja Body Corporate, which has responsibility for a number of Aboriginal programs. Is the minister able to indicate whether any state government funds were at risk in consequence of matters arising in relation to that organisation, and whether these matters would have fallen within the purview of the Auditor-General?

The Hon. T.G. ROBERTS: There is a police investigation being carried out about which I would be reluctant to publicly make any declaration. My understanding is that the investigation has to do with the Maralinga Tjarutja trust fund, and that moneys are being investigated. I have no detail. I cannot provide anything to the honourable member that would make it any clearer in his or my mind as to exactly where the police investigation is heading. I will endeavour to get an update on the progress that the police investigation is making and bring back a reply.

**The Hon. R.D. LAWSON:** Finally, I have two omnibus questions for the minister, not only in his capacity as Minister for Aboriginal Affairs and Reconciliation but also as Minister for Correctional Services. During 2004-05, have any issues of concern about possible breaches of Treasurer's Instructions been raised with the minister and, if so, will the minister provide details?

**The Hon. T.G. ROBERTS:** There have been no breaches as far as I understand. None have been reported to me. I can refer that question and provide a reply to the member, which will have more detail than I can provide.

**The Hon. R.D. LAWSON:** Will the minister provide a detailed breakdown of the expenditure on contractors in 2000-05 for all departments and agencies reporting to the

minister, listing the name of the contractors, the cost, the work undertaken and the method of appointment?

The Hon. T.G. ROBERTS: I will endeavour to comply with that question also.

**The Hon. NICK XENOPHON:** My question is directed to the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Administrative Services. I refer to page 1241 of part B of the Auditor-General's Report, being the portion of that report headed 'Acquisition of land at Victor Harbor'. It relates to questions I have asked previously in relation to the acquisition of land of Roy and Verna Henderson at Victor Harbor for the purposes of building a Victor Harbor waste water treatment plant.

The Auditor-General's Report refers to the fact that the corporation, SA Water, initiated a proposal for the redevelopment of the Victor Harbor waste water treatment plant in the early 1990s. A property enabling the existing waste water treatment plant was compulsorily acquired in 1996 for that purpose. Subsequently, in response to public opinion after the announcement of the intention to proceed with the project, the corporation indicated to affected parties that it would consider alternative sites for the construction of a new waste water treatment plant. A second property some distance from the existing waste water treatment plant was subsequently compulsorily acquired in 2002, and a new waste treatment plant is being constructed on that site.

The Auditor-General noted that the corporation ultimately compulsorily acquired two separate properties in relation to the development for the waste water treatment plant, and there were some important administrative matters that should be subject to review and improvement with regard to compulsory acquisitions. The Auditor-General's Report states that audit sought advice from the corporation in relation to major capital works as to what processes were currently in place to ensure that appropriate public consultation had occurred before embarking on a course of compulsory acquisition of property. The Auditor-General noted that in response the corporation advised that its procedures for the acquisition of land had been revised and improved as part of a formal review process in 2002, and it made reference to the fact that it would include selection criteria for determining the preferred project option, identifying key stakeholders and analysing their information needs. Finally, the Auditor-General notes that response and the acknowledgment by the corporation of the need for effective due diligence to be applied in all situations when there is the need to exercise the power of compulsory acquisition of property. My questions arising out of that are:

1. How have the current procedures with respect to the acquisition of land been revised in comparison with the acquisition that took place with the Henderson property in the mid 1990s?

2. What was the nature of the formal review process in 2002?

3. How does due diligence differ now on the part of SA Water compared with what occurred with respect to the acquisition of the Hendersons' property?

4. Finally, given the severe economic disadvantage that the Hendersons have experienced, is the minister now reconsidering making an ex gratia payment for the Hendersons arising out of the Auditor-General's comments?

**The Hon. T.G. ROBERTS:** I will pass on those questions to the Minister for Administrative Services in another place and bring back a reply.

**The Hon. NICK XENOPHON:** I refer to part A, page 29 of the Auditor-General's Report and the heading 'Advertising by government: audit comment', a matter that I have some particular interest in. The Auditor-General there states:

In my 1996-97 report to parliament, I considered it important to provide specific comment on the matter of public expenditure on government advertising. That commentary was made in recognition of certain observations and views that had been raised by various parties at that time concerning this matter.

I should indicate that I direct this question to the Leader of the Government representing the Premier and, indeed, should he wish to answer any aspects of this question, in his capacity as Leader of the Government. The Auditor-General goes on to say:

In summary, that commentary discussed principles and conventions associated with promotional and advocacy activities of public authorities in contrast to activities considered to be of a partypolitical nature. This discussion included reference to principles and conventions adopted in other jurisdictions. My discussion on the matter concluded with the observations that, in the absence of appropriate guidelines, there will continue to be a basis for contention and dispute, and that to allow such a situation to continue is not in the interests of sound public administrative arrangements.

### The Auditor-General goes on to say:

Certain observations and views have again been raised in recent times in both political and public forums. At the time of preparation of this report, the full High Court, following the granting of special leave, has reserved its judgment regarding the legality of the commonwealth government's proposed spending on advertising to promote planned workplace changes. The judgment of the High Court in this matter may give rise to the need for governments to develop strict policy guidelines covering government expenditure on advertising.

#### My questions to the Leader of the Government are:

1. Given that the Auditor-General's Report in 1996-97 appeared to have been based, at least in part, on complaints made by the then opposition in relation to government advertising by the former Liberal government and that principles were discussed in terms of guidelines adopted by the Auditor-General to ensure greater transparency and accountability in respect of such advertising, what steps has this government taken to ensure that guidelines will be established and principles adhered to in relation to the use of public moneys for government advertising so that it is not seen to be of a party-political nature?

2. Does the government acknowledge that its advertising format, such as that featuring the Premier in relation to budget and the successful bid by South Australia for the air warfare destroyer contract, would be in clear breach of guidelines relating to the issue of transparency and ensuring that it is not of a party-political nature, matters that the Premier as opposition leader bitterly complained about?

The Hon. P. HOLLOWAY: I will take those questions on notice and bring back a response for the honourable member.

**The Hon. R.D. LAWSON:** My question is for the Minister for Correctional Services. At page 267, Volume 1, part B of the Auditor-General's Report, reference is made to the institutional rostering system within the Department for Correctional Services. The Auditor-General notes that he raised this matter in a previous report and that during the audit for the year under review (2004-05) he undertook a follow-up review of the action taken by the department to address matters which had been raised earlier. In the follow-up review the Auditor-General revealed that two matters remain unresolved. One of those matters which is unresolved

is the fact that this institutional rostering system is 'based on unsupported database software'. Will the minister advise the committee why it is that the department continues to use a rostering system which is based on unsupported database software; and what action has been taken by the department to address this matter?

The Hon. T.G. ROBERTS: The advice I have just been given is that the roster system is not perfect and it does need to be changed. We will be moving to a new roster system as soon as we can and as soon as funds are available. I did have staff in my office look at a new roster system, but it is not in a position to be introduced at this stage.

The Hon. J.M.A. LENSINK: I think these questions will need to be taken on notice, because they relate to the Department of Families and Communities. I refer to part B, Volume 2, page 489. In relation to unexpected funds, the report states that Treasurer's Instruction 15.14 provides that unexpected grant moneys are to be repaid to the minister unless specific approval is obtained to return the funds. It then goes on to state that audit was unable to locate evidence that unexpended moneys were repaid or that specific approval was provided by the minister for those moneys to be retained. The next dot point states that the department had not developed policies and procedures regarding the roll-over of existing contracts with service providers. Will the minister undertake to provide a list of all the agencies which did not expend their grant moneys and detail the amounts that were unspent for that period; and will he also provide the chamber with an update on the status of policies and procedures to correct this oversight?

**The Hon. T.G. ROBERTS:** I will endeavour to pass on that omnibus question to the minister to whom the question might apply and bring back a reply.

The Hon. J.M.A. LENSINK: I have some questions in relation to pages 490 and 491. I have previously asked questions arising from the Auditor-General's Report in relation to concessions. At page 491 there are some fairly disturbing comments. It states:

- The department did not check that payments made to energy retailers were only made for persons who were eligible to receive a concession.
- There is a lack of control to ensure amounts paid to various service providers (ie electricity retailers, SA Water and councils and Revenue SA) were actually received by the customer.

This arises from what I understand has been a paper system for some years and, while some minimal progress has been made in that regard, the system has not been implemented. I think that is a period of probably two or three years. Will the minister undertake to ensure that those matters are rectified as soon as practicable and also provide an update to the chamber on where the new system is at?

The Hon. CARMEL ZOLLO: I thank the honourable member for her question. I will undertake to ask the Minister for Families and Communities in another place and bring back a response.

**The Hon. NICK XENOPHON:** My question is to you, Mr President, as chair of the Joint Parliamentary Services Committee. I refer to the Auditor-General's Report headed 'Parliamentary Joint Services Act 1985, catering arrangements by parliament house, a matter of the accountability by statutory authority for the expenditure of public monies.'

**The PRESIDENT:** The time having expired for the asking of questions, call on the business of the day.

Members interjecting:

The PRESIDENT: Unfortunately you cannot get a suspension because there are not 12 members in the chamber. I am happy, as always, to take questions from the Hon. Mr Xenophon. However, I am constrained by the rules.

# **REPLIES TO QUESTIONS**

### GENETICALLY MODIFIED CROPS

In reply to **Hon. IAN GILFILLAN** (4 April).

In reply to Hon. A.J. REDFORD (4 April). In reply to Hon. NICK XENOPHON (4 April).

The Hon. CARMEL ZOLLO: The Minister for Agriculture,

Food and Fisheries has provided the following information:

1. No, neither my Department nor I have seen, or require to see, any of the contracts between Bayer CropScience and the owners of the properties where the limited scale plantings of genetically modified (GM) canola are occurring.

2. The responsibility for any contamination that may occur is a matter for the parties to the contract, not for the Government.

3. This is precisely why the Government introduced the Genetically Modified Crops Management Act 2004 - to provide protection to primary producers while there was a lack of consistent standards and specifications across the many sectors of the supply chain. The Honourable Member may wish to re-acquaint himself with section 5(5) of the Act to be reassured on this point.

4. and 5. This is not a case of what I, as Minister, think. There is an extensive body of existing law that resolves commercial liability.

Under section 6 of the Act I may, if certain conditions specified in the Act are met, grant exemptions to applicant organisations to undertake limited cultivation of a GM crop under contained, closed loop conditions. Whichever farmers an applicant company or institution might subsequently contract to grow the crop is a matter for them. The Exemption Notice does not specify or identify specific persons or places. At the time the exemption is granted to an organisation, information about any land or landowners that may be contracted by that organisation is not provided or available to me.

The Department of Primary Industries and Resources SA makes information on the exact location of all current GM sites available as a public information service. The information is available through the Department's website, under 'Field Crops' The web address is http://www.pir.sa.gov.au. Victoria also offer the same information for sites in that State.

### SEXUAL REASSIGNMENT ACT

In reply to **Hon. SANDRA KANCK** (5 May). **The Hon. CARMEL ZOLLO:** The Minister for Health has provided the following information:

The criteria for approval as an approved practitioner are: 1. A Medical practitioner

- registered with the Medical Board of South Australia as a specialist in an area relevant to the Act (e.g. psychiatry, plastic and reconstructive surgery, gynaecology, urology, endocrinology)
- with clinical privileges at a hospital(s) appropriate to his/her practice in sexual reassignment and approved for the purpose
- with training in sexual reassignment techniques (specialty specific)
- able to demonstrate recent, active participation in continuing education relevant to his/her practice in sexual reassignment.

The list of approved medical practitioners is available to members of the public, on application to the Clinical Systems Branch, Department of Health.

3. There are three psychiatrists approved under the Sexual Reassignment Act

4. The idea that section 6 of the Sexual Reassignment Act is anticompetitive due to the use of the word 'approved' is a misconception. All medical practitioners and hospitals can make application to the Minister for approval in accordance with section 6. There is no discrimination in this regard. The clear intention of section 6 is to ensure that gender reassignment procedures are conducted in a safe, equipped clinical environment, by medical practitioners who are suitably qualified to carry out such procedures. Gender reassignment is a complex process. It is life changing for the patient, and counselling and other support services form an important part of the process. In this context it is essential to have quality and safety standards in place.

The effect of section 6 is to ensure that a person who chooses to undergo gender reassignment can do so knowing that the necessary procedures will be performed by suitably qualified medical practitioners in appropriately equipped hospitals.

# FOOD LABELLING

### In reply to Hon. IAN GILFILLAN (26 May).

The Hon. CARMEL ZOLLO: The Minister for Health has provided the following information:

1. An agreement signed by the Commonwealth and all State and Territory Governments requires national uniform food labelling laws. Any change to food labelling laws requires agreement by the Australia New Zealand Food Regulation Ministerial Council (the Council), on which the Minister for Health represents South Australia. It is unlikely the Council will reduce the present country of origin labelling requirements but no one Minister can guarantee the final collective decision of the Council.

2. The Ministerial Council developed a policy to guide the development of country of origin labelling laws. That policy clearly states that country of origin labelling of food is mandatory. The Minister for Hoelth will origin a state that the state of Minister for Health will oppose any move that threatens to change this policy or weaken the present requirements.

3. The Ministerial Council will consider all submissions that have been made in respect to country of origin disclosure. The foods mentioned in the preamble to the Honourable Member's question, such as unpackaged smoked fish and partly cooked nuts and vegetables, are all listed for inclusion in the proposed standard.

### CHILDREN, HEALTH

# In reply to Hon. J.M.A. LENSINK (1 June).

The Hon. CARMEL ZOLLO: The Minister for Health has provided the following information:

1. The Women's and Children's Hospital have not closed its books to public allergy patients. Priority one patients, that is patients with severe allergic reactions, have their referrals reviewed by the consultant in charge of the Allergy Clinic and they are assigned an appointment for the clinic based on this clinical assessment.

Less urgent patients with significant allergy problems, but which are not life threatening, are offered alternative options of external services available within the community.

2. The budget allocation to the Children, Youth and Women's Health Service includes provision for increased resources to the Allergy Service at the Women's and Children's Hospital. This will result in improved services, decreased waiting time for children with significant allergy, increased education and training of primary practitioners so that a better service response can be provided to allergy sufferers from within their local communities.

#### HOSPITALS, PATIENT RECORDS

### In reply to Hon. SANDRA KANCK (30 June).

The Hon. CARMEL ZOLLO: The Minister for Health has provided the following information:

1. In South Australia the release of information to a third party contrary to the record-subject's express wishes would normally be a breach of patient privacy, but to divulge confidential information if "required or authorised by law" is one of the permitted exceptions to patient confidentiality allowed for in the SA Health Commission Act. Similar exceptions to confidentiality occur in most health records and/or privacy legislation across Australia. Like in Victoria, most South Australian agencies with investigative functions (for example, the Medical Board, Ombudsman and Health and Community Services Commissioner) have power to access records relevant to an investigation or proceedings before them.

In this case, the breach of privacy is likely to have occurred, not with the release of the patient file to the Medical Board, but rather with the initial disclosure of details (including the patient's name) to the Senator. The Victorian Privacy Commissioner and Health Minister are considering investigating this issue.

2. The right to privacy is not absolute and while it is normally the case that health information will only be released with consent of the patient, there are some public interest exceptions to privacy/confidentiality to precipitate the release of patient records against the will of the patient.

Health service providers are subject to statutory and common law demands on a case by case basis. For instance, it is sometimes

necessary for health service providers to use personal information about their patients:

- in emergency situations;
- it may be necessary to release information without consent if to do so would lessen or prevent a threat to the life or health of a person or prevent a serious threat to public health;
- if authorised or required by law;
- certain statutes require mandatory notification. For example, of certain communicable diseases or notification of suspected child abuse or neglect;
- for law enforcement purposes;
- where police produce a search warrant or subpoena, or through the discovery process in civil litigation;
- for research or statistical analysis;
- where seeking consent or using de-identified information is impracticable;
- for treatment purposes or for compassionate reasons;or
- where the patient is legally or physically unable to consent.

At this time the Government is not considering any legislative amendment which would prohibit such public interest exceptions to confidentiality.

#### **EMPLOYMENT, AGRICULTURE**

In reply to Hon. CAROLINE SCHAEFER (15 September). The Hon. CARMEL ZOLLO: The Minister for Agriculture, Food and Fisheries has provided the following information:

1. According to ABS Labour Force Survey information, employment in Agriculture, Forestry and Fishing has declined approximately 11 percent between February 2002 and August 2005.

It should be pointed out that these figures come from a survey and therefore the numbers should only be treated as a guide, due to the influence that standard error could have on the result.

The same survey, however, shows that there has been across the board declines in agriculture with the exception of horticulture and fruit growing (including wine grapes) which are showing slight increases. Dairy and poultry farming are showing the largest declines. Commercial fishing is also showing a decline.

Minister Holloway pointed out that the number of family farms in South Australia has been declining at two percent per annum for at least 100 years. This has been the case over the last decade with farm enterprises in South Australia declining by over three thousand (or 18 percent) over the last decade.

2. Although agriculture employment has been affected in most rural regions due mainly to increased efficiency and economies of scale, the Murraylands and Outer Adelaide regions have been affected the most due to restructuring and in some cases relocating of intensive livestock industries such as dairy, poultry and pig farming

Increases in forestry employment have been experienced mainly in the South East region and to a lesser extent Adelaide Hills and Kangaroo Island. Increases in employment in the category Services to Agriculture have occurred across the State, in particular the larger regional centres.

Forestry and Services to Agriculture are showing significant increases in employment over this time.

3. The Government in recent years has been supportive to all agriculture sectors across South Australia and has been instrumental in assisting numerous sectors in developing strategic plans. These strategic plans all focus on the issue of developing an improvement in labour force capability and efficiency.

Agricultural industries are becoming increasingly aware that they need to become more globally competitive to remain sustainable into the future. Increased use of technology and a more highly qualified labour force are key elements to improvement in efficiency.

The focus that the Government has, through its export targets, is on increased value adding to our raw commodities. This will assist in creating increased down stream employment in regional South Australia.

# HEALTH, CONSULTANTS

#### In reply to Hon. SANDRA KANCK (29 June).

The Hon. CARMEL ZOLLO: The Minister for Health has provided the following information:

1. Since the creation of the Department of Health on 1 July 2004, Dr Josephine Tiddy has been paid \$66 195.80 (excl GST) for the provision of assistance in the investigation of a single, very complex Department of Health workplace dispute.

The Department of Health is unable to comment on whether Dr Tiddy has been engaged by other government departments to investigate, mediate and/or conciliate workplace disputes

3. Since 1 July 2002 to 30 June 2005, the Department of Health (and prior to 1 July 2004, the Department of Human Services) has paid Dr Tiddy \$66 195.80 (excl GST) as a consultant for a workplace dispute. However it should be noted that during this period, \$9 588.70 was paid to Dr Tiddy by Northern Community Metropolitan Health, an incorporated health unit, to assist in resolution of a workplace dispute which involved the same employee related to the Department of Health workplace dispute.

4. From the Department of Health perspective, Dr Tiddy has only been involved in one workplace dispute. The subject employee is now employed by the Central Northern Adelaide Health Service who has taken over responsibility for the ongoing management of that employee. There are no appeals outstanding in relation to this employee.

5. The Department of Health has sufficient human resource management expertise to investigate workplace disputes. However, in accordance with the Department of Health Bullying Discrimination & Harassment Policy, the Department will appoint an independent investigating officer to undertake the capture of all relevant information relating to a complaint. Having due regard for the complexity of the subject case, the number of senior management personnel who had already been involved, and the desire to seek an appropriate outcome for all concerned, independent assistance from Dr Tiddy was secured.

#### **CHLAMYDIA**

In reply to **Hon. T.G. CAMERON** (4 July). **The Hon. CARMEL ZOLLO:** The Minister for Health has provided the following information:

1. South Australia has an increasing number of reported Chlamydia infections. The summaries of the most recent and past statistics available are listed below.

Number and Rate of Diagnoses of Chlamydia from 1999- 2003 by State/Territory and Year. (Source: 2004 Annual Surveillance Report. National Centre in HIV Epidemiology and Clinical Research. Page 60. http://www.wead.com/walka.

http://www.med.unsw.edu.au/nchecr)					
Year	1999 Number & Rate*	2000 Number & Rate	2001 Number & Rate	2002 Number & Rate	2003 Number & Rate
ACT	177 51.9	244 71.9	301 87.1	465 134.9	523 151.3
NSW	246 139.1	3 560 57.2	4 393 70.4	5 658 90.3	7 556 120.5
NT	856 379.8	1 0044 42.8	1255 561.9	1413 645.4	1602 742.9
QLD	4 474 128.3	4 9311 40.9	5 595 159.1	6454 181.9	7661 211.6
SA	1 008 72.6	1 000 72.7	1 455 107.3	1 802 133.5	1 990 146.8
TAS	252 58.7	331 78.0	375 89.6	472 114.9	609 146.9
VIC	2 951 64.1	3 257 70.8	4 114 89.2	4974 107.7	6489 140.7

Number and Rate of Diagnoses of Chlamydia from 1999- 2003 by State/Territory and Year. (Source: 2004 Annual Surveillance Report. National Centre in HIV Epidemiology and Clinical Research. Page 60. http://www.med.unsw.edu.au/nchecr)

http://www.incd.unsw.cdd.ud/hencer/						
Year	1999 2000		2001	2002	2003	
	Number & Rate*	Number & Rate	Number & Rate	Number & Rate	Number & Rate	
WA	1 903 102.6	2 600 139.8	2 725 146.2	3 056 164.4	3 763 198.8	
Total	14 082 76.1	16 927 91.3	20 213 108.9	24 294 130.7	30 193 160.7	

\* Age standardised rate per 100 000.

\* 'Rates' per 100 000 population are the most meaningful statistics when comparing different geographic population with different access to testing.

2004 Notifications of Chlamydia Infection in South Australia, Age Group by Sex (Source: STD in SA—Epidemiological report #18. Clinic 275,

http://www.stdservices.on.net/publications/pdf/annual\_report

tp://www.stuservices.on.net/publications/pul/annual_report_						
2004.pdf) page 12.						
Age M	ale		Fema	le		Total
-	No.	%	No.	%	No.	%
< 15	1	<1	20	1	21	1
15—19	115	12	445	31	560	23
20-24	416	42	589	41	1005	42
25-29	219	22	221	15	440	18
30-34	110	11	88	6	198	8
35-39	56	6	42	3	98	4
>40	64	7	39	3	103	4
Total		981		1444		2425
Chlamydia Infections in SA, 2005 (1st quarter						

01/01/05 - 31/03/05)

Source: Quarterly Report 2005, Clinic 275 www.stdservices.on.net/stats/osr200501/default.htm http://www

up.// w w w.stuser vices.	on.net/stats/qsi200501/default.ntm
	page 11.

Age Group	Male	Female	Total
< 15		-	77
15—19	19	102	121
20—24	118	164	282
25-29	71	66	137
30-34	31	32	63
35-39	18	19	37
>40		22	729
Unknown	1	-	1
Total	280	397	677

2. The South Australian Chlamydia infection rate per 100 000 is greater than the Victorian Chlamydia infection rate per 100 000, but less than the national average Chlamydia rate.

The Commonwealth Minister for Health and Ageing announced the launch of the First National Sexually Transmissible Infections Strategy on 27 June 2005. In response to the new Strategy the Commonwealth has committed \$12.5 million dollars over four years to

increase Chlamydia awareness;

improve surveillance; and

pilot a testing program

Until the South Australian allotment of the Commonwealth unspecified resources is known it is premature to commit to spending. In the meantime, the Department of Health is developing a proposal for a South Australian Sexual Health Strategy for the Minister's consideration.

## GENETICALLY MODIFIED CROPS

In reply to Hon. IAN GILFILLAN (13 September).

The Hon. CARMEL ZOLLO: The Minister for Agriculture, Food and Fisheries has provided the following information:

The discovery of the Topas 19/2 event in Victorian canola samples earlier in 2005 was in breach of Victorian regulations at that time, and a significant effort was put in by the Victorian Dept of Primary Industries and appropriate sectors of the supply chain to confirm that the initial finding of the *pat* gene was indeed the licensed Topas 19/2 event, and to then determine the source and extent of the event in commercial canola in that state. An industrylead working party of national bodies – Australian Oilseeds Federation and Australian Seed Federation – together with ABB Grain and the Victorian DPI, commenced such an investigation. There was little point in SA doing the same, as that would have involved the same key industry bodies and the same grain company doing the same tests in what would have been a quite superfluous exercise. The more rational approach was to wait on the outcome of that investigation, and to determine on the basis of that firm information what needed to be done, preferably on a coordinated industry-wide basis rather than on a state-by-state basis. It was understood that ABB Grain was by then monitoring samples in SA, and that PIRSA would be notified if any samples tested positive for GM traits. In due course some positive samples were identified and this information was passed to PIRSA.

I am awaiting the findings of the industry-lead investigation to determine what measures are appropriate in those circumstances. Senior Officers from Departments of Primary Industry/Agriculture have undertaken preparatory discussions with a view to developing a coordinated industry-wide response. The canola industry does not need four separate jurisdictional solutions to the issue.

GM canola declared as containing small traces of a known GM event is quite saleable into markets that have also licensed that event and have a non-zero threshold for adventitious presence. As an example, Japan takes large volumes of Canadian canola-some of which contains the Topas 19/2 event - an event which is approved by the Japanese authorities (although that event is registered under a different identifying name in Japan). The Genetically Modified Crop Advisory Committee has

considered the issue, and their considered advice is that SA should wait for the findings of the industry-lead investigation to determine what response is appropriate once the exact circumstances are determined. The Draft Minutes of the meeting of 3 August 2005 will be forwarded to you under separate cover.

#### CIGARETTES, FRUIT FLAVOURED

In reply to **Hon. NICK XENOPHON** (31 May). **The Hon. CARMEL ZOLLO:** The Minister for Health has provided the following information:

Fruit-flavoured cigarettes are clearly marketed at young people, especially young women. The flavours and packaging are designed to make them appear very attractive and less harmful than other brands. Currently they are legally available for sale and there is no existing legislative provision to have them banned.

The Department of Health is investigating ways to ban these products and which jurisdiction, State or Australian Government, is best placed to achieve a ban. However, the Tobacco Products Regulation Act (1997) requires that retailers do not sell cigarettes to minors and fines will be issued for breaches. The Department of Health routinely conducts surveys to monitor sales of cigarettes to minors and issues fines for breaches.

The Minister will continue to liaise with her colleagues from other jurisdictions to achieve a ban on the sale of fruit flavoured cigarettes.

# **TOBACCO PRODUCTS**

In reply to **Hon. NICK XENOPHON** (26 May). **The Hon. CARMEL ZOLLO:** The Minister for Health has provided the following information: 1. The Ministerial Reference Group on Tobacco (MRGOT) first

convened on 14 November 2002.

2. MRGOT delivered a draft copy of the second South Australian Tobacco Control Strategy to the Minister for Health on 28 May 2004.

3. The draft version of the Strategy, forwarded to the Minister for Health on 28 May 2004, was incomplete.

4. The Strategy was amended to reflect the Government's legislative reform measures, including the identification of appropriate outcomes, the incorporation of the youth commitment under South Australia's Strategic Plan and other relevant initiatives contained in the recently launched second National Tobacco Strategy 2004-2009

The Minister for Health released the draft second South Australian Tobacco Control Strategy for consultation with stake-holders on World No Tobacco Day 31 May 2005.

5. The Government will implement the South Australian Tobacco Control Strategy once it has been approved by Cabinet.

6. The Government has not received representations from the tobacco industry about the revised strategy as it was only released for stakeholder consultation on 31 May 2005.

7. The Minister was pleased to announce on 31 May 2005 that Quit SA will run a subsidised Nicotine Replacement Therapy (NRT) trial as required under the amended legislation. This trial has been designed to include all of the principles under Part 6 Section 70 (1), (2) and (3) of the Tobacco Products Regulation Act, 1997

The Commonwealth Government has agreed to fund the evaluation component of the trial.

#### **GENETICALLY MODIFIED CROPS**

In reply to Hon. IAN GILFILLAN (14 September).

The Hon. CARMEL ZOLLO: The Minister for Agriculture, Food and Fisheries has provided the following information:

I thank the Honourable Member for his advice on this matter, and agree that any practice that suborns a country's border security is unacceptable.

The Genetically Modified Crops Management Act 2004 prohibits the cultivation (ie the breeding, growing, germinating, culturing, harvesting) of the seeds of any food crop that may have been introduced in this manner, and provides for penalties of up to \$200 000 for breaches of the Act. I further point out to the Honourable Member that plant quarantine is a responsibility of the Commonwealth Government, and that the entry of any seed material is subject to AQIS surveillance and compliance with Australian phytosanitary entry requirements. If the incoming material is genetically modified, referral to the Gene Technology Regulator for confirmation of its eligibility for importation would also occur.

Given the current AQIS procedures and the significant penalties for breaches of the State Act, I believe that no further means are required.

### MOUNT GAMBIER PRISON

In reply to **Hon. A.L. EVANS** (31 May). **The Hon. CARMEL ZOLLO:** The Minister for Health has provided the following information:

1. A SA Dental Service (SADS) dentist Dr Tuan Nguyen, provides the following services to prisons and institutions:

Institution	Dentist visiting schedule
Adelaide Remand Centre	1 day per week
Yatala Labour Prison	1 day per week, plus 1 extra day
	per month
Northfield Prison Complex	3 days per month
Mobilong Medium Security	
Prison	1 day per fortnight
Port Augusta Prison	2 days per month
Other	
James Nash House	Episodic as required
Cadell Training Centre	(provided at Yatala)

SADS also funds dental services to the Pt Lincoln Prison through a local private dental practitioner.

Dental services in the Mt Gambier Prison are the responsibility of the private contractor GSL

In 2003-04, SADS provided or purchased \$224 166 worth of services for 870 prisoners.

2. SADS monitors the prison populations and their demand for care and consults with individual prison managers to ensure Dr Nguyen's time is spent as effectively as possible.

Dental services provided to prisoners by SADS are equivalent to that available to concession card holders in the wider community.

It is understood that the private contractor operating the Mt Gambier Prison has, at times, experienced some difficulty finding a dentist willing to provide these services.

The Department of Health has undertaken a review of all prison health services, including oral health services. The review report was finalised in April 2005 and is under consideration.

#### **RAIL FACILITATION FUND**

In reply to Hon. D.W. RIDGWAY (31 May).

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

1. The costs of rehabilitating contaminated Mount Gambier Station Yard land were estimated in August 2004 in the range of \$70 000 to \$150 000. The level of remediation required will depend on the proposed use of the land with Industrial requiring the lowest level of work and Recreational requiring the highest. The proposed use by Mt Gambier City Council (Council) of the whole site is to be a mix of commercial and open space. These estimated costs relate to environmental works only and do not include costs of track demolition and rebuilding, or excavation and treatment of ballast.

The most significant cost of the transfer is Stamp Duty which will be assessed on the value of the land and is payable by Council. All costs of rehabilitation and transfer of the land are to be the responsibility of Council.

2. The land and improvements are recorded on the State Government asset register at a value of \$890 682. The price the State may have achieved on a sale would have been heavily impacted by the environmental issues, shape of the block, size of the land, costs to prepare the site for development (example: track and ballast removal, connection of services, access issues etc), and the location of the land. The true commercial value of the land would only be known if the land was offered for sale.

3. This Government, as was the case with the former Government, has considered approaches from local communities for surplus government land on a case-by-case basis. However the Rail Transport Facilitation Fund aims to maximise the returns from former rail land for the benefit of future rail initiatives across the State. This obligation must be weighed against the community benefits in each instance.

#### PORT STANVAC OIL REFINERY

#### In reply to Hon. A.J. REDFORD (13 April).

The Hon. P. HOLLOWAY: The Minister Assisting the Premier in Economic Development has provided the following information:

1. The Port Stanvac Taskforce has provided its report to Cabinet in October 2003 and continues to provide advice and feedback to relevant Ministers as required. There are no plans to release the report publicly.

The Government would prefer that Mobil reopen the refinery or allow another petroleum company to do so. Alternatively the Government would like Mobil to rehabilitate the site and sell it hence allowing it to be used for other purposes such as industrial development. Given this if Mobil does not make a decision to reopen the site or sell the land by July 2006 the Government is considering legislating to require Mobil to clean it up and to ensure that the site is made available for industrial uses by third parties. In the interim the Government is trying to help Mobil find an alternative user for the site by facilitating negotiations between them and a number of other companies.

3. and 4. The site contamination report and the remediation action plans are Mobil's own documents. They are lengthy technical and scientific reports and have been prepared with oversight by an approved, independent environmental auditor. The Government has asked Mobil to consider releasing the documents. Mobil is considering granting limited access to the documents.

Mobil advises that it is continuing to monitor the environmental condition of the site and to progress any necessary actions arising, in accordance with the conditions of the company's EPA licence. This process is ongoing. The stage one remediation action plan will also be updated in the light of any new information arising from the monitoring process.

It should be noted that, if the independent environmental auditor overseeing this process becomes aware of any issues that require immediate attention, the auditor is legally bound to ensure that the relevant authorities are notified and the required actions are undertaken. No notification has been received to date.

#### TRANSPORT PLAN

#### In reply to Hon SANDRA KANCK (8 December 2004).

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

Since the release of the draft Transport Plan the Government has also released South Australia's Strategic Plan (March 2004) and more recently a Strategic Infrastructure Plan for South Australia (April/May).

South Australia's Strategic Plan contains two major transport targets for road safety and public transport, these are:

- Reduce road fatalities by 40 per cent by 2010, with an ongoing focus on reductions in fatalities and serious injuries across all modes
- Increase the use of public transport to 10 per cent of weekday travel by 2018.

In addition, transport is a significant contributor to a number of other targets.

The Strategic Infrastructure Plan for South Australia contains a number of significant transport announcements such as the major works on South Road, deepening of the Outer Harbor channel, new untolled opening road and rail bridges at Port Adelaide, a new public transport interchange near Marion Shopping Centre and priority road and rail infrastructure in regional areas such as the South East and the Evre Peninsula.

The Government has committed to release a Transport Plan and it needs to be consistent and integrated with South Australia's Strategic Plan and the Strategic Infrastructure Plan for South Australia

1. The Department for Transport, Energy and Infrastructure engaged external contractors for the printing, advertising and community engagement for the draft Transport Plan in 2003. The breakdown of costs (excluding GST) is as follows:

Printing (3000 copies)	\$ 14 935.00
Media advertising	\$ 19 142.73
Community Engagement	\$180 245.67
Total	\$214 323.40

2. There was never a decision made to discontinue preparation of a transport plan, it was simply a matter of the format of the plan. Moreover, the Government must ensure that the transport plan is consistent and integrated with South Australia's Strategic Plan, released in March 2004, and also the Strategic Infrastructure Plan, released in April and May 2005. It is particularly important to analyse the impact of the major transport projects in the Strategic Infrastructure Plan, such as the major work on South Road, and then review the strategy and actions in the Transport Plan.

3. The Transport Plan is currently being finalised in line with the above documents.

4. The final Transport Plan will be released in the near future.

5. The Transport Plan will follow the same process that was used for the Strategic Infrastructure Plan for South Australia. The Transport Plan will be released and input will be sought on the proposals.

#### TAXIS

In reply to **Hon. IAN GILFILLAN** (4 July). **The Hon. P. HOLLOWAY:** The Minister for Transport has provided the following information:

I am aware of the incident involving Mr Peter Ellson and his guide dog. On 2 August 2005, Officers from the Department for Transport, Energy and Infrastructure (DTEI), interviewed the driver involved in the incident with Mr Ellson. The outcome of the interview was that the driver received an expiation notice of \$105 and is requested to attend retraining in this area. Mr Ellson was informed of the outcome on 2 August 2005.

It is a requirement of the Passenger Transport (General) Regulations 1994 (Regulation 57 (3), (e) that all taxis carry assistance animals for people with disabilities including guide dogs for people with vision impairment.

DTEI and the taxi industry have promoted the requirement of taxi drivers to carry assistance animals (including guide dogs) for people with disabilities through newsletters. I am informed the Taxi Council SA intends to publish another article on this matter in the forthcoming edition of its newsletter. DTEI, in liaison with the Taxi Council, will ensure that future promotions emphasise that drivers must not separate a passenger from their guide dog and that no animal shall be transported in the boot of a vehicle.

DTEI will issue an expiation fee and/or refer drivers to the Passenger Transport Standards Committee for all proven offences involving refusal or inappropriate treatment of passengers with guide dogs, hearing dogs or other authorised assistance animals.

The Federal Disability Discrimination Act 1992, State Equal Opportunity legislation and passenger transport legislation make it unlawful for a driver to discriminate on the basis of a person's disability or use of a guide dog.

DTEI will continue to work with the taxi industry and vision impairment agencies to ensure the unfortunate and regrettable incident involving Mr Ellson will not be repeated.

Complaints regarding disability discrimination can also be made to the Human Rights and Equal Opportunity Commission which administers the Disability Discrimination Act 1992.

### KAPUNDA ROAD ROYAL COMMISSION

In reply to Hon. IAN GILFILLAN (25 May).

The Hon. P. HOLLOWAY: The Attorney-General has provided the following information:

1. I advised the Hon. I. Gilfillan in writing on 7 June, 2005 that the Government would not be extending the Terms of Reference of the Kapunda Road Royal Commission to include this Term of Reference as requested by Mr Gilfillan:

10. You may include in your report recommendations arising from your findings as to such reasonably practicable reforms of any law, practice or procedure that will enhance or improve the safety of cyclists on public roads in South Australia.

2. When establishing the Royal Commission, the Government was concerned to ensure that all road users are protected by the relevant legislation. To do so, however, cases must be investigated and prosecuted efficiently and to the full extent of the law.

The intention of the Government was for the Royal Commission to inquire into the specific concerns arising from the police investigation of Ian Humphrey's death and the subsequent trial of Eugene McGee.

As a cyclist, I understand the concerns cyclists hold for their own safety on our roads and the Government is sympathetic to the efforts made to highlight and address those concerns.

The Royal Commissioner has since reported his findings and the Government is deliberating on or carrying out his recommendations.

# MINING (ROYALTY No. 2) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 19 October. Page 2818).

The Hon. SANDRA KANCK: The South Australian Democrats applaud the proposal in this bill to increase the mining royalty base rate to 3.5 per cent, but even despite this modest increase in the royalty base it will continue to undervalue South Australia's mineral wealth. It is often forgotten that the mineral wealth of this state is a common wealth and the benefits of that common wealth should be shared by all. Highly profitable national and international mining operations are the chief beneficiaries of low royalty rates. Many of those companies take their profits overseas.

I note that the bill introduces a discounted royalty rate for the first five years in the operating life of new mines. Rather than paying a 3.5 per cent royalty on the value of minerals at the mine gate, new mines will be charged 1.5 per cent during the first five years of their operation. This royalty rate reduction is designed to stimulate the development of new mines. It is certainly a form of largesse that a lot of other new businesses would not mind having from government.

The Democrats have some concerns about potential negative impacts of the bill. My colleague the Hon. Kate Reynolds has pointed out to me that this five-year royalty reduction has particular implications for many Aboriginal communities in South Australia. Under the Anangu Pitjantjatjara Yankunytjatjara Land Rights Act 1981, the Maralinga Tjarutja Land Rights Act 1984 and the Aboriginal Lands Trust Act 1966, parliament has recognised that a proportion of any mining royalties earned on these lands must be paid to the Aboriginal owners of those lands. This proposed five-year reduction in royalties payable has the potential to significantly reduce the amount of moneys that Aboriginal people and communities earn from new mines established on their land. In most cases the mines we are talking about here will all be new mines. These mines are contemplated and are not yet up and running.

In his second reading explanation the Hon. Paul Holloway stated that as part of the process of developing the bill the government had consulted with the South Australian Chamber of Mines and Energy and 'many mining industry operators and organisations, including the Cement, Concrete and Aggregates Association and the Australian Mining and Petroleum Law Association (SA Branch)'. He also noted that 'a position paper advising of the proposed changes to the act had been circulated' and 'responses sought from and provided by the mining industry'. He made no mention of any consultation with Aboriginal communities or landholders. Nor is it known whether they ever were provided with copies of the position paper.

Today I am asking the minister whether he consulted with the representative bodies of Aboriginal landholders who will be impacted upon by this bill. If he did not, will the government postpone the bill until such consultation has taken place? If he did, with which bodies did he consult, when did that consultation occur and what information was provided to those bodies? Also, what response did they give? Further, will the minister tell this council what are the financial implications for some of the poorest citizens of our state in dealing with the mining industry?

I should indicate that, depending on the answers that the minister gives, the South Australian Democrats will consider an amendment to ensure that Aboriginal communities are not economically disadvantaged by this royalty reduction. As the Aboriginal communities are entitled to but a third of the royalties from mines on their lands, it would be a simple matter to ensure they receive one-third of the standard 3.5 per cent royalty, whether or not it is a new mine operating. Of course, this may result in the state government virtually forging royalties from new mines on Aboriginal lands, but that is a better outcome than cutting the payments to some of our most disadvantaged citizens. In considering my questions I hope the minister weighs the fact that it was Don Dunstan who ensured that mining royalties would be provided to the traditional owners of the lands.

I note that one of the running sheets I have before me states that this bill is to go through today. I indicate that the Democrats are not willing to progress this bill until we have heard answers from the minister to the questions I have asked. If those answers prove to be unsatisfactory, I will be needing time to draft amendments. At this stage, I support the second reading, unless there is a move to force us into committee.

The Hon. CAROLINE SCHAEFER: The history of this bill is largely around the fact that current royalties to be paid as a result of the Olympic Dam indenture expire on 31 December this year. Given that a new system of royalties needed to be negotiated between the government and the operators of Olympic Dam, the act was opened and a number of amendments made. Initially, there was a distinct lack of consultation with the mining fraternity throughout South Australia. However, latterly, there has been negotiation and consultation, and some form of agreement has been reached. Essentially, this bill sets a new royalty rate of 1.5 per cent for the first five years of operation of a new mine. As I understand it, it changes the system of collecting royalties from a flat rate to a percentage of the income from the mining activity, whatever or wherever it may be. I am still somewhat confused. However, I think royalties can be negotiated according to the type of mine it is, and they vary between 1.5 per cent for the first five years and then between 2.5 and 3.5 per cent. My understanding is that that places royalties collected in South Australia in the middle range with respect to royalties collected across Australia. Across Australia they range from 2 per cent to 7.5 per cent.

Quite some negotiation has taken place and some rewriting of the act, which will make this act much more transparent than most mining acts in Australia. With regard to a lowering of revenue to the government, it is anticipated that the increased production at Olympic Dam will more than compensate for the lowering of the rate of royalty collection. There have been some other amendments. Section 17B empowers the minister to make an assessment of royalty where payments are not made under section 17. The person liable may appeal such assessment to the ERD court within one month. Section 17C upholds assessed values during the course of any appeal. Section 17D stipulates when royalties fall due, which is similar to the old sections 17, 14 and 15. Section 17E sets out the rate of penalties for non-payment of royalties and gives the minister discretion to remit penalty.

There are other changes which give regulation making powers to stipulate payment requirements. The provision currently gives three months grace and maximum penalties for non-compliance—and this is very consistent across all legislation of this government. Maximum penalties have increased from \$750 to \$5 000. Penalties for false declarations are increased to \$5 000 and for 'misleading' are increased up to \$1 200, with the availability of expiation of \$160 in the case of 'misleading'. Schedule 1 allows for continuance of existing agreements and establishes assessed values at the current level for another three years.

Given that it appears that quite some negotiation and consultation has taken place with the mining sector, the opposition will be supporting this bill. I support the second reading.

The Hon. P. HOLLOWAY (Minister for Mineral Resources and Development): I thank honourable members for their indication of support for this bill. The Hon. Sandra Kanck, in her contribution, referred to the situation that will arise under this bill as far as payments to indigenous groups are concerned. Let me say, first, that I reject the idea that there will be some royalty reduction. This bill seeks to increase the broad royalty rate for mines that are in existence from the present rate, which varies between 1½ per cent to 2½ per cent, to 3½ per cent. The reasons for that were set out in the 2003 budget, I think it was, so they have been around for some two years, and I will not go over them again.

After lengthy negotiation on this bill, the government has come down with a position where it would increase the general maximum rate to 3½ per cent, but it would have the concessional rate, if you like to call it that, of 1½ per cent, which is the rate currently paid for many mines within this state, and that would remain for the first five years. The reason for that is to encourage more mines so there will be more royalties paid overall. So, it is not really correct to say that there is a reduction in the royalty. The concessional rate, if you call it that, of 1<sup>1</sup>/<sub>2</sub> per cent, applies only to new mines for the first five years.

The Hon. J.M.A. Lensink interjecting:

The Hon. P. HOLLOWAY: But that is the rate that currently would be paid by most similar mines, anyway. There were only several mines in this state paying the maximum rate of 21/2 per cent, because they were the only ones that had been in existence. So, in relation to consultation, let me first say that there has been ongoing discussion with the mining industry more broadly since the matter was announced in the budget back in 2003, and that is why it has taken something like two years for this bill to come forward. But a discussion paper was put out, I think in May this year, and the ALRM (which is the group that, after all, has been responsible for negotiations in relation to indigenous rights) was certainly given a copy of that. Of course, the matter was also discussed through the Resources Industry Development Board, of which Parry Agius is a member, and it is my advice that there was no response direct from the ALRM in relation to that.

It also needs to be borne in mind that, of course, the main source of revenue for indigenous groups, apart from the statutory requirements that apply to the Maralinga lands, I believe, and the APY lands, is of course through negotiation of indigenous land use agreements. Indeed, there are some operating mines in the state where additional payments have resulted from those negotiations, and this legislation does not in any way affect those. So, if there is mining to take place on any lands, whether or not Aboriginal land rights are concerned, those royalty payments can be negotiated through the ILUA process.

I think the honourable member was talking about the statutory provisions that provide for a third of the state rate within certain areas such as the APY lands to go direct to indigenous groups but, as I say, there is nothing to stop further payments being made as a result of negotiations through the ILUA process, and at least in some areas additional payments are made to indigenous groups as a result of such negotiations. So, really, from that point of view I do not think it is correct to say that this will cut payments to indigenous groups.

I also point out that, under the government's new PACE funding, a significant amount of money is provided for indigenous programs and, in particular, one of the things this government is seeking to do more than anything else is involve indigenous people in the mining industry through employment, because it is one of the few industries that has the capacity to provide employment in the more remote regional areas of the state. There is probably pastoralism, which has very limited employment opportunities; there is probably tourism, which again has very limited employment opportunities; and there is mining. So, under the PACE themes, of that \$22.5 million, a significant amount is specifically going to training for indigenous people, and that will be one of the other benefits.

In terms of royalties, as I say, if one looks at the existing rates that mines are paying at the moment, Roxby Downs is paying  $3\frac{1}{2}$  per cent because of that historical precedent that was set in the indenture; a couple of mines are paying  $2\frac{1}{2}$  per cent, and that would go up to  $3\frac{1}{2}$  per cent; and the rest I think are paying about  $1\frac{1}{2}$  per cent, because the current range was  $1\frac{1}{2}$  per cent to  $2\frac{1}{2}$  per cent and, for various reasons, that was the rate that applied.

We would like to see mining ventures proceed which can provide wealth and employment opportunities for indigenous people and, clearly, one has to have a royalty rate that is attractive to indigenous groups, but I would have thought that, if those mining groups are paying 1½ per cent to the government, in some ways you could argue that, for it to be internationally competitive, that opens up an additional amount for the indigenous groups to negotiate with the mining companies themselves. That is just my initial response but, if the honourable member wants any further information, we can deal with it in committee today.

**The Hon. J.M.A. Lensink:** I would just like an answer to the question.

The Hon. P. HOLLOWAY: Which is what?

The Hon. J.M.A. Lensink interjecting:

The Hon. P. HOLLOWAY: I told you: the ALRM was the group representing indigenous people, because they negotiate on behalf of indigenous groups in relation to these matters. They are the people who conduct the ILUA process, and that is why, obviously, we consulted with them as the body that conducts these negotiations on behalf of indigenous people. If there are any more questions, we can deal with them in committee. Perhaps we could go to clause 1 and we can either deal with them then or, if necessary, seek answers later. With those comments, Mr President, I again thank honourable members for their support of this bill, and I look forward to its passage.

Bill read a second time.

In committee.

Clause 1.

The Hon. KATE REYNOLDS: I would like to follow on from the comments in the second reading debate made by the minister and my colleague, the state leader (Hon. Sandra Kanck), in relation to the consultation process for Aboriginal traditional owners. Bearing in mind that I have not been following this bill, as it is not within my portfolio area, I will not go into the merits or otherwise of the bill at any great length. I will confine my comments to the process of discussion, consultation and negotiation with the people affected by the passage of the bill which, I assume, at some point will be passed.

The minister stated that the Aboriginal Legal Rights Movement was provided with a copy of a discussion paper in May but that it had not made any response to the government. I am not able to comment on why the ALRM did not do so: perhaps it was perfectly happy; perhaps it was simply overrun with work (we know that its funding is completely inadequate to meet the demands upon it); or perhaps it assumes that, just in relation to the Pitjantjatjara Yankunytjatjara lands, the government is consulting with the APY executive, which is, after all, the body which speaks for the traditional owners on the lands. I am not able to comment on the Maralinga Tjarutja at the moment, and I will confine my remarks to the APY, with which I am more familiar.

The minister said that there had been ongoing discussions with the mining industry since 2003. That is all well and good, but the government would have us believe that it has been in discussion with the APY executive on a number of matters for at least a year. Members of the Aboriginal lands task force have visited some of the communities on the lands, undertaking what they called 'consultation' on changes to the Pitjantjatjara Land Rights Act, which we debated in this place at some length not very many weeks ago. The government made repeated comments about the fact that it was not undertaking any consultation on issues related to mining, because that would occur at stage 2 of the review of that act. The government roundly criticised the South Australian Democrats for raising concerns about the consultation process and what changes to the act might mean in relation to mining. At that time, I was not aware that this bill was about to come before the parliament; had I known, I would probably have been even more cynical in my comments. Is the minister able to assure me that there has, in fact, been discussion with the traditional owners and that that discussion has occurred through the appropriate bodies? I am sure that the ALRM is one appropriate body through which the government can seek a view. Can he tell us whether or not there was any discussion with traditional owners about this bill? If so, when was that discussion and what was their response?

It appears to me that, whilst the government seeks to develop the mining industry in this state (and that may or may not be a good thing, depending on where you sit), it must not at any point seek to negotiate away income for, as my honourable colleague has said, some of the most disadvantaged people, if not the most disadvantaged people, in this state. If the government talked to traditional owners, who said, 'Yes; we understand what the government is seeking to do. We understand that there is great potential here for development for our communities in terms of employment and so on, and we support the concession that the government is proposing,' I would be very reassured and would resume my seat-in fact, I would probably leave the chamber and get on with some other work that needs to be done. However, so far, the minister has not been able to give me that reassurance.

I think it is very important that the record shows whether or not the traditional owners were consulted and, if they were consulted, what their views were. I make absolutely plain that I am not arguing against mining. I make absolutely plain that I am not arguing against the government's supporting opportunities for employment and training and the development of those communities on the Aboriginal lands. I am concerning myself simply with process. Given the debate that has occurred in this place and in the media in recent months about the government's style of communication with the Aboriginal traditional owners, I think that it is very important that the record be very clear about that.

The Hon. P. HOLLOWAY: All this bill does is set out general, broad royalty rates. It does not impact upon Aboriginal returns. As I said earlier, statutorily, they come through a third of the royalties applied to the state in the APY lands. In the rest of the state, of course, the returns to indigenous groups are negotiated under ILUAs. The Mining Act is a separate act, and we are not amending part 9B, which sets out the rights of indigenous groups in relation to this issue. In terms of the traditional owners, the fact is that their rights are not in any way impacted in relation to this bill.

This bill is simply about setting the broad rate for the state. That is why, as I said, the negotiations that have taken place with indigenous groups have been with the ALRM, because that is the group that negotiates broadly on behalf of indigenous owners in relation to these matters. If a mining venture is to take place within the APY lands, or anywhere else, the point is that the negotiations with the traditional owners will take place to set the royalties at that time. This bill, through setting a lower rate, hopefully encourages those projects to take place. In some of the more remote parts of the state—and you do not get any more remote than the APY lands—to have any mining development the cost would be significant because of the infrastructure.

In fact, the state component of that royalty needs to be kept as low as possible to encourage development to take place so the indigenous groups can then get the benefit of it. But their rates will be set through the negotiations for additional benefits or agreements through that ILUA process. As I said, if the state had a higher rate—if we had it set at 3.5 per cent from startup—you would be much less likely to get any development up there and, even if you did, it would reduce the capacity, I would argue, for those indigenous groups to negotiate a high level of payment for those groups. This bill does not in any way take away the rights of the traditional owners, and that is why our negotiations, as far as indigenous people are concerned, were with the ALRM, which is the body that negotiates in such matters with the government.

The Hon. CAROLINE SCHAEFER: Unless I am mistaken, the only mining royalties currently paid to Aborigines are from opal mining. In fact, the only mining activity on the Aboriginal lands in South Australia is opal mining, and this particular bill does not relate to opal mining; this relates to mineral mining. My understanding is that, if a major mineral mine were to open up in the Aboriginal lands, an indenture agreement would have to be reached in the same way as it is for Olympic Dam, and such income as was derived from it would be negotiated at that time. Is that correct?

The Hon. P. HOLLOWAY: It is certainly true that with opal mining there is a separate act, and there are certain provisions that are negotiated and provided for in that area for indigenous people. I am just checking the facts, but there are certainly other mines, as I understand it, within the state-and I think Beverley uranium mine might be one-where an additional payment is made to indigenous groups that is over and above the royalties. So, those indigenous groups do benefit from that. In the petroleum industry-and I know that we are not talking about that here—a significant royalty is paid to the indigenous owners. In fact, in that case, I think that one of the unfortunate things is that the indigenous owners in relation to the Cooper Basin are so few that just a handful of people have been paid a massive royalty. I think that it is a pity in a way that those royalties are not distributed to a broader group of indigenous people, but unfortunately that is the problem with land rights.

The Hon. Caroline Schaefer interjecting:

The Hon. P. HOLLOWAY: Well, it allows payment to go to the owners. In some cases you might have a lot of owners who do not have much wealth being contributed, whereas in other cases you have very few owners to whom significant wealth is contributed. We have a system, and we have to live with it. I think it is a pity that you have some of the larger mines that pay huge amounts of royalties. I have seen some in Western Australia. I think the mining royalties from Rio Tinto's operations in the Pilbara amount to something like \$60 million in payments to indigenous groups over four or five years, and that is why Rio Tinto has made such a huge contribution in those communities. But, of course, then again, it makes an enormous amount of money. I just hope that we are able to develop some of those types of mines in this state so we can put those huge sums of money into the indigenous communities where they certainly need the money. The mineral wealth is not necessarily distributed where there is the most need.

In relation to Olympic Dam, that was pre the Native Title Act. I am advised that it does pay significant administration fees to native title claimants. That is the point: royalties are just one of the few ways in which indigenous communities are paid and, even then, it is only in those few areas where there is that statutory requirement, which is not affected by this legislation. Elsewhere, the bulk of payments to indigenous groups will come out of negotiations through indigenous land use agreements or other agreements with indigenous groups. That is something negotiated for that group.

The Hon. KATE REYNOLDS: I am not seeking to unduly extend the committee stage of this debate, but I do want to pursue this a little, because I think the government has missed the point of my questions. First, the minister just referred to negotiations with the ALRM. Again I say it appears that the ALRM got a copy of the discussion paper, but they have not made a response. I think if you go to the definition of 'negotiation' in the dictionary, we find that that does not qualify as negotiation. Yes, they were provided with a copy; no, they did not make a response. Okay, you can call that consultation if you might, but it is not negotiation, so let us be plain about that. Secondly, the minister made a comment that made it sound as though I was suggesting that this is taking away the rights of traditional owners. I am not suggesting that. What I am asking is whether or not the government consulted with traditional owners about the changes that it was proposing in relation to mining royalties.

On every answer that the minister has given it appears that the answer ought to be no but that the minister cannot bring himself to actually say that. Perhaps in a moment when I have finished speaking he might rise to his feet and say, 'No; we did not consult with traditional owners in relation to the changes to this particular piece of legislation.' I am not suggesting the minister say this, because I am sure he will not be able to bring himself to, but it appears that traditional owners are probably unaware that their one-third will be determined at the lower rate. Perhaps they are quite comfortable with that. We do not know. The parliament does not know and, given the debate we have had recently and the claims that the government has made about the sort of relationship it has with traditional owners, and it has tried very hard to assure everybody that that is a very good, honest, open, transparent, working relationship, it seems a bit richpardon the pun-that it appears that the government is now trying to conceal the fact that it has not spoken with traditional owners about these changes, which will have an effect on them whether they like it or not, and they may well like it.

You cannot, on the one hand, run around producing policy documents saying that we are going to do it right, that we are going to have respectful, open, transparent, timely consultation with Aboriginal communities including traditional owners, then go out publicly and slam the South Australian Democrats for having raised their concerns about the government's intentions in relation to mining development in the future and then try to stand up here in the parliament and wriggle out of saying, 'No; we did not consult with traditional owners.'

**The Hon. P. HOLLOWAY:** No; the government did not consult individual traditional owners. Presumably, there would have been hundreds of them, and what about future traditional owners? If you want to get technical, you could argue that, apart from probably Beverley, there would not be too many traditional owners who are currently paid royalties. What one needs to look at is the future payments paid to indigenous groups, and who knows where the mines of the future will be and who will be affected? The point I am making is that the main payments that will go to indigenous groups as a result of mining activity will come out of

negotiations when they are at the stage of negotiating with the company for the establishment of a mine. The lower the state rate is, the greater the potential, I would have thought, for indigenous groups to negotiate payments above that rate, as already happens in relation to at least one mine that I have listed here. That is the point in negotiation when traditional owners become involved.

It is not a question about this legislation impacting upon the rights of traditional owners, and that is why that is when the traditional owners need to be involved in negotiation. Obviously, because of the broad scope of the bill, that is why we negotiated with the ALRM, which is the appropriate body and the body that is involved. It should be pointed out that Parry Agius is a member of the Resources Industry Development Board. There have been broad discussions through that group and others, but the Department of Primary Industries and Resources does have an officer on the APY lands and has had for some years, and part of the role of that group is to explain issues to indigenous people.

Earlier this year when I had the opportunity to be in Canada and meet the Ontario minister, one of the issues I discussed with him was what the Ontario government does for its indigenous groups in relation to mining. I was fortunate enough to pick up a copy of how the government has done it, because I think it should be applied here. One of the things that it has done was to explain in local languages the impact of mining on local communities so there can be greater understanding about what is involved. That project had been undertaken by the Ontario government, and I believe those governments are at least 10 years ahead of where we are in dealing with indigenous groups in relation to mining. That is something which we need to address in the future, and the Ontario minister did suggest that, given the similar issues we have with the indigenous people, at some stage we should have a conference, because we could learn a lot from each other in relation to these issues. Unfortunately, next year the mining ministers' conference in Toronto is right in the middle of our election campaign, but certainly I hope that at some stage in the future we take up these issues with the Canadian governments where, as I said, they are probably 10 years ahead of us in their negotiation on these issues.

To return to the question, no; we have not spoken to individual traditional owners, because it is the traditional owners who should be consulted when individual mining projects are to take place, because that is when they will be affected. How do we know in advance what the impacts or issues are going to be in relation to individual mines? In the current rate of mining there is the capacity under the current act for the minister to take into account issues such as the viability of the mine in setting those royalties anyway. So, nothing has really changed. The current rate is 1.5 to 2.5 per cent, and most mines are at 1.5 per cent. What we are doing here is that if we do get large-scale, viable mines taking place, rather than reducing the royalties to indigenous groups, if those mines go for longer than five years, then the rate would go up to 3.5 per cent, and that would actually increase the rate for indigenous groups.

Again I make the point in terms of negotiation that we have spoken to the ALRM. PIRSA is in constant contact with indigenous groups. As I indicated in our discussions with the government in Ontario earlier this year, part of the charter of PIRSA in that sense I think is to explain issues in relation to mining to indigenous groups, and it does that, and I think it does that very well as a department. The honourable member goes up to the Pit lands regularly. I would hope the feedback she would be getting is that those officers of PIRSA are highly regarded in those communities. I would be disappointed if they are not.

**The Hon. KATE REYNOLDS:** Unfortunately, the minister keeps making comments that just force me to jump to my feet and keep this discussion going. First, I would be really appreciative if the minister could use the term Pitjantjatjara Yankunytjatjara lands rather than the Pit lands. If he had travelled to those communities he would know the people up there are really uncomfortable with that term, and I think it is appropriate that we use the proper term when we are speaking in the parliament about those parts of the state.

The second comment is that the minister spoke about ILUAs and said that these rates will be negotiated as part of the ILUA. I do not know the exact numbers, but I understand that, at this stage, South Australia has the least number of signed ILUAs of any state. We hope that, in future, those numbers will increase-that is a good thing. However, at the moment, in the absence of ILUAs, my understanding is that we revert to the existing legislation in terms of how those royalties are determined. I have been handed some information about the Aboriginal Lands Trust, and certainly for Aboriginal people who have an interest in moneys provided to the Aboriginal Lands Trust, an agreement has been signed off between the South Australian government and the Aboriginal Lands Trust to the effect that the government will pay the trust an amount equal to all royalties it receives from mineral or petroleum developments on Aboriginal Lands Trust land.

This is another body that is affected by any changes that might be made through this bill. Again I say I am not suggesting that all these bodies would necessarily oppose that. What I am criticising is the government's lack of consultation with them. Obviously, it has gone to significant lengths to consult and negotiate with the mining industry and that is a good thing; that is the way it should occur—but why has it not put the same effort into negotiating with traditional owners, many of whom are the owners of the land on which we all hope these mining operations will successfully begin in the future? The minister said that you cannot negotiate with individual landowners. If the minister had any understanding at all of traditional ownership, he would understand that we all know that is very difficult, if not impossible, and that is why there are representative bodies.

However, it appears that the government has not bothered to consult with those representative bodies. I say again: let us go back to the government's own words-and I think the Minister for Aboriginal Affairs will give me the nod if I have this right. The policy which the state government signed in partnership with a whole load of Aboriginal organisations was 'do it right'—he is nodding his head. It made a great big fuss about it. We all applauded that as the approach that was to be taken between the state government and Aboriginal communities. It talks about respect, openness, having effective working relationships, trust and timeliness. Where does all that sit in relation to this bill? It appears to be invisible to me, and I suspect that the reason for that is that trust and openness simply have not been shown to any sector except the mining industry. I am not sure where that leaves us in terms of the passage of the bill. I expect that it will proceed, but I think the government ought to hang its head in shame at the lack of due and respectful process in relation to the changes that it is seeking for this particular piece of legislation.

The Hon. P. HOLLOWAY: I am not quite sure what I can add to that, other than to indicate again whether or not indigenous owners will benefit from mining activity, and the extent to which they benefit will be determined at the time that negotiations are under way between the mining companies and the traditional owners on specific projects. The higher the commercial rate the government sets as a general royalty, then the less scope there would be to negotiate on behalf of indigenous groups. I can only repeat that there is no reduction in relation to the rate that indigenous groups will receive. Obviously, if we were negotiating part 9B of the act and indigenous rights, then there would be those broader negotiations. Obviously, plenty of negotiations will take place when specific mining ventures are under way.

I will reply to one question asked by the Hon. Kate Reynolds relating to ILUAs in this state. First, in relation to petroleum, we were the first state to negotiate ILUAs successfully in the mining industry, and we have set what has become almost a template rate in relation to the Cooper Basin and petroleum. In relation to mining, there are only two indigenous land use agreements at this stage, although, as I said, there have been other negotiations with the Beverley mine and perhaps others where indigenous groups have negotiated a higher level of payment. Incidentally, that will be rapidly increasing with the price of uranium, ironically. One would think that very significant sums of money will be going to those communities as a result of the four or fivefold price increase.

In relation to the ILUAs, it is worth pointing out that there are greater areas involved in the ILUAs in South Australia. It is a bit hard to make a fair comparison in relation to where ILUAs are here compared with other states. We have now reached the stage where it is almost like a template agreement, with the general broad acceptance by indigenous groups across the state that those templates in relation to petroleum and mining are fair, and that should make any future negotiation much speedier and with much less hassle than we had in the past when all these things were new. Again, the time when the benefits for indigenous groups will be determined at large will be when these negotiations between the mining companies and the traditional owners take place.

The Hon. KATE REYNOLDS: If the government was so confident that traditional owners would accept the case that the government is putting to the parliament for these changes, then it is unfortunate that the government did not take the time to make that information and those arguments available to the traditional owners. The point is that this is about process. The process has not been conducted in a respectful manner. At the same time as the government was arguing that it did not need to have any discussions with traditional owners in relation to the Pitjantjatjara Land Rights Act because all those mining changes would happen in stage 2, other officers of the government were preparing changes to this bill.

It is unfortunate that the government was not consistent in its approach about consultation. It is unfortunate that the traditional owners will find out about this after the event. It is unfortunate that both those things will probably cause for some time a return of some of the distrust that the traditional owners have felt towards this government, so it becomes once again a 'one step backwards, two steps forward' kind of relationship, and that is sad.

I hope the minister will take the time and effort to prepare some fact sheets and have them translated into the language and made available to the traditional owners around the state. I hope that the next time amendments like this are being prepared to any act that will have an effect, whether it be potentially positive or negative for traditional owners, the government will have the courtesy to give them notice of those changes and give them the courtesy of the same level of negotiation, if necessary, as it gives to the industry sectors.

Clause passed.

Progress reported; committee to sit again.

# VICTORIA SQUARE BILL

Adjourned debate on second reading.

(Continued from 18 October. Page 2795.)

The Hon. SANDRA KANCK: The South Australian Democrats support this bill because as a party we are committed to improving public transport in this state. Our commitment is grounded in an understanding of the environmental and social equity benefits that improved public transport will bring. The city of Adelaide has had the historical misfortune of its greatest period of growth coinciding with the dominance of the motor car. The prospect of each family owning its own car, cheap fuel and plentiful land has produced a low density urban sprawl from Gawler to the mid South Coast. There is much to be said for Adelaide's quarter acre blocks: it gives you plenty of space for a lawn for the kids to play on, for a dog to play with the kids and for growing your own fruit and vegetables, but unfortunately the cost of that lifestyle is growing very quickly.

Private vehicle transport is one of the leading contributors to greenhouse gas emissions in South Australia. Global warming represents a significant medium term threat to our economic prosperity and our way of life. We would be terribly foolish to ignore the need for significant reductions in our greenhouse gas emissions, and an extensive light rail system represents the best option for achieving those reductions.

On a related theme, increased traffic jams, particularly for people travelling to town from the north and south of the city, are adding time and expense to the greenhouse costs of commuting in private cars. Probably the most urgent threat to the use of private vehicles is the rising price of petrol. We recently had a glimpse of that future when it comes to filling up the tank. Petroleum production has peaked, and petroleum demand continues to rise and will continue do so as the population increases, and with it the price of petrol. In the not too distant future filling up the family car will be a luxury many will not be able to afford.

We need to begin to create a viable alternative form of transport now, and I am convinced that light rail is the best option. Light rail is greenhouse gas friendly, fast and efficient and relatively inexpensive, and it is the public's preferred form of public transport. You hear so often, when conversation on talk-back gets to trams, that people like trams and want to travel in them. The South Australian Democrats have long been proponents of a virtually seamless Gawler to Glenelg line. Extending the tram line from Victoria Square to the railway station is what we have been championing, and we are delighted to see the government taking up this Democrat initiative.

I have noted comments from spoilers and whingers about the extension of the line. They clearly do not have an eye to the future and the pressing need to begin construction of a significantly better public transport system in this city. I note from reading *Hansard* in the House of Assembly debates that the Liberal Party is opposing this bill, and I assume that will also happen in this chamber. Such a short-sighted approach does not bode well should the Liberals be returned to office in the near future. Reading between the lines, I guess that, after the Mark Brindal shemozzle, they have given up any hope of winning the seat of Adelaide and consequently they have cynically abandoned the people of North Adelaide. Should Nigel Smart want to advocate that the tram line be extended to Norwood, I think he would probably be told to keep quiet.

Opposing the tram extension to the railway station and from there to North Adelaide or Norwood allows the Liberals to go to rural South Australia, where they think they have a chance of picking up the seats of Chaffey and Mount Gambier, and say, 'Vote for us; we'll spend the money instead on regional roads.' Playing the Adelaide envy card does nothing for the credibility of the opposition as an alternative government. It suggests that it has no plans for remodelling Adelaide's transport system to cope with the ever growing challenges. I do look forward to seeing what its election policy is in relation to trams. It implies that it has no real transport vision for rural South Australians, either. A letter I have from the Australian Electric Traction Association in support of this bill, in relation to the Liberal position, states that it is 'becoming a minority in modern transport planning'.

This bill facilitates what I hope will be just the beginning of a light rail renaissance in Adelaide. It enables the eminently sensible option of running the extension of the tramline down the western side of Victoria Square. Of course, if the bill is not passed, the government can take it through the middle of Victoria Square, anyway—which I think would be an unsightly option. The state government has rightly invested in new rolling stock for the Glenelg tramline, the cost of which ultimately must be justified with further extensions of the tramline. I hope that in the future I will find myself and the South Australian Democrats lending support to further government light rail initiatives.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

# STATUTES AMENDMENT (RELATIONSHIPS) BILL

In committee.

(Continued from 20 October. Page 2821.)

New clause 68A.

The Hon. J.M.A. LENSINK: Mr Chairman, I draw your attention to the state of the committee.

A quorum having been formed:

The Hon. A.L. EVANS: My comment concerning the amendment is that it is quite discriminatory. This bill was put up to take away discrimination, but this amendment is discriminatory in the sense that it seeks to help domestic codependants because it puts in front of them a challenge which same sex partners do not have, and therefore it is discriminatory. Domestic co-dependants live together, love one another and share everything together but do not have a sexual involvement. It has been very interesting to watch the debate on this bill and see the spin put on by the government according to the situation.

In 2003, the Attorney-General said that there were four times as many domestic co-dependants as same sex couples and therefore it would be too expensive to give them the same rights as same sex couples. However, in 2005 he is quite happy to include domestic co-dependants on a discriminatory approach because, in his own words to me, you could count on one hand how many domestic co-dependants would opt in. He has good grounds for that statement, of course, because where they have put this law into place, such as Tasmania, no domestic co-dependants have opted in—and the reason they have not opted in is that these people are not political. These people do not link together and form a lobby group. They are people in the community with no-one to fight for them and, because they are like that, they are used as a political toy and are discriminated against by this bill.

So, this is a Clayton's amendment. It seems to be giving domestic co-dependants help. Why cannot both domestic codependants and same sex couples have the same rules? The argument is that there could be fraud in the case of domestic co-dependants. Well, there could be fraud in the case of same sex couples as well. Why can they not be equal? Why should there be discrimination against domestic co-dependants? In respect of same sex couples and their relationships, these are some of the statistics. Where they have same sex marriage in Holland-and they have had it for over 10 years-these marriages last 18 months. Also, statistics show that where same sex couples have a primary relationship they also have, according to studies, seven or eight other relationships going on at the same time. That aspect has been totally ignored by this amendment. They are just brought in and there is no need for them to prove anything, but domestic co-dependants have to do that and opt in.

So, they are therefore being discriminated against and it makes this amendment an absolute fraud because it is put up as a patch-over to try to show that the government is thinking of domestic co-dependants. When I presented the case of the domestic co-dependant when we were dealing with the issue of superannuation, I was told, 'We will do something about them later on.' I knew they would not. I knew that was a straight out lie and that it would never happen. The domestic co-dependants will not receive their rights. It could so easily be, and that is why I wanted to wait for Mr Cameron—at least he is dealing with the issue of domestic co-dependants.

I also apologise to the Hon. Gail Gago for the comments that I made about the integrity of statistics. I do not like to make false statements, and I am sorry for that. I would have loved to wait, and I think we should wait, until we can hear Mr Cameron's side. They tell me he will be here tomorrow. I move:

That progress be reported.

The committee divided on the	he motion:		
AYES (6)			
Dawkins, J. S. L.	Evans, A.L. (teller)		
Lucas, R. I.	Redford, A. J.		
Schaefer, C. V.	Stefani, J. F.		
NOES (	(12)		
Gago, G. E.	Gilfillan, I.		
Holloway, P. (teller)	Kanck, S. M.		
Lawson, R.D.	Lensink, J.M.A.		
Reynolds, K.	Ridgway, D.W.		
Roberts, T. G.	Sneath, R. K.		
Xenophon, N.	Zollo, C.		
PAIR			
Stephens, T. J.	Gazzola, J.		
Majority of 6 for the noes.			
Motion thus negatived.			

The Hon. R.I. LUCAS: I want to make a couple of comments to the Hon. Andrew Evans. Assuming that the Hon. Mr Cameron is available tomorrow (and we trust that his health allows that), there is the capacity in our procedures for the Hon. Mr Cameron to seek to recommit and test his position. The Hon. Mr Xenophon has highlighted that this is his preferred course of action. If it is the Hon. Mr Evans' preference to support that, certainly I know that I (and I suspect the majority of my colleagues) would be prepared to allow that issue to be tested at the end of the committee stage. As this is a conscience vote, I cannot speak on behalf of all my colleagues; however, I know that I speak for some of them when I say that we would be prepared to support at least the testing of that particular issue at the recommittal stage, if Mr Cameron is here on that occasion.

As I understand it, this is a test vote for a number of the Hon. Ms Lensink's amendments. For the benefit of some of us who have not followed this as assiduously as have others, will she take us gently through them again before the dinner break so that we can understand exactly what she intends through her set of amendments? I think we agreed that this would be a test for a series of her subsequent amendments, so I think it would be useful for us to have a refresher course on what else hangs on this vote.

The Hon. J.M.A. LENSINK: I am quite happy to provide an explanation of some sort in response to the Hon. Mr Lucas. I would also like to respond to the comments of the Hon. Andrew Evans who, I understand in making his speech, described my amendments as discriminatory. He compared them with the provisions which exist in Tasmania and also described them as Clayton's amendments. I would just like to state for the record that I am quite astonished by that accusation, because I believe that, from the outset in this entire debate, I have been as open and consultative as anybody could possibly be to the point of providing sets of amendments, explanatory memoranda and so forth, and I have been over and over this information and these amendments in some detail. I am not quite sure what else I could do in order to address the concerns of the Hon. Andrew Evans to ensure that they are allayed, but so be it. I do note that some of the concerns he has raised somewhat echo those that I have received from the Festival of Light, which I have had to point out to a number of people in no uncertain terms are factually incorrect and misrepresent my position in a way that is highly unfortunate.

I will give a brief thumbnail sketch of my amendments, if I may. I am trusting that all my colleagues here have the computer skills to undertake their own mail merges; it might be an easier way to understand it. The changes that I am proposing largely reside within the De Facto Relationships Act, the name of which would be changed to the Domestic Relationships Property Act. All the other omnibus legislation will refer back to those provisions, which will be inserted into what is now the De Facto Relationships Act. So, if you like, the Domestic Relationships Property Act, as it will be known, will be the letter which would be duplicated to all those other acts where the definition of domestic co-dependant appears.

The De Facto Relationships Act was my choice as an interpretation act, because within it resides the concept of certified cohabitation agreements. Currently, de facto couples are able to have a cohabitation agreement which they can both sign and which relates to their division of property and other matters. Through these amendments we are seeking to extend this to domestic co-dependants, who will need to fulfil the definition which is contained in my set of amendments

No. 3. That will include people who live in a relationship of dependence, are about to enter a relationship of dependence or have lived a relationship of dependence. That is defined in amendment No. 3 of that set on page 2 of 3, as follows:

relationship of dependence means a close personal relationship between 2 adult persons, whether or not related by family, who are living together, 1 or each of whom provides the other with domestic support or personal care, but does not include any such relationship—

(a) where either of them is married (whether to each other or some other person); or

(b) where either of them is in a de facto relationship whether with each other or some other person); or

(c) where 1 of them provides the other with domestic support or personal care for fee or reward, or on behalf of some other person or an organisation of whatever kind.

We are stating that domestic co-dependants can have cohabitation agreements, but they must be certified. In order for them to be certified, each must have gone away and got their own legal advice, and therein lies the protection against fraud. So, a different set of tests to de factos is proposed in the bill. If a domestic co-dependant couple ceases to cohabit then, regardless of the fact that they might have a certified agreement, that will annul the legal recognition of that relationship. It does extend all the provisions which are contained in the government's bill except for the superannuation provisions. I did that because when I went through the entire list I could not see any good reason why they should not be included in a number of those provisions but, because of the potential cost of superannuation, and because a lot of those provisions in the bill are tidy-ups from the previous legislation that has passed in this council, I have decided to leave those alone, as it would unnecessarily complicate extending these rights to this group of people.

The Hon. P. HOLLOWAY: Further to the comments made by the Hon. Andrew Evans, if it is the wish of this committee, from the government's point of view we would not stand in the way of Mr Cameron's matters being recommitted at the end, but we do need to at least make some progress on this bill. Obviously, if the Hon. Ms Lensink's amendments were carried they would be incompatible with those of the Hon. Terry Cameron. From the government's point of view, if we can make proper progress on this bill and get to that stage, we will not stand in the way of those matters being reconsidered. However, the government does believe that, after 15 months or whatever it is, we do need to at least make some progress on the matter.

I need not say anything further on this clause. I did speak on it when we last met. The government supports the amendments, including the indicated amendments to the De Facto Relationships Act. The government has no objection in principle to the recognition of domestic co-dependants as long as there is free choice and they understand what they are doing. That is what is proposed here.

The Hon. R.I. Lucas: Didn't I ask you some questions on costs?

**The Hon. P. HOLLOWAY:** I think you did last time. We had all those questions that were dealt with last time. I think we said that we would look at it between the houses.

Progress reported; committee to sit again.

[Sitting suspended from 6.02 to 7.52 p.m.]

# MINEROL

The Hon. CAROLINE SCHAEFER: I seek leave to make a personal explanation.

Leave granted.

The Hon. CAROLINE SCHAEFER: On 17 October 2005, I asked a question in the Legislative Council concerning Minerol. I subsequently issued a press release and spoke on the issue. I did so as a result of being made aware of concerns regarding the product. Since that time I have been informed by the distributor of Minerol of the following:

1. Minerol has been administered to sheep in its current formulation since 2001 and since that time it is estimated that millions of lambs and sheep have been treated with Minerol without ill effect.

2. To date there have been no confirmed cases of lambs or sheep dying as a result of being treated with Minerol. Whilst there have been losses of sheep in the border region of South Australia, these losses can be attributed to a range of factors including:

- (a) the effect of drought which produced a large number of metabolic stress-related diseases resulting in many thousands of sheep losses in South Australia; and
- (b) the administration of incorrect dosages or the inappropriate application of Minerol including its combination with another drenching product and/or the incorrect intravenous application of micronutrient products; and
- (c) the prevalence of poisonous plants (especially after the drought) which contain alkaloids including pyrrolizidine, which causes photosensitisation resulting in irreversible liver damage and death of sheep.

3. Minerol does not contain a toxic level of selenium. Minerol is a complex formulation of micronutrients and the toxicology of each compound as well as the synergistic and antagonistic effects on the absorption of each compound has been studied and the toxicity levels firmly established.

4. The toxicity of 11 milligrams of elemental selenium in sodium selenate form is toxic, but 11 milligrams of selenium in a slowly absorbable compound form as found in Minerol is not toxic.

I understand that some concerns have been raised as to the potential for Minerol to be administered in conjunction with other products which may also contain selenium. I am concerned that there is a potential for inadvertently administering toxic levels of minerals such as selenium through the use of multiple micronutrient products including drenches containing selenium. I recommend that all micronutrient products containing selenium be issued with a warning that they should not be used in conjunction with other products containing selenium. In light of these developments, I retract and apologise for the remarks I have made concerning Minerol.

# VICTIMS OF CRIME (LEGAL COSTS AND DISBURSEMENTS) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 21 September. Page 2674.)

The Hon. IAN GILFILLAN: I indicate that the Democrats oppose this bill. For members, particularly members involved in the Legislative Review Committee, there will be a flavour of deja vu on which we may elaborate a little later, but the select group who have shared time on the committee will recognise some of the significance of it. Members of this place are aware that there has been ongoing tension between the Attorney-General's office and the Legislative Review Committee about the treatment of victims of crime and the services that should be paid for by the government. In a nutshell, I believe that a victim of crime should be able to seek the assistance of a psychologist both to assess their current psychological state and to provide an assessment of the amount of harm that that person has suffered as a consequence of being a victim of crime.

The Attorney's staff would no doubt agree with me, but most remarkably do not agree that this psychological report should be routinely paid for by the government. It is important for all members to understand why we feel most strongly about this. It is our understanding that the presentation of a well-prepared psychological report is a key to a victim's receiving adequate compensation. In assessing the amount of harm, it is important the victim's ability (or inability) to articulate their personal suffering does not determine their level of compensation. It is far better, more efficient and fairer to have competent professionals assess the level of impact and to produce a report that accurately portrays the level of injury. Similarly, there are many and varied reasons why a victim may not be in an adequate financial position to fund the provision of this report themselves, especially as they have no way at that stage to predict the outcome of their claim for compensation.

The Attorney-General seems hell-bent on reducing the cost of the victims of crime compensation scheme and argues, perhaps disingenuously, that the costs of reports from psychologists (or other professionals not specifically identified in the bill) are a factor in the current cost of the scheme. We agree that these reports increase the cost of the scheme, but only because they increase the estimation level of fair and accurate compensation to be awarded to the victims. Over this particular sticking point, the Legislative Review Committee has struck off the regulations on a number of occasions, only to have the government reinstate them. Now we find the same argument presented as a bill before this place. Does it address the fundamental stumbling block? The answer is no. In fact, it sticks closely to the originally disputed line.

It is apparent that the bill, especially when looking at the government's amendments, is intended to prevent victims from getting funded assistance from quarters that are currently found to be of great support for their position. Of particular interest to us is the following line from the government's amendment no. 3, clause 5(4)(3a), 'the court may not approve the obtaining of an expert report from any person unless satisfied that the proposed expert is independent of the claimant and the claimant's legal practitioner'. To us this is revealing the government's strategy. It is clear that this is an ongoing battle between those who would represent victims to the best of their ability (naturally favouring the services of allied health practitioners who are able to report accurately a victim's suffering) and those who share the Attorney-General's desire to penny pinch the victims' support scheme.

The Democrats do not support the use of parliamentary sources to aid personal vendettas and spite and therefore will not be supporting this bill. It may sound like emotive language, but the stubborn persistence of the Attorney-General in this particular issue is very hard to translate, other than it is a peccadillo that the Attorney-General feels a personal almost fanaticism to win the case, to win this argument. The reason for it is very hard to read, other than he wants to put the legal representatives of victims who have constantly criticised the regulations that he has incessantly brought forward in their place.

Were it just a game of point scoring, the Democrats could quite happily be relatively dispassionate observers, but we in this state have accepted that victims of crime are entitled to compensation. It is not necessarily a particularly generous form of compensation, but it should be patently a fair and honest appraisal of compensating the victims for the injury they suffer, and to deprive them of the financially supported access to arguably the most competent people to assess the extent of that damage is a very cruel restriction on the state properly providing fair compensation to victims of crime. With that background, we find ourselves in the position of being totally opposed to the bill and will do so right through its process.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

# GUARDIANSHIP AND ADMINISTRATION (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 18 October. Page 2737.)

The Hon. KATE REYNOLDS: I will speak briefly to the bill. It appears to make sensible changes to the existing act, and the South Australian Democrats support those changes. We have not had anybody raise any concerns with us, and the arguments put by the government in the other place seem to make some sense. However, I note that there was some considerable discussion in the other place about the haste with which this bill had been brought in, and there seemed to be some lack of clarity about the reason for that haste, but nonetheless it passed the other place. I note, however, that an amendment has since been introduced by the government into this place, so some of the concerns raised in the other place must have been quite valid. Certainly the South Australian Democrats support the second reading and expect to be able to support the bill.

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

### JUSTICES OF THE PEACE BILL

The House of Assembly agreed to amendments Nos 1, 2 and 4 made by the Legislative Council without any amendment and agreed to amendment No. 3 with the following amendment:

Clause 7, page 6, new subclause (2)—After ' appointment' insert 'and, at the expiration of a term of appointment, is eligible for reappointment'.

Consideration in committee.

The Hon. P. HOLLOWAY: I move:

That the House of Assembly's amendment to amendment No. 3 be agreed to.

When we debated the bill the Hon. Ian Gilfillan raised a matter on the run and we gave an undertaking that, if there was any technical problem with that hastily drafted amendment, we would check it when the matter went back to the House of Assembly. The matter has been checked and this minor amendment adds the words 'and at the expiration of the term of appointment is eligible for reappointment'. We propose that that be added as a consequence of that consideration between the chambers. It is not a particularly controversial matter, and I seek the committee's support.

The Hon. IAN GILFILLAN: The minister has put the case very clearly. It is a logical recognition that, although the term of five years was the result of a Democrat amendment related specifically to special justices, there is absolutely no reason why they should not be eligible for reappointment. We support the amendment as recommended by the House of Assembly.

The Hon. R.D. LAWSON: We too support the amendment. We think it entirely appropriate that the act recognise the fact that a special justice will be eligible for reappointment after the expiration of the term of five years. The act would have been so construed without the amendment that the House of Assembly has made. However, it is best to be on the safe side in these matters, and the words inserted will ensure that special justices remain eligible for reappointment after the expiration of their term. We support the motion.

Motion carried.

# LIQUOR LICENSING (EXEMPTION FOR TERTIARY INSTITUTIONS) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 20 October. Page 2841.)

The Hon. KATE REYNOLDS: This bill amends the Liquor Licensing Act to enable the supply of liquor to a student who is a minor enrolled in a tertiary educational course declared by liquor licensing regulations to be an approved course under the act; and liquor is supplied to the minor as part of that course. The South Australian Democrats have no problem with this bill. Again, it is one of those straightforward, sensible changes to legislation that will enable the wine centre to continue the courses it offers. Occasionally, they include students under the age of 18 who need to taste in small, moderate quantities the wine they are making.

I will take a minute to speak about some of the courses available in schools. I cannot let this opportunity pass. The member for Schubert spoke at some length in the other place about the very worthy winemaking and viticulture courses offered by Nuriootpa High School. A number of schools in this state offer similar courses, and this makes a great deal of sense, given the growing viticulture and winemaking industry in this state. Unfortunately, the member for Schubert neglected to mention Birdwood High School. A number of constituents from his electorate attend that school and participate in both viticulture and winemaking activities. I have two sons at that school and two other children who have graduated from that school.

In order to ensure that the record accurately reflects all the good work done in the electorate of Schubert, I congratulate Birdwood High School on its efforts in making both red and white wines produced from grapes grown as part of the school's programs. It is my understanding that this bill in no way changes anything for those schools. In fact, there is no requirement for them to be covered by any piece of legislation (such as this), because they are not licensed premises, but they do exceptionally good work; and I recommend both their red and white wines. The Hon. J. GAZZOLA secured the adjournment of the debate.

# LOCAL GOVERNMENT (LOCHIEL PARK LANDS) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 18 October. Page 2768.)

The Hon. R.I. LUCAS (Leader of the Opposition): I rise to speak to the second reading of this bill. Before addressing some general remarks to the substance of the bill, I note standing order 268 which provides:

Bills of a hybrid nature introduced to the Council by the Government which—

(a) have for their primary and chief object to promote the interests of one or more Municipal Corporations, District Councils, or public local bodies, rather than those of Municipal Corporations, District Councils or public local bodies generally...

shall be proceeded with as Public Bills, but shall each be referred to a select committee after the second reading.

I could not say that there have been any exceptions. I do not recall any exceptions to this chamber's adhering to this standing order. I note in the recent past we were under some pressure from our colleagues in relation to a matter that related to the South-East of South Australia, in particular the Naracoorte council area. I was pleased that this council went through what is required under our standing orders and declared it to be a hybrid bill. A select committee was conducted expeditiously, as most of the hybrid bill select committees have done. Nevertheless, the opportunity is given to those who are affected to put their point of view, as originally intended by our standing orders in the Legislative Council.

I note there has been a creeping tendency in another place to set aside the standing order. I note that in relation to the Naracoorte council matter that particular standing order was set aside. Also, I note that in the house in relation to this particular matter the standing order was set aside. I have no recollection (although I cannot swear to every particular issue) of this council's adopting a course, other than adhering to the requirements of standing order 268. I indicate that Liberal members will be supporting a motion to refer the issue to a select committee. I indicate that, as is the case with hybrid bill select committees, it is the intention of Liberal members that it would be conducted expeditiously and that we would conclude the deliberations in time for final resolution through both houses within the current scheduled sitting program, which from today is some three to four weeks away with a one week gap next week. My suggestion is that, if a majority believe that this standing order ought to be abided by, we ought to proceed quickly to a position where we can conclude the second reading, establish the select committee and advertise, so that we can commence and undertake most of the work next week when the parliament is not sitting.

I think there are good reasons for at least giving affected bodies and others the opportunity to put a point of view. While this particular issue has had a long and vexed history, and my colleagues the Hons Nick Xenophon and Michelle Lensink, and indeed others, went through the history of this matter on a motion in the past 12 months, or so—and I do not intend to repeat it all—what we have at present is a proposition which, when one looks at the position being put by Campbelltown council, nevertheless raises some significant questions on behalf of its ratepayers as to what the costs for the ratepayers will be of the final resolution as put forward by the Rann government.

I want to read onto the public record in its entirety a letter from the mayor of the Campbelltown council, Mr Steve Woodcock, addressed to the Hon. Patrick Conlon on 7 October this year. It states:

Dear Minister,

Re Lochiel Park Lands and Green Village Project.

At its meeting on Tuesday 4 October 2005 the council considered correspondence dated 20 September 2005 and 30 September 2005 from the Land Management Corporation... concerning the abovementioned project. That was the first opportunity given to the council to formally consider the project and it is disappointing that matters were allowed to progress so far before the council was consulted.

I appreciate your appointment of two council representatives on the Lochiel Park Advisory Committee (and the appointment of Cr Margaret Sewell as the community representative) but the members of that advisory committee were committed to keeping the discussions confidential. Officers of LMC also had some discussions with council staff but at no time prior to receipt of the abovementioned letters was the council invited to formally comment on any aspect of the proposals.

I should hasten to note that the council supports the government's concepts for this site. The development of a 'green village' incorporating ecologically sustainable development principles, excellence in urban design and integrated water management in a setting of enhanced biodiversity is indeed exciting. The council has no doubts that the Premier's ambition, 'I want South Australia to become a world leader in a new green approach to the way we all live' will take a substantial step closer to achievement with the completion of this project.

There are, however, a few matters of concern to the council. Throughout all discussions, council's representatives have made it clear to LMC that, before the council will accept 'care, control and management' of the Lochiel Park Lands, all cost implications and benefits must be known and the Campbelltown community must not be subjected to any unreasonable ongoing financial burden. It was always assumed that these issues would be negotiated prior to any commitments being made. However, paragraphs (13) and (14) of clause 11 contained in the Local Government (Lochiel Park Lands) Amendment Bill 2005 remove that opportunity for negotiation (following 24 months after practical completion) and make it clear that between 24 months and 30 months after practical completion of the project, the Lochiel Park Lands will be placed under the care, control and management of the council. As they stand, those provisions will apply regardless of the views of the council of the day and regardless of the intentions of the state government of the day

Council's representatives have also made it clear to LMC that any land grant to extend the curtilage of Lochend House must be free of cost and unencumbered so as to provide an opportunity for the council to enhance the future community use of that historic building. LMC have advised council staff that the offered area of 6 000m<sup>2</sup> is 'not negotiable' (although adjustments to the shape have been agreed) but again from the abovementioned bill, the precinct will be continue to be described for 'future open space use' and that will significantly impair council's opportunities for development of the land.

The correspondence from LMC dated 30 September 2005 notes the estimated values of some infrastructure components of the project and infers that these should somehow be taken to offset the estimated cost of ongoing maintenance of the park lands. That approach ignores what has recently become very obvious to all spheres of government-that new infrastructure must be regarded as an ongoing and long-term liability. Furthermore, the estimated maintenance cost of \$80 000 pa includes no allowance for regular rehabilitation of the wetlands (which is understood to be a likely requirement) and the reference to 'transport initiative' with an allocation of \$180 000 is not explained. The letter also fails to note that much of the infrastructure proposed is required to achieve the state government's objectives, and will be installed whether or not the council accepts care, control and management of the Lochiel Park Lands. I do note, however, that the project will provide an access road and car park to service Lochend House.

Again I confirm that the council fully supports the concept of the Lochiel Park Lands and Green Village and is keen to work with the state government to ensure its successful completion.

In order that the matters mentioned above can be further resolved without delay to the project, I respectfully request a meeting with you at your earliest convenience.

Yours sincerely, Steve Woodcock.

As members can see, the Campbelltown City Council-the body that is ultimately going to have to accept responsibility for the care, control and management of this developmenthas expressed concerns, first, in relation to the lack of consultation but, more critically, on behalf of its ratepayers at the potential ongoing cost to the ratepayers in having to accept the ongoing care, control and management. The council says that the estimated maintenance cost is \$80 000 per annum. My understanding is that precious little detail in relation to exactly how that \$80 000 has been calculated has been provided to the City of Campbelltown. As the letter notes, it makes no allowance, evidently, for regular rehabilitation of the wetlands, which, as we understand it, is to be a critical and important part of this particular development. Some have suggested-and I do not proffer these as professionally costed estimates-that the ongoing cost to the ratepayers will be significantly higher than the \$80 000 quoted by the government.

The Hon. Nick Xenophon: On what basis?

The Hon. R.I. LUCAS: On the basis that the \$80 000 is not an accurate estimate of the maintenance cost and does not include an allowance for the regular rehabilitation of the wetlands. As I said, I do not proffer that as a professionally costed estimate—I am not in a position to do that, and neither are the people who are concerned about the true ongoing cost to the ratepayers—but I think the select committee, as a result of this being a hybrid bill, is the perfect opportunity for the LMC and government advisers to provide much greater detail and specificity in the estimate of the ongoing cost to the ratepayers of the Campbelltown council.

With the greatest of respect to our colleagues on the Public Works Committee, I think that, in recent months, the record of the Legislative Council select committees has certainly reinforced the importance of the work of the Legislative Council and its committees in unravelling the truth and the facts in relation to many issues. I believe that the council and its members, together with the staff who service its committees, will be perfectly placed to provide greater detail to the ratepayers of Campbelltown as to what their ongoing costs might be as a result of this development. As I said, some suggest that the costs will be significantly greater than \$80 000 per annum.

I understand that, at least in general principle, the bill has broad support from most parties in the parliament. If it is to be passed, certainly the ratepayers of Campbelltown are entitled to know what the costs are, particularly as the Mayor of Campbelltown, on behalf of the council, has indicated his great concern at the lack of consultation with him, as mayor, and with the council in its totality. He acknowledges that two council representatives were on the advisory committee, but I understand from his letter that they were committed to keeping the discussions confidential; therefore, he and others were unable to be apprised of the developments and the detail until the final announcement.

With the greatest of respect to my colleagues in the other place, when this issue was debated there they chose not to adhere to this standing order and were comforted with an assurance that the minister would meet with the council and that these issues would be canvassed, with possible amendments, between the House of Assembly and the Legislative Council. As we debate the issue this evening, certainly the government has not proposed any amendments, and I am not aware of its flagging any amendments at the committee stage. I cannot quickly pick up the reference to which I referred in the contribution made by the shadow minister for local government in the House of Assembly. However, although I cannot quote the exact words, there was certainly an inference that the minister would look at the issues raised by the Campbelltown council and that the government had given some indication that it would, potentially at least, look at amendments during the passage of the bill between the houses. I do not wish to rake over the debate on Lochiel Park, as my colleagues have done so on another occasion. Certainly, as explained to me by the member for Hartley-

# An honourable member: The Lion of Hartley.

The Hon. R.I. LUCAS: Yes, the Lion of Hartley. On behalf of his colleagues, I congratulate him on the fearless battle he has undertaken on behalf of his constituents. I think it shows that he, as a Liberal member, spoke openly on behalf of his constituents when there was a Liberal government looking at the development and that he continues to be critical of a Labor government when, in his words, it has broken a 'key part' of the promise it made. It is a credit to the member for Hartley that he has fought on behalf of his residents. He has acknowledged the work of a number of significant local activists in the area, such as Margaret Sewell and others. I certainly congratulate him again. The fact that he continues to be supported by a majority of people in the very difficult electorate of Hartley is a fair indication that the Lion of Hartley always puts his constituents first.

**The Hon. Nick Xenophon:** He does have a large billboard.

The Hon. R.I. LUCAS: Well, I think there might be an issue in relation to the legality of that when one looks at the Electoral Act, but we might explore that issue on another occasion. We might find that the Premier of the state is guilty of another offence, but we will explore that at the appropriate time.

**The PRESIDENT:** I do not think that the honourable member should explore it much further.

**The Hon. R.I. LUCAS:** No, Mr President. The Hon. Mr Xenophon is leading me astray.

**The PRESIDENT:** I can see that he is provoking you, and he should desist.

**The Hon. R.I. LUCAS:** I was not even thinking of billboards when I talked about the work of the member for Hartley. As I said, the fact that, in a very difficult seat, he has continued to be supported by a majority of his constituents— not only on the Lochiel Park issue but also on many others— is a fair indication that he is in tune with the needs and desires of his constituents. He continues to fight fearlessly on their behalf, whether there be a Liberal or a Labor government.

The point that I took from his contribution in the other place was that he noted that, contrary to the commitment from the Rann government, there will be 81 housing allotments on this development. Being the fair man that he is, he noted that, under the former Liberal proposal, there were going to be about 160 allotments. In essence, we are not talking about the Rann government providing 100 per cent open space in the Lochiel Park area, which was the original commitment, but we are talking about a reduced number of allotments from evidently about 163 down to 81 in this area. As I said, I am not going to go through all the detail; we can perhaps do that when the bill returns, if its going to a select committee is supported.

I conclude by again indicating that it is not the intention of the Liberal party to delay the passage of this legislation beyond the next three weeks of this parliamentary session. I would be interested if other speakers, perhaps the Leader of the Government, indicated whether there has ever been an instance where a hybrid bill, when so declared, has not been referred to a select committee. In my experience I cannot recall one. That is not to say, of course, that at some stage in the future there might not be justifiable reason for not adhering to that standing order. Certainly, on this occasion, as I understand it, with another two full weeks of sitting and one week off, there is no reason why this standing order cannot be adhered to in relation to this bill, and the Campbelltown council could be given an opportunity together with any other interested body to put its point of view forward in relation to the sensitive issue of costs for ratepayers in this deal from the Rann government.

The PRESIDENT: On the preliminary matter of whether or not it is a hybrid bill, my advice and my experience make my duty very clear: in light of my commitment to uphold the protocols, practice and procedures of the council it is in my view a hybrid bill, and it is in the hands of the council as to whether it continues down that line or makes another decision. But, my advice is clear that it is a hybrid bill.

The Hon. NICK XENOPHON: The expression 'the power of one' is something that has been immortalised by the Bryce Courtney novel, but with this bill it is a case of the 'power of two', namely Margaret Sewell and June Jenkins, the community activists who fought so hard to preserve Lochiel Park over a number of years. I remember having meetings with them in 2001, and perhaps even before that time I discussed with them on occasions at the home of June Jenkins their concerns about preserving Lochiel Park and their determined campaign to achieve that.

In early 2002 just before the state election, I had the privilege of chairing a public meeting of some 350 local residents who were concerned about the preservation of Lochiel Park, and I give credit to the member for Hartley, Joe Scalzi, who fronted that meeting to answer to his constituents on what was clearly an unpopular decision for many at that meeting by the former government to use Lochiel Park for housing. I think the Hon. Mr Lucas referred to the fact that under the former proposal it would have meant about 160 homes.

I think it would be somewhat disingenuous to say that this bill preserves 100 per cent of Lochiel Park, because it does not do that, but it is certainly a significant improvement on the previous proposal. With the greatest respect to the Hon. Carmel Zollo, given her motion which we dealt with a couple of years ago and which congratulated the government for saving 100 per cent of Lochiel Park, I think there is a lot more spin than substance in relation to that; it seems to be about 70 per cent of Lochiel Park.

The Hon. G.E. Gago interjecting:

The Hon. NICK XENOPHON: Yes.

The Hon. P. Holloway interjecting:

**The Hon. NICK XENOPHON:** I am grateful to the Leader of the Government for his very helpful interjection. At the end of the day, this is a significant improvement on what was expected by the residents several years earlier. For the government to say that it is a total preservation is not fair.

The Hon. P. Holloway interjecting:

The Hon. NICK XENOPHON: No. Bring it on, Mr President. The situation is this: it is an improvement on what the previous government proposed, and I commend the government for this bill. In relation to this bill, I have been guided to a significant degree by Margaret Sewell and June Jenkins and in particular Margaret Sewell, who is now a Campbelltown City councillor, and I note from the Hon. Mr Lucas's contribution that she is on the Lochiel Park advisory committee. Margaret Sewell is obviously pleased with the outcome, and she and June Jenkins deserve credit for the work that they have done in relation to this, and that work ought not go unacknowledged.

I note that I introduced a bill to this effect over two years ago, and it seems that this bill builds on that in a literal sense, but also in a metaphorical sense in a positive way, in that this enshrines a protection for a significant proportion of the space there. This goes a long way to fulfilling the aims of Margaret Sewell and June Jenkins, who fought so tirelessly for this. Clearly, this is a good outcome, and it is a better outcome than if the land were sold as was previously proposed by the former government.

In relation to the contribution by the Hon. Mr Lucas about this being a hybrid bill and your comments, Mr President, it seems that there are some legitimate concerns that the Campbelltown council has about issues of maintenance costs with respect to this particular proposal. If that is the path the council goes down, it would be a useful exercise in the time remaining for that to be explored and for that to be clarified, and the select committee process is an appropriate one to deal with that.

I believe that this bill will be a great asset to the City of Campbelltown and to its residents, and it is a tribute to two community activists who stuck to their principles, stuck to their beliefs and to their passion to preserve this park; and, to a very large extent, they have succeeded in bringing about something that will be a great asset to the people of Campbelltown and, indeed, throughout the metropolitan area. I support the bill.

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

# RIVER MURRAY (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 19 October. Page 3713.)

The Hon. SANDRA KANCK: The South Australian Democrats support most of the provisions of this bill and, depending on answers that I get in committee, maybe all of them. The change of the definition of 'activity' in the River Murray Act to include 'a series of acts' strengthens the legislative protection of the River Murray and is a sensible development. Continual environmental degradation should not slip under the radar simply because it occurs by increment. I am also pleased that the time frames for launching prosecutions for an environmental offence will be extended for up to 10 years with the consent of the Attorney-General. The passage of time should be no defence to an act of environmental vandalism. That possibility will be virtually ruled out by these changes.

In the committee stage, I will be asking questions to find out how it will be determined whether a project has an impact on the Murray Darling Basin, because there is no doubt in my mind that developments adjoining the river could have profound implications for the health of the basin, but I indicate support for the second reading.

The Hon. R.I. LUCAS: Mr President, I draw your attention to the state of the council.

A quorum having been formed:

The Hon. CAROLINE SCHAEFER: This bill makes administrative and minor changes to the River Murray Act 2003 and two associated acts, the Development Act 2003 and the Renmark Irrigation Trust Act as they relate to the protection and enhancement of the river. The bill seeks to clarify matters and reduce ambiguities associated with the administration of and compliance with those acts, and also improve government timeliness. The opposition will be supporting this bill as we did in another place and, in particular, we would like to mention our support for the change, which is in this bill, to the Development Act. The fact that all approvals for councils in the River Murray Catchment were referred to the Minister for the River Murray, even if the development was in a council but outside the Murray Darling Basin, was a matter of much complaint and much delay.

We have sought in another place assurances on the administration of prosecutions for breaches of environmental orders to ensure fairness and avoid overzealous policing of normal activities. The definition of 'activity' is to be revised to recognise that an activity can also mean 'a series of acts', because the cumulative impact of an activity is frequently as great a cause of environmental degradation as is an individual act. At present, a prosecution for a breach of a River Murray Protection Order must commence within six months and a breach of any other order within two years. This is changed to provide consistency with the Environmental Protection Act, which allows a prosecution to commence within three years of the offence or within 10 years with the Attorney-General's consent. The reason for this is that the existing time frames can be too short for an environmental offence, as it may not become evident until after the six-month period has elapsed.

The changes associated with the two acts are as follows. In relation to the Development Act, currently the Minister for Urban Development and Planning must consult with the Minister for the River Murray on amendments to development plans when all or part of the council area concerned is within the Murray-Darling Basin, even if the actual amendment relates to an area outside the basin. This bill establishes a more efficient way of referring amendments to development plans to the Minister for the River Murray. First, only those amendments to development plans that relate to the Murray-Darling Basin will need to be referred to the Minister for the River Murray; and, secondly, the proposed amendments will also enable procedures and timeliness for any referrals of development plan amendments to be established by regulation.

However, to ensure that the Minister for the River Murray has the ability to consider policy development and activities under the River Murray Act, a further amendment clarifies that the changes will not affect or limit these operations. The Renmark Irrigation Trust Act has also changed and will enable the irrigation trust to undertake payments using any method that it agrees to by resolution, thus removing overrestrictive methods for making payments, while ensuring that there remains an appropriate level of accountability. The opposition supports the bill. The Hon. G.E. GAGO secured the adjournment of the debate.

### STATUTES AMENDMENT (RELATIONSHIPS) BILL

In committee (resumed on motion). (Continued from page 2906.)

New clause 68A.

The Hon. NICK XENOPHON: I indicate that in the context of this debate (the Hon. Mr Lucas also alluded to this) and in the absence of any particular instructions from the Hon. Terry Cameron, as was the case earlier today, I understand that arrangements cannot be made to pair the Hon. Mr Cameron obviously without knowing how he would be voting. I have always honoured any pairs with the Hon. Mr Cameron. That has been my practice since the Hon. Mr Cameron went to the cross benches some seven years ago. I also indicate that, should the Hon. Mr Cameron wish to have any matter recommitted at the end of this bill, my view is to support that. I think that is the appropriate thing to do.

The Hon. P. Holloway interjecting:

**The Hon. NICK XENOPHON:** Yes, the Hon. Mr Holloway has said that. I think it is important that we progress the bill in a reasonable fashion and, when the Hon. Mr Cameron either can give instructions (and I wish him a speedy recovery) or he is present and wishes to have any particular clauses recommitted, I will certainly be supporting that.

The Hon. KATE REYNOLDS: I place on the record that the Democrats are willing to consider a recommittal. However, we do not want to see the debate on this bill drawn out for a long period. Provided that the Hon. Terry Cameron is able to be in the chamber within a reasonable period, we will certainly support a recommittal, if it turns out that that becomes necessary. However, if it looks as though the bill will be delayed beyond this sitting week, we would be very uncomfortable with a delay of that length. We made some phone calls this afternoon to try to find out when the Hon. Terry Cameron might be expected back. We understand that, all going well, that will be tomorrow, but we think that there is considerable merit in progressing the debate tonight. As I said, we put on the record that we will consider a recommittal, if that becomes necessary, within a reasonable period.

**The Hon. R.I. LUCAS:** As I indicated when we were debating this bill in the previous sitting week, one of the issues that I thought the government should put on the record is its estimate from Treasury as to the potential costs, if any, of the passage of the legislation in the government's original form, together with the package of amendments from the Hon. Michelle Lensink, which I understand the government is now supporting. I hasten to say that, in the end, cost should not be the ultimate determinant in terms of the passage of legislation, but, nevertheless, I do not know of any other legislation, if there is a cost, that that cost is not taken into consideration.

It is one of the issues which ought to be at least on the record and which can be taken into consideration by members in relation to their position on legislation. Because, if there is to be a cost of \$20 million or whatever, there are always ways that members of the community may wish to spend \$20 million, let me assure members as a former treasurer. We

in the parliament are subject to significant lobbying from groups such as Dignity for the Disabled, the mental health sector, the roads sector and a variety of others across the board, and difficult decisions have to be taken by governments and parliaments in relation to prioritising scarce funding resources. I am not telling anybody anything in that, so I will not go on. It should not be the ultimate determinant in terms of the consideration of views on legislation.

The thing that has disappointed me is that, whilst raising this issue in the last sitting week, I asked the Leader of the Government to take up the issue with the Treasurer and come back to this chamber with an estimate. It may be that the Treasury view is that it is all too hard and it cannot undertake an estimate and place that estimate before members of this committee. However, as a former treasurer I know that Treasury on many occasions with many difficult issues before it generally has always managed to come up with some estimate of the cost implications if legislation is passed or policies implemented.

I am disappointed that on that occasion the Leader of the Government in essence was giving the answer that Treasury had thrown its hands in the air and said that basically the estimates are being done by the Attorney-General's Department and that we had better talk to that department. With the greatest of respect to the Attorney-General's Department, it would be the last organ of government I would go to for cost estimates in relation to the budget implications for legislative change. It is not its area of expertise and therefore there is no specific criticism of it. It is, however, a criticism of the government that that was its response. We adjourned for a week and the Leader of the Government had the opportunity to have discussions with the Treasurer, and when we debate this bill now we have a refusal by the Rann government to provide that information to the committee members and to the people of South Australia on the basis that it is all too hard.

In the interim the Hon. Mr Evans hinted at the fact that he believed cost estimates were done when the superannuation legislation was being debated back in 2003. Going back through the records of what was said, I found a couple of references in two contributions, one from the Hon. Mr Evans on 2 April 2003, where he says, 'We have been told that the government has estimated the cost to be in the vicinity of \$20 million'. That figure was given to the Hon. Mr Evans at that time. I note that in a contribution from my colleague the Hon. David Ridgway he received from government advisers a more specific estimate. He put on the record in relation to the financial implications that the passage of the bill would necessitate estimates by the Department of Treasury and Finance indicating that the cost could be up to \$20 million in addition to our overall government unfunded liabilities, which the Treasurer noted on 17 October 2002, and would put recurrent yearly costs at at least \$500 000 a year. The estimate from Treasury in 2003 was up to \$20 million, with recurrent yearly costs of at least \$500 000 a year.

I know the Hon. Mr Evans is generous to a fault in trying to treat all politicians and parties fairly and equally, but the point I make to him is that, frankly, I would not trust this government as far as I could drop kick it—and that is not very far at all. When the government was opposing the extension of the legislation in 2003 it was very easy for it to construct an estimate of up to \$20 million and \$500 000 in recurrent costs a year, and now, when the government for whatever reason is supporting the bill with the package of amendments, suddenly it is too hard for this government to produce an estimate. That is duplicitous from this government in relation to the legislation.

I would accept that when it is opposing a piece of legislation it says that it is too hard, that it does not know the number of same sex partners and so on, but when it has a particular position it is quickly able to get Treasury to construct an estimate for it. However, when its position changes suddenly Treasury cannot do an estimate and it says that we should go off to the Attorney-General's Department to get an estimate of the costs and the cost implications of the legislation. That is an example of a slippery government led by slippery politicians who are not being honest with the people of South Australia in relation to the legislation.

When we are discussing and debating controversial issues, views on this legislation are held with passion by members right across the spectrum. It is not a party issue, although obviously with the government it is a locked in vote, but on our side of the chamber there are a range of views in relation to the legislation. This government owes it to the committee to try to be honest in relation to the issues. It should not be the overriding concern, but the cost implications should be on the table.

I say to the Hon. Andrew Evans that this government is not to be trusted in relation to these issues, and the Premier is not to be trusted in relation to these issues. They have estimates but will not provide them to the Hon. Mr Evans or to this chamber. They were happy to provide them in 2003. They have them, but they will not provide them. We have the effrontery of the Leader of the Government—

**The Hon. P. HOLLOWAY:** Mr Chairman, that is grossly untrue. We do not have estimates.

The Hon. R.I. Lucas: What's your point of order?

**The Hon. P. HOLLOWAY:** The point of order is that you are telling porkies.

The Hon. R.I. LUCAS: The Leader of the Government was asked two weeks ago to go to the Treasurer and come back to us with an answer in relation to this issue. He did not even have the courtesy to provide us with any sort of formal response from the Treasurer in relation to this issue—no response at all from the Leader of the Government.

That is disrespectful in my view to members in this chamber. Irrespective of their views on the legislation, it is disrespectful to members in this chamber, particularly when we now find that the government is able to construct estimates—and in fact did so. I ask the Leader of the Government, if we are to believe the position of his Premier and himself in relation to this issue that it is all too hard: how did Treasury construct the estimates provided to the Hons Andrew Evans and David Ridgway in 2003 of up to \$20 million for the legislation and recurrent costs of at least \$500 000 a year?

**The CHAIRMAN:** To be fair, I do not think the member made a contribution.

**The Hon. P. HOLLOWAY:** Look, this is all part of the filibuster. We know what is going on because the Leader of the Opposition does not want this bill to go further. We know that—and that is why it has been here for 15 months.

The Hon. J.M.A. Lensink: Rubbish!

The Hon. P. HOLLOWAY: Rubbish? Anyway, let us not waste any more time. When I last spoke on this bill I addressed the matter at some length and explained some of the difficulties in making an estimate. In relation to superannuation, superannuation is something where there are plenty of statistics. Within the Public Service we have Super SA or Funds SA (or whatever it is) that manages the fund. There is a lot of information about superannuation. One only needs to transpose the number that one estimates will be same-sex partners to fairly easily get an answer.

In relation to the impact of these matters, it is far more complex. We are talking about road accident claims-how many there might be involving a same-sex partner-or workplace accidents. Let me give one example. What will be the cost of these amendments to the Victims of Crime Fund? There is no way of knowing for sure. The first thing we need to know is how many homicides will occur in South Australia in future years. Based on past experience, it seems there could be about 30 per year. Next, we need to know how many victims of homicide will leave behind a cohabit same-sex partner. As cohabiting same-sex couples make up only a small percentage of the South Australian populationprobably well under 5 per cent-it is unlikely there would be more than one homicide victim per year who would leave behind a same-sex partner. Then we need to know in how many of these cases the relationship would have been of at least three years duration at the date of death. Again, we cannot know, except that it must be less than the total number of people living in same-sex couple relationships at any one time. In some years there probably will not be any qualifying cases.

Then we need to know in how many qualifying cases the partner was financially dependent on the deceased. If there was no dependency then the claim is limited to grief, that is, \$4 200. If there is a dependency, the claim can be much more—in fact, up to \$50 000. Again, we cannot predict in which of these cases there will be a dependency. Perhaps dependency is less common in same-sex relationships than in opposite-sex relationships, because the partners are somewhat less likely to be raising children together, and an unemployed person in a same-sex relationship with an employed person may still be eligible for a Centrelink benefit. All one can say is that occasional cases of a dependency will arise.

We then need to know how much those dependencies will be worth. Obviously, that will vary with individual circumstances. It will depend on what the deceased was earning, and there is no sensible method of prediction. Hence, the most that one can usefully say is that these cases will be rare. One a year would probably be an over estimate. The maximum possible value of the claim would be \$50 000 plus legal costs of perhaps \$1 000. So the fund is at risk to the extent of maybe \$51 000 per year. The government does not pretend that that is a reliable prediction. It is a rough guess. That is just the costs for how one might go about costing it for the Victims of Crime Fund. Also, we will need to look at road accident claims and workplace accidents.

In relation to superannuation, we have a much bigger pool and, obviously, in terms of a prediction, anyone who knows anything about statistics would know that it is much more reliable to make guesses, but I expect \$20 million to a significant extent is still a guess. It would be interesting to know, since that bill is now in place, exactly how accurate it was. That is something that is not the subject of this bill. Instead, we are dealing with other issues, such as road accident claims, workplace accidents, and the like, where it is extremely difficult to make a prediction; but we know the costs will be relatively small.

The Hon. A.L. EVANS: I would like to comment on a statement by the Hon. Michelle Lensink concerning my comments being similar to that of the Festival of Light. I have had no contact with them in this forum and I do not know

what they plan to say. I am approaching it from a different area; I am approaching it in respect of discrimination. I am trying to say to this place, 'Let us not have fake discrimination. Let us have fair dinkum discrimination.' Even Matthew Loader (head of Let's Get Equal) said on his web site that there was a case for the domestic co-dependant. It beats me why we cannot include all domestic co-dependants in the same way as same-sex couples so we are not accused of hypocrisy. When there is one rule for a domestic codependant and another for same-sex couples, and then we say, 'Well, we are taking away discrimination,' who are we trying to fool?

The reason the government went along with this amendment is that, in the words of the Attorney-General to me, 'You could count the number of domestic co-dependants on one hand who will opt in.' Members of the government think, 'This makes us look like we are supporting domestic codependants, even though we know the hurdle is so high they will not opt in.' Why would they want to opt in? Part of the Hon. Michelle Lensink's concept is that they have a certified co-habitation agreement. That means sex. A cohabitation agreement, to them, would mean that they have a sexual relationship, and they are not going to get into that sort of thing.

It is such an easy matter. I am following Joe Scalzi's concept. I understood that in the Social Development Committee the Hon. Michelle Lensink went with that, and therefore I was surprised that she did not go all the way with that. I think, if she did, this matter would be taken off the table and would cease to be a hot issue in our society. Everybody would realise that they have the rights that they are after, and the issue would be all over. Instead, we have a Clayton's amendment. I am sorry to have to say that, but it is a Clayton's amendment.

The second thing that disappointments me is that the Hon. Michelle Lensink's amendment has stopped short of amending the Family Relationships Act to include domestic codependant. If same sex couples are to receive recognition under the Family Relationships Act, so should domestic codependants. That is truly equality. So I encourage members in this place to put away their prejudices. If they are fair dinkum about having no discrimination, they should not try to get through this place a half-baked effort and think the community will not recognise it. There are literally thousands of people who are very interested in this debate tonight.

I think today the Leader of the Opposition was presented with a letter representing 7 000 people in the north-east area who are looking to see how to vote on this issue in the coming election. A letter was presented signed by a certain group of people representing 7 000 people and they said, 'We are watching which way this debate goes, and then we will be advising those we relate to which way to vote and which party to vote for.' That is the situation today and each member has to make up their mind, but I can sleep with a good conscience knowing that I looked at the issue as to what was really discrimination and what was fake, and this amendment is fake.

**The Hon. J.M.A. LENSINK:** I cannot allow those comments to go past without responding. In response to several of the comments that have just been made by the Hon. Andrew Evans, as I have said to him previously, he should never take whatever the Attorney-General represents as my intention at face value. I was misrepresented on the steps of parliament before I was even a member of this place in relation to a rally in which the Attorney-General allegedly

said something along the lines that, 'If Michelle Lensink gets in here she will be one of those lefty Liberals' and, to a lot of the church groups, 'You can effectively believe that she is going to be a radical.' I do not hold that that is my view, and I believe that the way I have voted and the way that I have represented issues has demonstrated that I am a liberal Liberal in the classic sense and, like all people on this side of the Liberal Party, there are times when we are conservative and there are times when we are liberal, and we are entitled to vote on each issue as our conscience dictates. I say that first and foremost and, if the Hon. Andrew Evans again wants to use something that the Attorney-General has represented as being my position, he needs to think seriously about that.

He seems, of recent times, to have had some sort of conversion to a point of view that my comments are a high hurdle for domestic co-dependants to pass. As I stated before the dinner break, I am not quite sure what I could have done in order to make these amendments palatable. Perhaps there is nothing that I could do to make these amendments palatable to the Hon. Andrew Evans, but I just state that this is a choice for domestic co-dependants. If they sign a cohabitation agreement, they do not have to go through a whole series of other documents. It is a choice for them. It is not an onerous task, and I am not quite sure where he gets that idea.

The honourable member has also stated that the certified cohabitation agreement is some allegory for a sexual relationship and, again, I am not quite sure where that came from. I was quite moved by his representations to the Social Development Committee when he talked about people in domestic co-dependant relationships, and I believe (and I still firmly believe) that that is a group of people that we ought to consider including in this legislation. As we know, in our society, as time goes on and there are higher rates of divorce and fewer people having children, a number of people in our community will not be able to rely on traditional family structures such as their children and so forth, so if they want to enter into domestic co-dependant situations they should be able to rely on that, particularly in their older age, but we do need to protect people from fraud. I am not sure what part of that the honourable member does not understand and, if he wants to describe my amendments as half-baked, I consider that quite insulting because, as he would know, I have been over and over these things and have been more than open, and I am not quite sure what else I could do.

As for referring to people in the north-east, that is not much short of political blackmail, and I think it should be rejected by this parliament and the people of South Australia.

The Hon. A.L. EVANS: First of all. I was not referring to the Hon. Ms Lensink when I talked about what the Attorney-General discussed with me: I was referring to his party. Secondly, as to saying that people expressing their view is political blackmail, this is a democracy. Surely you are able to say to the parties, 'If you go down that line, you will not get our vote.' That is not blackmail at all: it is democracy at work, and you live or die on the decisions you make in this place. It is almost frightening people off from expressing their views strongly, so I think it is a very unwise statement to make. Thirdly, I say to you: why do same-sex couples not have the same requirement as domestic codependants? If they do not, it is straight-out discriminatory. I do not care what people say, it is discriminatory. If it is to be the same, fine; if it is not, they are in a different bracket. It is what the member for Hartley (Mr Joe Scalzi) has been presenting and was discussed at the Social Development Committee. I thought your side presented that, and I followed exactly what the member for Hartley was open to. It would be better if we could revert to that, and then this matter might go away.

The Hon. J.M.A. LENSINK: I make one final comment in relation to this issue, and it might not be in order. However, if the Hon. Andrew Evans feels so incredibly strongly about this discrimination, why has he not sought to move an amendment in a way he sees fit?

**The Hon. A.L. EVANS:** We have not had a chance to hear the amendments of the Hon. Mr Cameron, nor have we had the chance to have the debate. I would support the Hon. Mr Cameron's amendment above this one.

**The Hon. NICK XENOPHON:** The clause we are currently debating is a test clause in relation to the Hon. Michelle Lensink's amendments. So that I could have this on the record, I instructed parliamentary counsel to look at amendments based on the Tasmanian model of registration. After discussions with the Hon. Ms Lensink and after getting advice from parliamentary counsel, I thought that the amendments of the Hon. Ms Lensink were more workable than, and preferable to, those that may have been modelled on the Tasmanian system with respect to a system of registration in relation to domestic co-dependants.

As I see it, the issue is whether we go down the path of recognising domestic co-dependants in the context of this amendment moved by the Hon. Michelle Lensink. There was some considerable criticism by some members of the government in relation to adjourning the bill a number of months ago for a referral (in which the Hon. Andrew Evans was instrumental) to look at the issue of domestic codependants. I note that the member for Hartley (Mr Joe Scalzi) was also quite passionate about that. I do not regret the adjournment, as I believe it was a very useful exercise. With respect to the Hon. Mr Evans, I note that what is being proposed here is not what I understand he contemplated, but I believe that this amendment goes a long way to recognising domestic co-dependants.

Whilst the Hon. Mr Evans says that this amendment is a fake amendment or is discriminatory (and this is not in any way a criticism of the Hon. Mr Evans), I see that, if anything, it tends to favour domestic co-dependants because, to get the rights contemplated by the series of amendments moved by the Hon. Michelle Lensink, the criteria for inclusion within the category of a domestic co-dependant are so defined that there be cohabitation, that there be dependence and that there be a certified cohabitation agreement to deal with the issue of fraud. I believe those are sensible and reasonable safeguards. As I understand the amendments moved by the Hon. Michelle Lensink, there is no minimum qualifying period for that, other than that those three key requirements are satisfied. However, if you are to gain rights that do not currently exist as a same-sex couple, there must be a minimum period of cohabitation, as contemplated by the bill. I foreshadow that I have an amendment on file to keep the status quo in relation to the Family Relationships Act, and I will, of course, address it at the appropriate time.

I believe that this amendment is worth supporting, as it acknowledges changing circumstances. I pay tribute to the Hon. Andrew Evans and the member for Hartley (Mr Joe Scalzi) for their campaign for domestic co-dependants to have rights that do not currently exist. I believe that the amendments of the Hon. Michelle Lensink, with their safeguards and the three criteria that must be fulfilled, will at last give recognition to domestic co-dependants and the myriad circumstances that exist in relationships in this era. For those reasons, I support the amendments and, in a sense, I see them as a victory for the campaign by the Hon. Andrew Evans and the member for Hartley to finally get some recognition for domestic co-dependants. I believe that this amendment is one that is workable and fair. I would have thought that some couples would prefer to go down this path, with no minimum qualifying period (subject, of course, to cohabitation, dependence and a certified cohabitation agreement), rather than avail themselves of the other provisions in this act, with the minimum qualifying period. For those reasons, I support this test clause and, indeed, the series of amendments to be moved by the Hon. Michelle Lensink.

The Hon. A.J. REDFORD: I noted earlier in the debate before the dinner break that the Hon. Paul Holloway made the statement that the amendments currently before the committee and the amendments moved by the Hon. Terry Cameron are incompatible. I am just wondering whether the Hon. Paul Holloway will explain the difference between what the Hon. Mr Cameron and the Hon. Michelle Lensink have put on file. I assume—and I do not want to verbal the minister—that he is supporting the Hon. Michelle Lensink's amendments. I would also be interested to hear what the Hon. Andrew Evans and the Hon. Michelle Lensink say about the Hon. Terry Cameron's amendments.

The Hon. P. HOLLOWAY: One of the problems that we have had is that I have already put that on the record when we did this two or three weeks ago. This is the whole problem about the way this bill has been debated. It is a pity that we cannot just vote on the thing and be done with it.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: I have answered and put it on record. I will do it again. The amendments moved by the Hon. Ms Lensink—there are a number of amendments, but we are using this clause as a test clause—propose to recognise people who live together in a relationship of dependence. This is a relationship between two adults in which one or each provides for the other domestic support or personal care. However, two people cannot be domestic co-dependants if they are married or in a de facto relationship. If people in such a relationship wish to be legally recognised, they must make a certified cohabitation agreement under the De Facto Relationships Act, proposed to be renamed the Domestic Relationships Property Act. This is an opt-in model.

No-one's rights will be changed without his or her consent. All these amendments-and there are hundreds of them, I believe-depend on the adoption of the later amendments to the De Facto Relationships Act. Without that amendment they are meaningless. It is important that members understand, therefore, that the amendments moved by the Hon. Ms Lensink and those proposed by the Hon. Mr Cameron to clause 69 of the bill cannot stand together. If Ms Lensink's amendments are agreed to, they amend the government's bill so that domestic co-dependant partners are recognised when they so choose for almost all legal purposes but are never recognised without their choosing. The amendments proposed by the Hon. Mr Cameron, on the other hand, would have the effect that domestic co-dependant partners would be recognised only for the purposes of the De Facto Relationships Act and consequentially the Stamp Duties Act but would be recognised without their having to be any cohabitation agreement. In other words, this is not an opt-in model, but is presumptive recognition. One cannot have both.

The series of amendments that the Hon. Ms Lensink has moved would extend the scope of the bill so that both de facto partners and domestic co-dependant partners are treated in the same way under clause 4 of the first one, the Administration and Probate Act, and there is a whole series of other acts that then follow. Together with those following amendments, this will mean that, for example, these partners can inherit a share of the estate if the other person dies without making a will. If the government's clause stands as printed, that indicates the defeat of the Hon. Ms Lensink's amendments for all practical purposes. If the government's clause is amended as proposed by the Hon. Ms Lensink, that indicates agreement to her amendments to the De Facto Relationships Act in preference to those of the Hon. Mr Cameron, although it would still be possible for a member to vote against her amendments to another act if wishing to reduce the scope of her proposal.

If members intend to support the amendments of the Hon. Mr Cameron, they would need to vote against the proposed amendment of the Hon. Ms Lensink. It is quite clear that the two cannot co-exist. I indicate that the government will support the Hon. Ms Lensink's amendment. The government has no objection in principle to the legal recognition of domestic co-dependant relationships as long as this occurs by the free, informed choice of the parties. Under these amendments, the parties will have the benefit of legal advice before making this decision, so the government is satisfied that the weaker party to a relationship is protected as best they can be. They are the two choices, really. There is the opt-in model or the presumptive model.

**The Hon. A.J. Redford:** Why choose Ms Lensink's amendments?

The Hon. P. HOLLOWAY: We are choosing the opt-in model because, as I have just indicated, the parties have the benefit of legal advice before making this decision, and the government can be satisfied that the weaker party is protected as best they can be. Of course, the government has no objection in principle to the recognition of domestic codependants as long as this is their free choice and they understand what they are doing. That is what I understand to be proposed here. Legal recognition will occur only if the parties choose to make a certified agreement. This requires that each party have legal advice. The lawyer must explain the effects of the agreement. The explanation must be given in the absence of the other party. The client must give the lawyer credible assurances that he or she is not being coerced or unduly influenced to sign the agreement. The lawyer must then see the client sign. In each case the signatories to the agreement must also warrant that they have disclosed all relevant assets.

The government does not wish to stand in the way of those persons who live in domestic co-dependant relationships and who, after receiving legal advice, decide that they wish those relationships to be legally recognised, and that is why we will support those amendments. The Hon. Mr Cameron's model would be presumptive; people would not have a choice about whether or not they wish to have that recognition. That would just be presumed.

The Hon. G.E. GAGO: I will add to that. In its inquiry into the Relationships Bill the Social Development Committee took quite a lot of evidence on this issue. It found that, while the intentions of married couples and de facto couples were apparent by the fact that they were cohabiting in those intimate relationships where the intention could be assumed about the partners and how they might want to leave their assets, etc, that was not so when you looked at the broader category of co-dependants.

Co-dependants encompassed a much wider range of relationships, including some who did have a high degree of commitment etc. but not all necessarily. We found and were given evidence to indicate that, for instance, flatmates that had cohabited for long periods of time were financially dependant on each other, had become very good friends, went to the same sorts of functions and social events together and gave each other a lot of moral support, but would not necessarily intend that their assets be defaulted to their flatmate if they died without a will. The same applies to pensioners who, for instance—and these are just some examples—might cohabit out of financial convenience.

Again, they might become good friends, but basically the intent of their relationship was one of convenience and a financial co-dependence, and again the intentions of that particular couple, although it might be close and they might cohabit for a long period of time, may not necessarily mean that, for instance, their assets default to that person if they die without a will. So the Social Development Committee concluded that the broader category of co-dependants needed some other protections and some other considerations, because the intentions of those parties involved in those broader relationships was not necessarily apparent, and I believe the amendments of the Hon. Michelle Lensink address the concerns that the committee identified.

The Hon. KATE REYNOLDS: I am not sure in which order I should begin my comments. It keeps changing as additional speakers make their contributions. I will start by saying that when the government circulated the first version of this bill or reintroduced it-whatever it did; I cannot even remember now-I expressed to members of the government, including the Hon. Gail Gago, my disappointment that the government had not addressed the issue of domestic codependency. The explanation that I was given by numerous people at the time was that it was too difficult because people were going to be accidentally caught up, because there were issues around manipulation and exploitation by unscrupulous people, and that the government at the time could not get its head around how to deal with that. I think I said some fairly unkind things like, 'That's an absolute cop-out', so when the Hon. Michelle Lensink made it known that she was having some amendments drawn up I was, I have to say, on behalf of the South Australian Democrats, very relieved, and relieved to hear that she was having discussions with the government about how that could be done in such a way that it would address the government's concerns.

I was fairly confident that the end result would be something that we could all live with. I also recall that the Hon. Andrew Evans expressed his disappointment about the fact that initially the issue of domestic co-dependants had not been addressed, so I was reasonably confident that he would be accepting of the Hon. Michelle Lensink's amendments when they were finally introduced. So I had some degree of surprise when he first indicated his opposition. I was again surprised tonight to hear the Hon. Andrew Evans make some comments that led me to think that his understanding is that this means that all domestic co-dependants either are in or will think that they have to be in some sort of sexual relationship or be related by family in order to take up the domestic co-dependant option as provided in the Hon. Michelle Lensink's amendments, should they pass.

My understanding is that that is absolutely not the situation at all and, in fact, one of the reasons that we have previously indicated and again indicate our support for the Hon. Michelle Lensink's amendments is that this is an opt-in system for those people who choose to be part of it, that there does not have to be a sexual relationship and people do not have to be related by family, because these amendments recognise that mutually supportive and care arrangements come in all shapes and sizes. The Hon. Michelle Lensink has argued that very well, so I will not repeat that discussion.

In our view, marriage and de facto and same sex relationships and co-dependency relationships are not all the samenot by any stretch of the imagination-but people in these different relationships, in our view, all have rights and all deserve fair and reasonable treatment by law. At this stage, they are certainly not getting it. In fact, I understand that the Equal Rights Commissioner in this state made a number of presentations to the Social Development Committee. I am not a member of that committee and I have not read all of the evidence that was given to that committee when it considered our bill. I am sure that the minister could correct me on this if necessary, but my understanding at the time was that she did not see that there would be any concern about there being discrimination if the issue of domestic co-dependence was addressed. The bill that the committee was looking at at the time did not have any domestic co-dependency provisions, and my understanding is that the Equal Opportunity Commissioner has not raised any concerns with the amendments that have been proposed. Perhaps the minister could just put on the record whether or not that is actually the case.

I would like to say that there is still a lot of misinformation in respect of what this bill intends to do and, in particular, what these amendments seek to do, and I am disturbed that even as late as this afternoon I was receiving emails from people who were telling me that marriage had to be protected. This is not about marriage and it never has been. People were telling me that they were very concerned that this legislation had already been—I cannot remember the term—pushed, shoved or rushed through the House of Assembly when, in fact, it has not even been debated there. We have not even completed the debate here in this place.

I have not only received one letter saying that this is about marriage or that it has been rushed through but I have received emails and 20 or 30 letters in the past couple of weeks all claiming the same thing, so someone somewhere is spreading some misinformation about what this bill intends to do. I have received a far greater number of letters, emails and phone calls asking the South Australian Democrats to support not only the bill which originally was about avoiding discrimination for same sex couples but also to support these amendments to provide legal protection for domestic codependant partners. The feedback that I have received from the community is that people very much understand and appreciate the safeguards being introduced by these amendments, and that the idea of the presumptive model that, as I understand it, the Hon. Terry Cameron is proposing is of great concern to them.

I pose one question. I was thinking about this as members were speaking. My grandmother who was a widow, my great aunt who had never married and my great uncle who separated, I think, some 10 years after his marriage, all lived together for what must have been close to 30 years. They bought property together, they built a house together and they cared for each other on a daily basis. They all chipped in to pay the bills and to buy the food. They went on holidays together. In every sense of the word, they were mutually dependant in a fair and equal relationship, but there were three of them. I am not sure where that would leave the amendments proposed by the Hon. Terry Cameron and I am not sure where it would leave the model proposed by the Hon. Andrew Evans. My grandmother, my great aunt and great uncle did not leave all their worldly possessions to each other but distributed them amongst the broader family and friends and a number of community organisations and charities.

They had all sorts of ways of trying to care for each other, but I do know that, from time to time, they ran into some legal issues, which, as I understand it, the amendments of the Hon. Michelle Lensink would have solved. As I understand it, the honourable member's model is the only model that would have allowed them, if they were still alive, and sadly they are not, to register formally that interest and care that they had for each other in a way that would be recognised by law. On that basis alone, my support for the Hon. Michelle Lensink's well-thought out and hard fought for amendments have the support of the South Australian Democrats to a degree that was even greater than earlier today. I urge all members to think about the myriad of relationships which have existed for many years and which simply will not fit into the models that have been proposed by others.

The Hon. A.L. EVANS: Concerning domestic codependants and their concept of cohabitation, I challenge members in this place by asking them what they think that is. I think members would find that the majority of them would see it as a sexual relationship. My second point concerns all the reasons the Hon. Gail Gago gave for why the domestic co-dependants should opt in, rather than receive the rights. All the reasons the honourable member gave, as good as they were, could apply to same sex couples as well, and that is where I believe the hypocrisy is in this bill.

The Hon. A.J. REDFORD: As I understand the minister's answer, he says that the current situation is that with de facto heterosexual relationships the current law is that the provision of the de facto relationships act applies automatically once they fit the criteria-time period, lapses or a child is born. As I also understand it, the government's position is that it prefers the Hon. Ms Lensink's position that co-dependency ought to be treated differently; that is, it should not be automatic but should be an opt in approach. It is a shame that the Hon. Terry Cameron is not here to be able to present his own amendments, and it is a shame that he is not here to be able to assist me in this debate in coming to a decision about how I will vote. As I understand it, he wants it automatic for co-dependency. My question to the committee in general is: why should it be automatic for de facto relationships and not automatic for co-dependant relationships?

The Hon. P. HOLLOWAY: Co-dependant relationships are different from married or de facto relationships. They are quite different circumstances. I think the Hon. Gail Gago's example about the flatmates illustrates that better than any other example I could give. However, they are different and that is why we have different rules.

**The Hon. CAROLINE SCHAEFER:** I indicate that I will be supporting this amendment but from an entirely different point of view than those that I have been hearing tonight. The tradition I have always understood when debating and voting for legislation is that we should try to make the best legislation we can. Even though I will probably not be voting for the third reading of this piece of legislation, I understand that this amendment seeks to broaden the number of people who can be affected by it.

As I have indicated, a number of amendments make the legislation better and/or more palatable than it is currently. This is one such amendment, so I will support it on those grounds. I want to get on the record again that it is unconscionable that we should be debating this clause and amendment, which affects the whole tenor of this piece of legislation, without being able to debate Mr Cameron's amendments. If he comes back, we recommit and some of us may decide, having heard his argument, that we actually like that amendment better than this one, so essentially we start again. It seems to be unconscionable that we are having half a debate, which is what we are doing.

Given that I have only half the argument to go on, I will be supporting this amendment. I also make clear right now that that does not necessarily mean I will support the third reading. I might, but I probably will not.

The Hon. A.J. REDFORD: This is very disappointing. For the sake of 24 hours, with some serious amendments from the Hon. Terry Cameron, who sat on the Social Development Committee, who listened to the evidence and went to some trouble to prepare some amendments, this committee will proceed to vote on this without hearing his contribution or justification.

The CHAIRMAN: The committee has made the decision on that by a division. Criticising the committee will not get us anywhere. We have had that debate and you are entitled to make a contribution, but it is not in order to go over the same thing again.

The Hon. A.J. REDFORD: Are you telling me that I cannot express my viewpoint on this? My point of view is quite simple and I am entitled to put it. For the sake of 24 hours we could have a reasoned full debate on this issue. I have heard one side of the argument. I have not heard the other side of the argument, and that is an appalling way to conduct a debate in this parliament on what is a serious issue to a lot of South Australians. I do not know about you, Mr Chairman, but I have had a heck of a lot of correspondence about this. My assessment of the receipt of a heck of a lot of people are concerned or have points of view in relation to this bill.

I also know that a heck of a lot of submissions and time was spent by the Social Development Committee in hearing the evidence and that the Hon. Terry Cameron came up with a particular viewpoint and I can only assume that he did so with some good reason in mind. But I cannot hear that reason—I am not allowed to hear that reason—because for the first time since I have been a member of the Legislative Council we want to play sneaky little numbers games and jam it through while a man is on his sick bed. That is wrong, for the sake of 24 hours. That is wrong.

I have a long memory, and I am sure other members have also. When you play these games—and we never have in this place until now—you demean this chamber and demean the quality of debate that would help me make decisions about which way I should or should not vote in relation to this issue. This is not a great day for the Legislative Council. We have never done this before, and to say that we can come back and recommit tomorrow or some other day is not an ideal way to conduct a debate. It is disappointing that the Hon. Mr Cameron is sick. I would like to have dealt with this today. It is disappointing.

The Hon. R.K. Sneath interjecting:

**The Hon. A.J. REDFORD:** The Hon. Bob Sneath: there is a figure of perfect health. The Hon. Bob Sneath is not a bad human being. He would kick a man while he was sick. He

would sneak around and make comments about a man's health, as he just did, which is disappointing.

The Hon. R.K. Sneath: He has been sick for a week.

The CHAIRMAN: I have been extremely tolerant tonight in this debate. I always endeavour to allow every member of the committee to make his or her contribution. A lot of contributions have been made here tonight that should have been made during the second reading consideration by members, but because of the way the bill has been handled it has been going for a long time. There have been a lot of amendments and it has been adjourned a number of times because the Hon. Mr Cameron is sick. That is not to be applauded, but this place is charged with the business of the chamber. I am taking a little bit of offence at the comment that this is no way to run the committee. The Hon. Mr Redford is entitled to his opinion, but the committee earlier today considered whether it should adjourn today and wait for the Hon. Mr Cameron. We had a division, and the committee made the decision that that is what it wanted to do. It was nothing to do with me or my opinion.

My job is to conduct the proceedings in accordance with the wishes of the committee. The committee in all instances at the end of the day is in charge of its own destiny. It made the decision tonight to continue with the debate. I do not know whether the honourable member was in the chamber when the debate took place, but that was the decision of the committee today. I take great offence at the comment that it is no way to run a committee, as though it were my decision. This is a decision of the committee.

**The Hon. A.J. Redford:** Don't misrepresent me, even from the chair—I never said that.

The CHAIRMAN: When the committee or the council has made a decision, members are not entitled to criticise the decision of the committee under standing orders. It is about time we made a decision on this amendment so that we can see where we are going.

The Hon. R.I. LUCAS: Well, Mr Chairman, the committee is entitled to debate the amendment, as long as it addresses the amendment. I want to address some questions to the Hon. Gail Gago, based on contributions she made on a similar provision on a previous occasion. In so doing, at the outset I pay tribute to my colleague the Hon. Michelle Lensink for the work she has done. Certainly, her colleagues, irrespective of the views we might have ultimately on her amendments or the legislation, respect the hard work she put into the legislation. Many of us have not had the time that she has had to devote to the bill. We are indebted to her for providing information to us all. I think she has shared that across the political parties and across the political spectrum. Irrespective of the final views we each might have, I pay tribute to her for her hard work and courage, because it is never easy standing up for what you believe in on matters such as this, particularly for matters of conscience, in the Liberal Party.

I raised questions earlier about the costs in relation to this issue. I want to address a contribution the Hon. Gail Gago made in April 2003. She engaged in a discussion with the Hon. Robert Lawson on similar provisions. She said:

The Department of Treasury and Finance has estimated that the impact of the member for Hartley's amendments and now the Lawson amendments is based on the premise that the bureau of statistics indicates that there are around 3 per cent of co-dependant type domestic households, and that is from the 2001 census data. This could be, for instance, two siblings, brother and sister or friends living together and so on; it is believed to be 3 per cent of co-dependant type domestic households. The list does not include same sex relationships; this is other. This quite clearly introduces a new

group that would become entitled to a new and additional benefit currently not payable under the pension scheme or, for that matter, even the lump sum scheme.

My question is to the Hon. Gail Gago. I assume that what she indicated in that debate is that she was provided that information by the Department of Treasury and Finance. How was it possible to estimate the number of domestic codependant relationships in that debate (when she and the government were opposing the legislation) but now it is impossible for her and the government to make the same estimate when the government is supporting amendments to the legislation?

The Hon. P. HOLLOWAY: This is just nonsense we are seeing here tonight.

An honourable member interjecting:

**The Hon. P. HOLLOWAY:** It is a question about something that was said in 2003—some 2<sup>1</sup>/<sub>2</sub> years ago. We have addressed all the issues. I have already covered the issue in relation to estimates. The honourable member was talking—

The Hon. R.I. Lucas interjecting:

**The Hon. P. HOLLOWAY:** That is not quite what I said. I am happy to answer those questions, but I really do think it is completely out of order to ask questions about a bill debated 2<sup>1</sup>/<sub>2</sub> years ago. It was a different measure.

The Hon. G.E. GAGO: If I recall correctly, the figures were provided by Deane Prior in relation to questions about superannuation. As the minister has already outlined, there is a whole range of different formula available for calculating rates in terms of an onus on the government in relation to superannuation. They were the figures that were given in relation to superannuation. The information in relation to codependants and the other 90-odd pieces of legislation and the cost estimates in relation to that legislation have already been provided by the minister. Treasury said that it was not able to provide that information.

The Hon. R.I. LUCAS: I am not asking a question about the superannuation estimate, which at the time was \$8 million. I am referring to the estimate of the number of domestic co-dependant type households. The Hon. Ms Gago said '3 per cent of co-dependant type domestic households'. That was an estimate provided by the Department of Treasury and Finance. My question is pertinent to this particular piece of legislation and this clause. While they are not the same, we are talking about the same concepts as in the original Scalzi type amendments. We are trying to get a read on the percentage of the number of households that might be covered.

What the Hon. Gail Gago put on the public record was, in her view, based on Treasury advice that it was 3 per cent. That is the issue I put to the Hon. Gail Gago. That was her view based on the advice she was given two years ago. Is that still her view as one of the proponents or leading advocates for the legislation and now the amendments? Is that the estimate from the Hon. Gail Gago in relation to the number of households that are potentially impacted by the package of amendments that we are about to see?

The position of the Leader of the Government has been, 'It's all too hard, we can't provide any estimates, go and speak to the Attorney-General's Department, because they are the ones who know. The Department of Treasury and Finance don't have any information at all on this,' whereas two years ago the Hon. Gail Gago was quoting Deane Prior from the Department of Treasury and Finance that 3 per cent of households are, to use her words, 'co-dependant type domestic households'. My question remains for the Hon. Gail Gago: is that 3 per cent estimate still the estimate she is using in relation to the number of households potentially impacted by this range of amendments?

**The Hon. P. HOLLOWAY:** There is a very simple explanation for this. It is quite mischievous of the Leader of the Opposition to ignore the answers I gave last week.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: I did, but you are trying to filibuster, because you do not want them to pass; and I am sure you will succeed at the end of the day. I repeat: 2½ years ago you were talking about a presumptive model and it was assumed everyone was included. You can talk about 3 per cent, 5 per cent or whatever figure you pick, and you can work on the basis of that presumptive model and everyone is affected. But what we are talking about with the Hon. Michelle Lensink's amendment is an opt-in model, and we have no idea how many people will opt in or what the response will be. It will inevitably be significantly less than under a presumptive model—that is obvious—but just how many is the unknown factor in this case.

Also, of course, in relation to superannuation, as I indicated earlier, a far larger number of people is involved and it is obviously much easier to get an estimation as it is in respect of the Victims of Crime Fund, and I went through that in some detail previously. We could see the same with the motor accident fund and also workplace accidents. Those are the three big factors here. But we all know that the financial impact is significantly—probably two or three orders of magnitude—less than it would be in relation to superannuation because of the smaller number of people involved, and that is why it is difficult to get an accurate estimate.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: Well, when I did physics, order of magnitude was a factor of 10, but let us not worry about that. The point is that we are talking about a completely different level. I gave the numbers in the case of the victims of crime and, under the sort of figures I gave earlier, perhaps one a year would be an over-estimate. In relation to superannuation, you can obviously say that if it is 5 per cent of a much larger number it is much easier to make a prediction, but even in that case the prediction would be a guess, and it would be interesting to know (given that those bills have passed) just how accurate they were. But there is a huge difference between a presumptive model and an opt-in model, and that is where the difficulty in estimation arises.

The Hon. J.F. STEFANI: Can the minister advise the chamber whether the government has received any representations from the chairman of the Social Inclusion Unit in relation to allowing a conscience vote on the bill?

The Hon. P. HOLLOWAY: This vote really is up to the various parties and, in relation to that, as I say, in the Labor Party any member can request a conscience vote if they want it.

The Hon. R.I. Lucas: No-one in the Labor Party wanted it.

**The Hon. P. HOLLOWAY:** Yes, that is right, because I think the presumption is that members of the government believe that this is a fair measure.

The Hon. J.F. STEFANI: Is the minister aware that the Archbishop of the Catholic Church in his submission to the committee recommended that this bill be subject to a conscience vote?

**The Hon. P. HOLLOWAY:** As I said—and I can only talk for the Labor Party and not for any other party—in the

Labor Party it is up to any member to request a conscience vote if they wish to do so.

The Hon. J.F. STEFANI: I have a further question, and I do not expect the minister to have these answers so I would appreciate it if, in the time before this bill returns to this chamber, he could get the answers. Can the minister provide accurate costs associated with the administration changes relevant and applicable to each and every act of parliament that is being changed by this legislation?

The Hon. P. HOLLOWAY: I think I have answered that in relation to the general matter, and that is that it is very small and I gave a couple of specific answers. I think as far as administration costs are concerned it would be virtually negligible. As is pointed out to me, a significant number of these provisions relate to conflict of interest provisions in acts which have been changed which, of course, have no financial consequences whatsoever.

The Hon. R.I. LUCAS: In concluding my view on this provision—which, as the Hon. Michelle Lensink has indicated, is a test for a whole series of other amendments, and I am sure the committee will be delighted that we will not have to repeat the debate—I indicate that the Leader of the Government, I think in response to a question from the Hon. Angus Redford, and others, said earlier that the difference between the amendments of the Hon. Mr Cameron and the Hon. Ms Lensink was that one is a presumptive model and one an opt-in model.

I am reminded of discussions I have had, and I pay tribute to Mr Matthew Loader and the others for their campaign. They have been good advocates for their particular position but, in their argument to me when I put the question, as others did, 'Are there not legal devices that exist already such as medical powers of attorney, legal powers of attorney, wills and other legal devices which enable many, though not all, of the objectives of your association to be achieved?', they indicated that was correct but that without using the words 'presumptive' and 'opt-in' I think in essence that summarised their position. The legal devices were an opt-in provision and people had to make a conscious choice and go down a particular path.

So, the position of the government seems to be contradictory, that is, for one particular group the government says, 'No, we cannot support the Hon. Terry Cameron's amendments because they are presumptive and it is better to have an opt-in provision,' yet in relation to another group the government's position is that, 'You have to have a presumptive model and you cannot have an opt-in model,' which is the direct converse of the arguments for the two separate groups. I accept that it is the government's prerogative, and that of its members, to support that, but I do not understand that difference in terms of argument.

So, my position is that, as I do not intend to support the legislation, I do not intend to support the amendments, whether they be those of the Hon. Mr Cameron or the Hon. Ms Lensink. I will not be supporting them, possibly for different reasons from those of the Hon. Mr Evans, who I think indicated that he supports the amendments of the Hon. Mr Cameron. I think that is a fair reflection of his position. For those reasons, I intend to oppose the amendment.

**The Hon. J.S.L. DAWKINS:** I will be brief and indicate that I will not be supporting the amendments moved by the Hon. Michelle Lensink.

**The Hon. A.L. EVANS:** I thank the minister for being honest with us tonight and telling us that there will be significantly fewer people for the opt-in model than for the

presumptive model. I believe that is the bottom-line reason why they changed tack—that is, because, right from day one, they were not really keen on the domestic co-dependant. When they saw what happened in Tasmania, when no-one opted in, it was good policy to say, 'Yes, we'll go with the domestic co-dependant, but they must opt in.' The minister was honest with us tonight when he said that significantly fewer domestic co-dependants will opt in than would be the case if it were a presumptive model.

I would also like to state that the Attorney-General has lost a lot of Labor voters (and a lot of them have come to me) because of his letter which went out a week ago and which stated that it was ALP policy. Everybody knows that, when the ALP has a policy, you vote for it, otherwise you are out. As to the smokescreen that no-one asked for a conscience vote, even if they had done so, they would not have been given it. I only wish that we still had the likes of Don Dunstan and John Bannon, who were fair and reasonable enough to say to the Labor side, 'You can have a conscience vote.'

The committee divided on the new clause:

AYES (12)		
Gago, G. E.	Gazzola, J.	
Gilfillan, I.	Holloway, P.	
Lawson, R. D.	Lensink, J. M. A. (teller)	
Reynolds, K.	Ridgway, D. W.	
Schaefer, C. V.	Sneath, R. K.	
Xenophon, N.	Zollo, C.	
NOES (5)		
Dawkins, J. S. L.	Evans, A. L. (teller)	
Lucas, R. I.	Redford, A. J.	
Stefani, J. F.		
PAIR		
Kanck, S. M.	Stephens, T. J.	
Majority of 7 for the ayes.		

New clause thus inserted.

Progress reported; committee to sit again.

# CONTROLLED SUBSTANCES (SERIOUS DRUG OFFENCES) AMENDMENT BILL

Adjourned debate on second reading. (Continued from 20 October. Page 3785.)

The Hon. R.D. LAWSON: I rise to indicate support from the Liberal opposition for the second reading and the passage of the Controlled Substances (Serious Drug Offences) Amendment Bill. This bill is like so many other bills that the Rann government has introduced. It has been promoted with a good deal of bluster but also false and ridiculous claims. When this bill was introduced, Mr President, you will be delighted to hear, the Attorney-General issued a press release entitled, 'Rann ups the ante against drug lords'. The release goes on to say:

Attorney-General Michael Atkinson says the overhaul of South Australia's drug laws will see dealers who use children in their illegal activities face a maximum life sentence and a half a million dollar fine.

This sounds pretty tough. Actually, the Attorney-General did not realise that the existing fine was \$1 million. Here is the Rann government reducing fines by \$0.5 million—a 50 per cent reduction for those who use children in their illegal activities. The bill is typical Rann bluster; certainly the promotion of it is. In reality, however, this bill does not have its genesis within the brain of the Premier or the AttorneyGeneral. Its genesis is in a report on serious drug offences produced in October 1998 by the Model Criminal Code Officers Committee and an agreement that was reached on 5 April 2002 at a meeting of the Council of Australian Governments dealing with terrorism and multi-jurisdictional crime. At that time it was agreed by the states to modernise the criminal law in relation to serious drug offences and in several other areas.

I might say that another outcome of that agreement of COAG in April 2002 was tougher laws about terrorists and additional police powers to address the problem of terrorism in our country, and we are only this week in another place seeing the Terrorism Police Powers Bill being debated. So the Rann government has been pretty slow off the mark in relation to these two important issues. Far from this being some unique response of the Rann government to problems in South Australia, the commonwealth has already introduced a similar bill, and I refer to the Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Bill 2005. The state of Victoria has already enacted legislation, and I refer to the Drugs, Poisons and Controlled Substances Act 1981.

The South Australian law relating to drugs is contained in the Controlled Substances Act 1984. That act regulates and, in some instances, prohibits the manufacture, production, sale, supply, possession, handling or use of certain drugs, both therapeutic and illicit. The current act contains a wide range of penalties. For example, possession or use of a drug of dependence or a prohibited substance carries the maximum penalty of \$2 000 or two years' imprisonment, except in the case of cannabis where the maximum penalty is \$500. The maximum penalty for the manufacture, sale or supply of a drug of dependence or a prohibited substance ranges from \$1 million and 30 years' imprisonment for exceeding the prescribed amount of cannabis within a school zone or for supplying it to a child; and for lesser quantities than the prescribed amount, gaol of up to 15 years or a fine of \$100 000.

For drugs other than cannabis, in relation to the sale or supply to a child or being in possession of a drug within a school zone for the purpose of sale or supply, the penalty is, where the amount exceeds the prescribed amount, a fine of \$1 million and/or life imprisonment, and for lesser quantities of these drugs other than cannabis, the penalty is a hefty \$400 000 fine and/or imprisonment for 30 years. For the sale or supply of cannabis to an adult, the penalty ranges from \$500 000 and 25 years where the prescribed amount is exceeded down to \$2 000 or two years' imprisonment where the quantity is less than one fifth of the prescribed amount.

For the sale or supply of non-cannabis drugs to an adult, over the prescribed limit the penalty is \$500 000 or life imprisonment. For less than the prescribed quantity of noncannabis drugs, the range is a maximum of \$200 000 or 25 years. So these are exceedingly heavy maximum penalties. How often they are imposed is quite another question. It is all very well to trumpet the fact that we have exceedingly tough penalties for those engaged in drug trafficking, but it is quite another thing to (a) ensure that the police have the resources to catch the offenders, and that is a matter about which we have serious doubts and (b) whether the government has the commitment to actually launch a full-scale assault on the drug trade in this state. It is not for nothing that this state is known as the drug capital of Australia.

The new bill which, as I indicate, we are supporting will introduce a new hierarchy of penalties which divides quantities of the illicit substances into commercial quantities, large commercial quantities and trafficable quantities, which is a term used to distinguish between the possession of drugs for one's own use and possession for the purpose of sale to others. This bill also introduces a prohibition against precursors, which is the substances used to make drugs.

A new section provides that a child, that is, a person under the age of 18 years, cannot be guilty of selling drugs to a child. This is a somewhat curious exception. The ground for this exemption is that these provisions are designed to protect children, and therefore children should not be caught by the prohibitions against selling drugs. In committee we will pursue the effect of this because, whilst it may be argued that this exemption will encourage drug dealers to use children under the age of 18 years to be couriers and sellers because they cannot be prosecuted, I note the contention of the government that this will not be its effect. We will be pursuing this particular issue because, so far as I can see, other jurisdictions do not have a similar exemption.

Other provisions include a power to enter unlicensed premises, that is, premises which are not licensed for the production or storage of therapeutic drugs—for example, pharmacists, medical surgeries, pet suppliers and hardware retailers. This section will limit the circumstances in which an inspector can exercise powers of entry or seizure to those which are authorised by a warrant, and where the powers are being exercised in ordinary business hours, and in relation to premises that are used by a medical practitioner, pharmacist, dentist or veterinary surgeon, premises that are used in the course of an activity in respect of which a licence or authority or permit has been granted under the Controlled Substances Act, or premises that are used for a non-residential purpose and in which the authorised officer reasonably suspects poisons, therapeutic substances, therapeutic devices or volatile solvents are being stored, used or sold.

There will be a minor variation wrought by this bill to the power of authorised officers to enter premises with assistance, and the bill will align this act with the procedures in the Summary Offences Act. The bill will also confer powers to seize and inspect documents, and this provision is amended by extending the concept of documents to records stored on computers, microfilms and other processes. The act currently authorises the minister to issue a permit authorising the manufacture of drugs for the purposes of research, instruction or training, and the bill will extend this list to include 'for the purposes of analysis'.

In relation to this particular matter, I would ask the minister in his response to indicate what effect this amendment might have on the practice recently announced of some who seek to analyse drugs at rave parties. I am seriously examining an amendment to ensure that the minister is not given powers which are at odds with national recommendations which are against allowing the analysis of drugs at rave parties for so-called research purposes. Those national recommendations are apparently incorporated in South Australian government policy, or so it is claimed. We are anxious to ensure that that policy is upheld because there was a good deal of ground for suspecting that the previous minister was not as committed to that policy as state and government policy would have dictated.

The current act enables the minister to publish information relating to a person who is obtaining prescription drugs by false pretences. However, the purpose must be to prevent or restrict the supply to that person. This bill alters this particular regime so that the minister will have power to publish information that any substance or device may be dangerous to persons consuming it. The act is also amended to extend this provision to non-prescription medications. Section 58 of the act is also amended to allow the publication of information regarding the acquisition of non-prescription medications and all other substances where there are grounds to suspect that they are being acquired for unlawful purposes. The minister presently has a power to revoke licences, and the bill will extend that power to allow the minister to suspend licences.

Other miscellaneous amendments for which we express support are: the fact that the minister is given power to issue mass media warnings about substances or devices which pose a risk to public health; automatic vending machines for dispensing poisons and therapeutic goods will be banned, unless the particular product is exempted by regulations; interstate certificates of analysis will now be recognised more easily; the minister will be given enhanced powers to require information from manufacturers and importers of controlled substances; and the membership of the Controlled Substances Advisory Council will be extended to include a person with legal expertise-something which I am always prepared to commend. It is interesting that this bill does not do a number of things. It does not alter the penalties and regime which apply to smaller quantities of drugs. It does not alter the expiation scheme that currently applies.

It does not make it an offence to sell a pipe device called a bong, which is widely available and which is used solely for the purpose of smoking illicit drugs. Nor does the bill address many of the recommendations of the much vaunted Drugs Summit which have not yet been adopted. This is not just a law and order bill. Indeed, it is largely a health measure, and the act will continue to be administered by the Minister for Health. The bill affects the medical profession, therapeutic drug makers, pharmacists and so on. The opposition has not seen any evidence that there has been widespread consultation with either the medical profession or the legitimate drug industry in this state, nor have I seen, as one might have expected in relation to a bill, a comment from the Law Society, notwithstanding the fact that lawyers do have considerable expertise and experience in the operation of these complex laws.

Will the minister in his second reading response provide some details to the Legislative Council on the extent of government consultation? I mentioned that the penalty for the supply of drugs to children has been a fine and that a component of that has been reduced under this bill. I indicate that the opposition will be moving an amendment to restore the current fine. The Attorney-General is very fond of telling listeners to talk-back radio that the great benefit in increasing the penalties (as is frequently done) is that that sends a very clear signal to the courts that the parliament of this state is expecting that the courts will hand down higher penalties. That is the signal that is being sent. What signal is being sent in this bill in which this government is actually reducing by 50 per cent and a half a million dollars the maximumpenalties for supplying drugs to children in certain circumstances?

The clear message to the courts would be that the current regime of penalties is too high and this parliament wishes to send a message that the fine should be reduced. Nothing could be further from the truth. We on this side of the council do not believe that the only solutions to the drug problem in our community are related to the criminal justice system. We believe that not enough is being done to educate young people about the dangers of illicit drugs. There is insufficient recognition of the fact that mental health problems in this state are being exacerbated by the use of illicit substances. I am sure that the newly appointed Minister for Mental Health and Substance Abuse will be well aware of the relationship between substance abuse and mental health issues in this state, and it is a great pity that this government, whilst it is talking tough on these issues, is not delivering substantive solutions. We will be supporting the second reading and moving amendments as I have indicated.

The Hon. D.W. **RIDGWAY** secured the adjournment of the debate.

#### ADJOURNMENT

At 10.37 p.m. the council adjourned until Tuesday 8 November at 2.15 p.m.