HOUSE OF ASSEMBLY

Wednesday 27 November 1996

The SPEAKER (Hon. G.M. Gunn) took the Chair at 2 p.m. and read prayers.

ASSENT TO BILLS

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

Industrial and Employee Relations (President's Powers) Amendment,

MFP Development (Miscellaneous) Amendment,

Motor Vehicles (Demerit Points) Amendment,

Superannuation Funds Management Corporation of South Australia (Liability to Taxes, etc.) Amendment.

LOCAL GOVERNMENT (CITY OF ADELAIDE) BILL

The Hon. S.J. BAKER (Deputy Premier): I move:

That the sitting of the House be continued during the conference with the Legislative Council on the Bill.

Motion carried.

ANIMAL HUSBANDRY

A petition signed by 25 residents of South Australia requesting that the House urge the Government to phase out intensive animal husbandry practices was presented by Mr Becker.

Petition received.

NAILSWORTH HIGH SCHOOL OVAL

A petition signed by 15 residents of South Australia requesting that the House urge the Government to set aside the Eastern Oval of the former Nailsworth High School as a recreational facility was presented by Mr Clarke.

Petition received.

SPORTS INSTITUTE

The Hon. G.A. INGERSON (Minister for Recreation, Sport and Racing): I seek leave to make a ministerial statement.

Leave granted.

The Hon. G.A. INGERSON: This morning, I announced that the State Government would undertake a three month study with the Port Adelaide Enfield council to examine the feasibility of developing a world class sports institute at The Parks Community Centre. The feasibility study proposal has been endorsed by Cabinet and the Port Adelaide-Enfield council. The centre has the potential to be transformed into an international standard sports training and education centre catering to the development of sport at all levels in South Australia.

The future of The Parks is currently under examination, and the Government believes there is an opportunity to maximise the use of the $35 million worth of existing assets at the site. This proposal would also give the Government a long-term commitment to sport and recreation in the western suburbs. If the Sports Institute were to be moved to the site and significant upgrading were to take place, the centre would cater not only for elite athletes but, more importantly, would also be available to the local community and be capable of generating economic benefits to the State. The final decision on the project is expected to be made by March of next year.

WOMEN'S STATEMENT

The Hon. J.W. OLSEN (Minister for Industry, Manufacturing, Small Business and Regional Development): I table a statement by the Minister for Transport in another place entitled 'The Women's Statement: Focus on Women'.

FORESTS, SOUTH-EAST

The Hon. R.G. KERIN (Minister for Primary Industries): I seek leave to make a ministerial statement.

Leave granted.

The Hon. R.G. KERIN: The Government has received and considered the report of the forest review steering committee on maximising the value of the State's South-East forests. First, I wish to reaffirm the State Government's position that it will not sell the forests or the harvesting rights to the forests. The forest review steering committee was established in February 1996 to address wide-ranging terms of reference concerning maximising the value of the State's South-East forests. The report addresses a range of strategic issues concerning the State's South-East forests, regional forestry, the forest products industry and regional economic development issues.

The steering committee was chaired by Mr Ian Kowalick, Chief Executive of the Department of the Premier and Cabinet. A lead consultant for the review was Professor I.S. Ferguson, Professor of Forest Science from the School of Forestry and Resource Conservation at the University of Melbourne. The committee also included members with forestry, industry and economic development interests. The Government accepts the general direction of the report and recommendations and recognises the importance of the forestry and forest processing industries to the South-East regional economy and the potential for these industries to expand in future to the benefit of South Australia.

Already the forestry and forest industries provide some 60 per cent of employment and manufacturing in the South-East and 17 per cent of the total regional employment. The report also examined a number of benchmarking comparisons and found that Primary Industries SA Forestry, which manages the Government's forests, is an efficient grower in comparison with other radiata pine producers in Australia and overseas. The Government supports the views of the steering committee on the need for the forest industries to continue to strive for international competitiveness. Radiata pine will be increasingly traded internationally, and Australia will have a surplus of supply over domestic requirements.

The South-East region, however, is in close proximity to an excellent export port at Portland in Victoria, and therefore the local industry is well placed to take advantage of these export opportunities. The Government supports the principle behind the recommendation in the report for Primary Industries SA Forestry to test all commercial opportunities, including exports. Market based log prices will support and encourage international competitiveness in the local industry, encourage private investment and provide real benchmark data for both the management of the Government's forests and other growers and processors in the region.

While all available markets need to be tested, as pointed out in the report, it does not necessarily require exporting. It should also be noted that the opportunity to place additional wood onto the market is limited for at least five years, and a large proportion of the future wood supply over the next 20 to 30 years is already committed under longer term supply agreements.

The report also recommends a major expansion in the area of plantations over the next 20 years. This will support the economic development of the region and increase the amount of wood available for processing. This expansion of the plantation area will assist the forest products industry to maintain world-scale plants which, on current trends, appear to require increasing volumes of wood for processing to retain international competitiveness. The Government supports the principle of expanding the area of plantations within the region and is currently active in the green triangle delivering private and farm forestry development programs. Indeed, today we announced an exciting new deal between South Australia and Japanese buyers that will enable South-East landholders to expand into hardwood forestry.

Confidence in the blue gum industry will be strongly boosted following this agreement which secures Japanese markets and prices for hardwood produced in the Green Triangle Region covering the South-East of South Australia and western Victoria. The agreement between Nippon Paper Treefarm Australia, Mitsui Plantation Development, MCA Afforestation and Primary Industries South Australia (PISA) is a strong boost to the industry. The Green Triangle Treefarm Project in response to landholders' strong interest in growing trees, particularly Tasmanian blue gums, has today been given the green light and will result in millions of trees being planted in the region.

The blue gum trees grown under this project will be chipped and exported to Japan for use by one of its largest paper manufacturers Nippon Paper Industries. The project aims to establish 1 000 hectares of blue gums annually, with a rotation of about 10 to 12 years. A minimum area of 20 hectares is required on each property. Landholders or investors can enter into grower agreements with the joint venturers and PISA which stipulate that the joint venturers will buy the pulpwood from the grower and that PISA will provide technical support. PISA will also promote and manage the project for the joint venturers. The Government will also aim to double the rate of new plantation establishment by Primary Industries SA Forestry to at least 1 500 hectares per year.

The report makes a number of recommendations to assist in encouraging new investment in plantation forests. These include the legal separation of the ownership of land and trees, making forestry an 'as-of-right' use and resolving the uncertainty surrounding the clearing of scattered native trees. In a move to encourage investment in new plantations the Government will proceed with the preparation of legislation which separates the ownership of land and trees and which also guarantees the rights of owners to harvest plantations which are established for wood production. The Government supports the general direction of the recommendation concerning forestry as an 'as-of-right' land use, which is in accordance with the National Forest Policy statement.

The Government has established a forestry standards group, which includes the Local Government Association, to provide advice on the environmental standards required for forestry development which can be incorporated into local government planning requirements. This will remove some of the uncertainty surrounding the approval for changing zoned land use to plantation forestry. We will also consider whether legislative changes are required to support the 'as-of-right' use of land for forestry. The Government is sympathetic to the recommendation aimed at resolving the issue associated with the clearing of scattered native trees while recognising the need to provide conservation outcomes that are strategic and sustainable and conserve biodiversity. There is a need for a clear policy on scattered native trees to assist all existing and potential forest growers to understand the circumstances in which they can be removed. As an initial stage of addressing this issue the Government is consulting with stakeholders to investigate means of progressing a solution to this problem which is proving to be a major restriction to development in the region.

The report recognises the need to increase the attractiveness of Mount Gambier for industrial development and as a regional centre. The Government will examine issues which support the continuing development of the Mount Gambier area for industrial development and as a regional centre and will continue to cooperate with relevant organisations in the Green Triangle region in relation to the forest industry. The committee was also required to comment on the rate of cutting of the State's forests. The report indicates that detailed controls are no longer necessary. Future controls should be related to meeting the requirements of log supply agreements which will impact upon the rate of cutting of timber and the need to manage the forests to support a sustainable and competitive processing industry. However, a large proportion of the volume of wood from forests is already committed under long-term supply agreements and there is limited opportunity to vary significantly the rate of cut from the forests for some considerable time.

Finally, the Government will consider the options for the future corporate structure of Primary Industries SA Forestry. Any changes to the structure will need to promote international competitiveness, permit a broader commercial focus and allow greater responsiveness. They will also need to recognise that a large proportion of the wood supply from the forests is committed for 25 to 30 years. In summary, the report of the Forest Review Steering Committee provides an excellent overview of the strategic issues facing the South-East forestry and forest products industry. The Government will address those recommendations made in the report which are aimed at encouraging the expansion of the area of plantations and which will further support the forest products industry and the regional economy. The Government will also continue to manage its own forests in a manner which ensures that they are internationally competitive and will foster international competitiveness in the regional industry. The Government will make the report available to the community, and I will be pleased to receive any comments on the report and the response of the Government from industry stakeholders. The report is now available for comment.

LEGISLATIVE REVIEW COMMITTEE

Mr CUMMINS (Norwood): I bring up the sixth report, fourth session, of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

MFP CHIEF EXECUTIVE

The Hon. M.D. RANN (Leader of the Opposition): My question is directed to the current Minister for Infrastructure.

Members interjecting:

The SPEAKER: Order!

The Hon. Frank Blevins interjecting:

The SPEAKER: Order! I warn the member for Giles. If the Leader wants to ask his question, he knows the proper format. Any of those sorts of comments will be ruled out of order. It is entirely in the hands of the House.

The Hon. M.D. RANN: Does the Minister for Infrastructure have full confidence in the MFP Chief Executive Dr Laurie Hammond—not the Premier—and his handling of the MFP's bid to accommodate—

The SPEAKER: Order! That is comment.

The Hon. S.J. BAKER: On a point of order—

The SPEAKER: Order! The Deputy Premier does not need to take a point of order.

An honourable member interjecting:

The Hon. S.J. BAKER: Standing Order 97.

The SPEAKER: I am doubtful whether the Deputy Premier would know under which Standing Order. However, I point out to the Leader that he has already been warned about commenting. If he wants to defy the Chair, he will be named.

The Hon. M.D. RANN: Does the Minister have full confidence in the MFP Chief Executive Dr Laurie Hammond and his handling of the MFP's bid to accommodate EDS at Technology Park?

The Hon. J.W. OLSEN: Yes.

The Hon. M.D. Rann: We won't ask him whether he has confidence in the Premier.

The SPEAKER: Order! I warn the Leader.

Mr Cummins interjecting:

The SPEAKER: The member for Norwood is warned.

EMPLOYMENT

Mr BROKENSHIRE (Mawson): Will the Premier inform the House of the key benefits that have accrued to the community from the State Government's policies relating to job creation? Do the policies have broad community support and do they put South Australia first?

The Hon. DEAN BROWN: I am delighted that the honourable member has asked this question, because this Government does put South Australia first, despite the claims of the Labor Party in some of its recent publicity. If we want evidence of that, it is the announcement last week that Pasminco is about to embark on a $33 million expansion at Port Pirie. As the CEO of Pasminco indicated in respect of the minerals division, it was done with the help of the South Australian Government and, without that help, there would have been no expansion. So, that is another $33 million on top of the $45 million already expended or well under way by Pasminco at Port Pirie. That means the creation of something like 80 new jobs for two years. It is interesting to compare that with some of the recent material put out by the Leader of the Opposition. Of course, we all know that over the weekend the Labor Party released what it described as its 'Putting South Australia first' pamphlet. Let me explain to the House. For two years—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the Leader for the second time.

The Hon. DEAN BROWN: For two years the Leader of the Opposition ran the 'Labor is listening' campaign. The trouble was that no-one was listening to them. The Leader of the Opposition went down south one Saturday morning to talk to people about education problems. How many people turned up? Two people turned up.

Members interjecting:

The SPEAKER: Order! The Deputy Premier.

The Hon. DEAN BROWN: I apologise, because I forgot to include—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Two plus the Leader turned up. So, having for two years run the slogan 'Labor listens' and having found that two people in the south were listening on the education issue, they decided to run a new slogan, 'Putting South Australia first'. I highlight to the House that, having failed on 'Labor listens', this time they actually had to put inducements into getting people to fill out this form. It is absolutely incredible.

The Hon. S.J. Baker interjecting:

The Hon. DEAN BROWN: It is a very biased survey.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The Leader knows the consequences of continuing to interject.

The Hon. DEAN BROWN: It is a very biased survey indeed. At the bottom is the ultimate inducement to try to get someone to respond to it. It states that, if you happen to fill this out, one lucky person in the entire State will get a $450 voucher from Myer. How desperate is the Leader of the Opposition that he has to offer vouchers to get people to fill out a biased survey? It is absolutely incredible. One interesting question is how many vouchers were actually being handed out?

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Let us look at some of the other statements the Leader of the Opposition has put out today. He put out a press statement saying that the Labor Party will no longer privatise anything in South Australia—'No more privatisation', a press release by Mike Rann on 27 November.

Mr Cummins interjecting:

The SPEAKER: Order! The member for Norwood is out of order.

The Hon. DEAN BROWN: Yet, having said to the press this morning, 'No more privatisation', he actually put out his own policy a few months ago that stated they would privatise other areas where there was benefit to South Australia. So what is it, the policy this morning or—

Mr Cummins interjecting:

The SPEAKER: Order! I warn the member for Norwood for the second time.

The Hon. DEAN BROWN: —the policy of a few months ago? Let me read to the House what his own policy statement says on privatisation. The documents indicate that some privatisation will occur where it is in the public interest. Yet this morning, there was no privatisation. In this survey he also claims that Labor will introduce longer sentences. Nowhere is there any mention of the fact that it was this Liberal Government that introduced truth in sentencing.

Members interjecting:

The SPEAKER: Order! The Chair has given consistent warnings. I suggest to all members—I do not care where they come from—that, if they want to remain, they keep quiet or the Standing Orders will be applied.

The Hon. DEAN BROWN: The ultimate is, 'Let's put South Australia first'. What happened with the State Bank? The Labor Government, of which the Leader of the Opposition happened to be one of the key Ministers, lent two-thirds of the bad debts of the State Bank outside South Australia. This State has lost $2 billion to projects outside South Australia for which there was no benefit whatsoever back to this State. If ever South Australians understood the extent to which the Leader of the Opposition, as the then Minister, lent their money, taxpayers' money, and lost it outside this State, he would go and hang his head in shame.

There is one further irony in this whole situation. In the new policy, the Labor Party has talked about its new debt reduction strategy. The only point from its debt reduction strategy is that it will spend more money. Nowhere does it say where it will get the money from for the extra spending. Nowhere does it say how it will reduce the debt.

EDS (AUSTRALIA) PTY LTD

Mr FOLEY (Hart): I direct my question to the Premier.

The Hon. S.J. Baker interjecting:

The SPEAKER: Order! I call the member for Hart.

Mr FOLEY: You better believe it.

The SPEAKER: Order! The honourable member will ask his question.

Mr FOLEY: Why did the Premier fax all media outlets in Adelaide and tell this House on 6 November that 'the Government would have to subsidise the EDS facility at Technology Park to the tune of $4 million to $5 million'? The Economic and Finance Committee has been advised by the MFP Chief Executive, Dr Laurie Hammond, as follows:

> The proposal from the MFP to EDS did not contain a rent subsidy.

The Economic and Finance Committee was also told today by Dr Andrew Scott, Director of the Office of Project Coordination in the Premier's Department, that the claim of a subsidy was an assumption, that in making this claim Dr Scott had not seen or consulted the MFP's final bid document. Dr Scott also advised the committee that he had advised the Premier's Office of this fact and that the letter had been cleared by the Premier.

The Hon. DEAN BROWN: That's right. I point out that Dr Scott sent the Economic and Finance Committee a letter on 1 November which he cleared with me because it contained the same material as presented by the Department of the Premier and Cabinet in the Cabinet submission. I have informed this House fully, based on the information given to me in the Cabinet submission, which clearly sets out the sort of information that was contained in the letter that was sent to the Economic and Finance Committee as presented by the Department of the Premier and Cabinet. It is as simple as that.

NEWS BUILDING FIRE

Mr CUMMINS (Norwood): Will the Minister for Police provide details of police involvement in assisting guests at the Grosvenor Hotel after the recent devastating fire in the old News building? I understand that, while police played a very important role in clearing the area and sealing off roads during the fire, they also provided special assistance to guests at the Grosvenor Hotel who were evacuated from the building at the height of the fire and due to smoke and water damage were unable to return that night.

The Hon. S.J. BAKER: The House has already been advised of the important role played by the Metropolitan Fire Service in the fire. I know that we would all congratulate the efforts of the MFS in containing the fire. As members know, it is unusual for politicians, especially Ministers, to receive congratulatory letters.

Members interjecting:

The Hon. S.J. BAKER: No, Treasurers particularly have a bounden duty to make difficult decisions. I would like to inform the House of a letter that I received, through the Commissioner of Police, regarding the efforts of the police in relation to the fire. At the time one of the issues was whether there was accommodation for the residents of the Grosvenor Hotel because all the rooms in Adelaide were booked. The letter states:

> My purpose in writing to you is to express our thanks to the South Australian Police for their assistance during this traumatic experience. Our particular thanks goes to the Academy Principal, Peter Stretton, for his welcome and the arrangements he made to accommodate a group of disoriented, tired people from all over the world. Joe Gillana and Ian Holmes went out of their way to relax us and keep us as informed as was possible under the circumstances, and all of the cadets were most courteous. Our accommodation was basic but clean, warm and comfortable and included an excellent light breakfast.
>
> I would also like to draw your attention to a young constable who appears to have been first on the scene. His action in alerting the hotel staff and evacuate guests, traffic and crowd control were outstanding, possibly saving lives. He also ensured another guest and I received essential medication located in the hotel prior to being transported to Fort Largs. Unfortunately, I did not get his name.

So, there are difficult situations when so many people rise to the occasion. It was a great pleasure to receive a letter of this nature commending the police for their performance and, indeed, the care that they gave to a number of interstate and international guests as a result of the fire which affected the Grosvenor Hotel.

EDS (AUSTRALIA) PTY LTD

Mr FOLEY (Hart): Why did the Premier tell the House on 6 November that if EDS had been located at Technology Park the Government would have had to bear the cost of 'having to put $3 million to $6 million into community facilities out there'? The MFP Chief Executive, Dr Laurie Hammond, has told the Economic and Finance Committee that had EDS located at Technology Park 'the facilities could be commercially run and the capital costs of such facilities recouped over time from Technology Park revenue'. Today, before the Economic and Finance Committee, Dr Andrew Scott from the Premier's Department confirmed that this could be true but that, of course, he had not seen the final MFP proposal before providing this advice to the Premier and the Premier was aware of that fact when he entered this Parliament.

The Hon. DEAN BROWN: I think that the honourable member is deliberately taking out of context what Dr Scott has said, which is not unusual—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN:—for the honourable member at all. We know that three or four weeks ago the honourable member made all sorts of claims in this House about the EDS building and that when I produced the letter that showed he

was absolutely wrong he fell well and truly on his face. The facts are clear, and the honourable member knows that the facts are clear: if the building were put at Technology Park, the Government would be owning the land.

Mr Foley: We already own it.

The Hon. DEAN BROWN: The Government would be owning the land: that is right.

Mr Foley: We own it already.

The Hon. DEAN BROWN: Exactly, there is a cost. I am glad that the honourable member has now acknowledged that there is a cost, whereas EDS will be going onto privately owned land on the North Terrace site. Secondly, at Technology Park the building would have been owned by the Government. The EDS building on the North Terrace site is not owned by the Government—full stop. It is as simple as that. In fact, the information submitted to me for Cabinet clearly backs up exactly what was in the letter submitted to the Economic and Finance Committee by Dr Scott on 1 November. So, I stand by exactly what I had been briefed to tell this House.

ENTERPRISE BARGAINING

Mr BASS (Florey): Will the Minister for Industrial Affairs inform the House how successful the State Government's own Turning Point enterprise bargaining workshops have been and outline the progress to date of enterprise bargaining in South Australia? Last week, the Federal Government's Workplace Relations Bill passed through the Senate, and this Bill has a major focus on enterprise bargaining.

The Hon. G.A. INGERSON: I thank the honourable member for his question and his continuing interest in industrial relations. The most successful issue for the Government in industrial relations this year has been the introduction of enterprise bargaining training workshops so that business people and employees around South Australia can begin to understand the simplicity and flexibility in enterprise agreements. A total of 960 employees, 26 workshops in the metropolitan area and 23 in regional areas were covered in the past six to 12 months. The workshops involve training and education and explain to employers and employees all the issues that the Deputy Leader of the Opposition said could not happen in industrial relations in this State.

Fundamentally, those issues involve employers and employees having exactly the same capability of negotiating wages and conditions as they have walking into a bank to negotiate a $50 000 loan for their house. It is that simple, and employees right throughout the State are suddenly realising that. One-third of all employees in South Australia are now covered by enterprise agreements.

Mr Clarke: How many in the private sector?

The Hon. G.A. INGERSON: If the Deputy Leader is patient, we will get to that. A total of 37 000 employees covered, and an extra 144 were covered under the old Act in 1972. Interestingly, the issues involve all the things that any simple person could do as easily as arranging for a bank loan. Employees have been able to calculate how they could get more flexible work time at weekends. It is very simple: they merely discuss penalty rates, sort out a different hourly rate and ascertain the answer. It has enabled better strategies to be discussed in order to overcome absenteeism. It is a very simple exercise. Family carer's leave has been considered: for the first time in Australia, family carer's leave is now endorsed in all enterprise agreements in South Australia. Finally, for the first time ever it is possible for the people concerned to obtain more flexible working hours.

The Turning Point training scheme has been a magnificent success in terms of enterprise bargaining. It has been a magnificent success, particularly when we bear in mind that the Deputy Leader, once a union leader, said that this could not happen in South Australia.

EDS (AUSTRALIA) PTY LTD

Mr FOLEY (Hart): Why did the Premier just tell the House that the Government would own the EDS building at Technology Park? The MFP Chief Executive has formally advised that its proposal to accommodate EDS involved a private financier, that the Government would not own the building and that 'at the end of the period the building would revert back to the MFP at no cost to the Government'. Today, before the Economic and Finance Committee, Dr Andrew Scott of the Premier's Department confirmed that the Government would not own any EDS building at Technology Park. Explain that, Dean.

The SPEAKER: Order! The Premier will resume his seat. The member for Hart has been warned. The Chair is absolutely sick and tired of members thinking that they can run roughshod over everyone else. Any further repeats and the member will be off the list. The honourable Premier.

The Hon. DEAN BROWN: For a very simple reason, indeed. The letter, addressed to the Economic and Finance Committee on 1 November 1996 and signed by Dr Scott, clearly indicates that—'ownership of the building—MFP site—Government'. It is as simple as that. I point out to the House that despite all the ramblings today by the member for Hart, he has not produced any evidence whatsoever which shows that there is not a substantial subsidy by the Government in the whole of the MFP development. The Government has already voted, as part of the Cabinet submission, to put $25 million into community infrastructure at the MFP site, over and above the purchase of the land which has cost the Government a substantial amount of money, where the Government has already carried out substantial infrastructure costs under previous budgets.

Therefore, as I understand it, Dr Scott has looked at all the proposals put together on the MFP site and, based on the figures given, has found that there is clearly, under full cost accounting, a subsidy. That subsidy can come from a number of areas: first, the fact that the Government has bought the land, which clearly has not been included in the MFP's costings; secondly, the fact that the Government has agreed to put $25 million into infrastructure on the MFP site; thirdly, the fact that the Government has already invested over $10 million in the site costs alone plus the additional purchase costs which are yet to be determined for the additional land at Technology Park.

Whether or not you like it, there is a massive Government subsidy in the MFP site, and that is exactly what Dr Scott has picked up in the letter to the Economic and Finance Committee. That is what occurs when you have full cost accounting—full accrual costs involved in looking at the difference between the MFP site and the North Terrace site. Clearly, at North Terrace there is no such subsidy at all: it is not owned by the Government and the Government is not putting additional money into the site.

RURAL TRAINING SCHEMES

Mr BUCKBY (Light): Will the Minister for Primary Industries outline what measures the Government is undertaking to help South Australian farmers improve their skill levels and access training programs?

The Hon. R.G. KERIN: Last week, I announced a new training scheme for the South Australian rural sector, which comes under the rural adjustment scheme. This will make available $750 000 during the remainder of this financial year, and that sum will be used to help farmers undertake training in skills development. Farming is becoming far more technical, and improved farming and business management is becoming vital to both individuals and the farming sector as a whole in retaining world competitiveness.

There are basically two schemes. The first is a group training scheme where we will put in up to 75 per cent of the money needed; and, secondly, there will be an individual support program of $500 to conduct appropriate training in areas involving managerial, technical or business skills. To assist in the quick uptake of the program, we have designed template courses to help groups decide their needs and the courses they require. Talks with the Farmers Federation and the Advisory Board of Agriculture on how to best implement programs under the scheme have been fruitful.

Through the Agricultural Bureau Movement, we also plan to target young farmers to help them develop business and leadership skills with a view to giving them confidence to take positions of leadership. That is one area in which we will see not only long-term benefits for farming in South Australia but also important skills provided for our future rural communities.

EDS (AUSTRALIA) PTY LTD

Mr FOLEY (Hart): Can the Minister for Industry, Manufacturing, Small Business and Regional Development confirm the MFP advice which was supplied to Dr Andrew Scott and the Premier's Office on the MFP's bid to accommodate EDS and which included a letter dated 5 July 1996 from the MFP to the EDS General Manager of Economic Development? Documents providing details of the MFP's bid to accommodate EDS at Technology Park, which make no mention of a rent subsidy and which make it clear that the Government does not own the building at Technology Park, were provided to Dr Andrew Scott. The Opposition has been advised that Dr Scott wrote to the MFP Chief Executive, Dr Lawrie Hammond, on 1 November confirming receipt of this information. This was five days prior to the Premier's telling the House that the MFP's bid involved substantial taxpayer subsidy.

The Hon. J.W. OLSEN: I think that the member for Hart has just answered his own question.

Members interjecting:

The SPEAKER: Order!

HIV-AIDS

Mr CONDOUS (Colton): Will the Minister for Health advise the House of State Government initiatives to contain the spread of HIV-AIDS?

The Hon. M.H. ARMITAGE: I thank the honourable member for his question about a particularly important matter—a timely question given that this is AIDS awareness week, a week specifically designed to acknowledge and remember those affected by HIV-AIDS and those people who care about them. Australia's response to HIV-AIDS heralded a new approach in public health and, rather than making pariahs of people with HIV through ostracism and isolation, those communities most affected by the disease have been consulted to assist the program and the development of strategies aimed very importantly at harm minimisation. Those communities have worked actively to protect the health of the whole community.

The approach has been successful thus far and, pleasingly, our rates of new infection have reduced dramatically since the fight began in the mid-1980s. This must be contrasted against the fact that in a number of other nations, including a number of highly developed nations such as the United States, the infection rates continue to rise compared with Australia's experience. Obviously heterosexual transmission occurs as well, due in part to Australians travelling overseas, and particularly to high prevalence countries.

Another concern is the real threat of epidemics breaking out in the indigenous communities. In mentioning this I acknowledge the thoroughness and excellence of the programs in South Australia with operations such as that run by the Nganampa Health Council, which I visited last week. To assist all communities address the threat posed by HIV-AIDS, a community based response is needed. Recent initiatives in the South Australian community include the following: the 'sex without regret' prevention campaign targeted at gay men; a new intermediate care facility to be opened shortly; an allocation of $285 000 from the Government over the next two years for a new positive living centre; and support for the development of a new primary care practice which will improve general practice and some specialist services for people living with HIV. This means that by the end of 1997 we will safely be able to say that our care services in South Australia lead the field in Australia. Australia is at the forefront in the world, so this is another area in which South Australia will be leading the world.

Finally, it was my pleasure on Monday in launching AIDS Awareness Week to launch the South Australian HIV-AIDS resource directory, which has been put together as a catalyst for all the initiatives I have mentioned so that people who provide care, and their clients, will have ready access to the full range of programs, services and supports available. In conclusion, HIV-AIDS remains a very important health challenge, one in which South Australia can claim considerable success but where new problems continue to test our response and our resolve. In acknowledging that we are more than prepared to accept the challenge and take up new approaches, I point out that we are also committed to improving the lot for people with HIV-AIDS and for their carers.

EDS (AUSTRALIA) PTY LTD

Mr FOLEY (Hart): Why has the Premier persisted in the House today in restating that the Government will own the EDS building at Technology Park when his office is aware that this is not true? As just confirmed by the Minister for Industry, Manufacturing, Small Business and Regional Development, Dr Andrew Scott of the Premier's Department was provided with information by the MFP that showed that the EDS building at Technology Park was privately financed and would not be owned by the Government and that no rent subsidies were involved in the project prior to the Premier's

statements to the House. Dr Hammond confirmed this to the Economic and Finance Committee as follows:

> During the period of this arrangement the EDS building would be owned by a private financier. At the end of the period the building would revert back to the MFP at no cost to the Government.

The Hon. DEAN BROWN: The member for Hart is really thick when it comes to understanding any finance whatsoever.

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I point out to the member for Hart that I was supplied with a copy of a letter of 1 November from Dr Scott to the Economic and Finance Committee, and it clearly states:

> Ownership of the building: Government.

Mr Foley interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: That is the basis on which I said it again today. I have a copy of the letter, and that is what the letter says. I come back to the whole argument that the member for Hart is trying to use this afternoon. He is trying to suggest that there is no subsidy by the Government in the MFP.

Mr Foley interjecting:

The Hon. DEAN BROWN: Yes, you are. You are trying to suggest that there is no subsidy by the Government in the MFP, when in fact the Government bought the land and is putting in the infrastructure costs, and it has allocated another $25 million to the MFP. Everybody understands and acknowledges the fact that the MFP is highly subsidised by the State Government. Because an argument put in a letter says that the EDS site on North Terrace does not involve that same level of subsidy, how can you then put the argument that the member for Hart is trying to put this afternoon? That is the whole basis of your argument.

Mr Foley interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: The member for Hart's argument is that there was no subsidy on the MFP site. I know that Dr Scott has received advice from the Housing Trust, which does all the industrial premises and, in preparing the Cabinet submission on the advice given, he believed clearly that the level of subsidy was somewhere between $4 million to $5 million, because that is what he put in the Cabinet submission to me, and that is what he put in the letter to the Economic and Finance Committee. Equally, I remind the member for Hart that the letter from EDS that was read to the House says that EDS is paying the full costs for the site on North Terrace.

Is the member for Hart trying to suggest that there is no subsidy by the Government whatsoever in respect of the MFP site? That is absolutely ridiculous. As to the cost accrual, the subsidy was worked out based on the Cabinet submission of $4 million to $5 million. Therefore, on one site you have an effective cost subsidy of $4 million to $5 million. Whether Dr Hammond likes to acknowledge it or not, the Government is putting money into the MFP. We have bought the land and we are putting money into infrastructure development. That is as plain as day. I highlight the point that the member for Hart has only to go back through the Auditor-General's Report and look at all the money put into the MFP site out at The Levels.

TOURISM TRAINING

Mr SCALZI (Hartley): Can the Minister for Employment, Training and Further Education give the House details of the program he launched yesterday which will see secondary school students more easily find a career in the tourism industry?

The Hon. R.B. SUCH: I thank the member for Hartley for his question, which is a productive one, unlike some of the questions we have been getting from across the Chamber. Yesterday, I launched Pathways into Tourism, a new program in secondary schools. It targets 16 secondary schools and colleges across the State whereby year 11 and year 12 students can start on their career in tourism while still at school. They will receive accreditation for the industry-linked training, and they will be able to continue on to further their studies. The program will target 450 students next year and be expanded in future. Further, 30 teachers have undergone in-service training to prepare them to coordinate and facilitate this program.

I commend all involved in the program—the Department for Education and Children's Services, the Catholic and Independent Schools systems, people from TAFE, the Senior Secondary Assessment Board of South Australia, the Australian Student Traineeship Foundation and Tourism Training SA—for the great work they have put into this program. The industry is worth approximately $2 billion a year to South Australia. It is an area that is growing rapidly. There is a lot of interest from young people seeking a tourism career in this State. It is interesting that, as a result of the program's development, Victoria now wants to copy it for implementation in 1998. This is another example of how we lead Australia.

The following schools are involved in the program: Adelaide High School, Balaklava High School, Banksia Park High School, Enfield High School, Fremont, Elizabeth City, Grant High School, Hamilton Secondary School, Jamestown High School, Kildare College, Loreto College, Marryatville High School, Morphett Vale High School, Ross Smith Secondary School, Victor Harbor High School, Willunga High School and Burra Community School. I urge other schools, particularly those in areas where there is intense tourist activity, to get involved in this program because we are keen to expand it into other areas and give more young South Australians work related opportunities at secondary school level.

MFP CHIEF EXECUTIVE

Mr FOLEY (Hart): Does the Premier believe that Dr Laurie Hammond, Chief Executive Officer of the MFP, who received the confidence of the Minister for Industry in this Parliament today, has misled the Economic and Finance Committee and, therefore, the Parliament in his answers to questions relating to the bid for the EDS building at Technology Park?

Members interjecting:

The SPEAKER: Order!

Mr FOLEY: In Dr Laurie Hammond's answer to my questions on the Economic and Finance Committee he said:

> The proposal from MFP Development Corporation to EDS did not contain a rent subsidy. The MFP Corporation has negotiated the last several months with major private financiers to construct the new building at Technology Park.

Dr Hammond went on to further state that the ownership of the building would remain with the private sector.

The Hon. DEAN BROWN: The member for Hart is not acknowledging the fact that the Government has bought the land and put the cost of the land in free of charge. Dr Hammond is talking about the marginal cost of erecting the building. Does the member for Hart acknowledge that the Government has bought the MFP land? Yes, we all know it has. Will he acknowledge that the Government has put in the infrastructure and is continuing to put in infrastructure at the MFP site? The answer is 'Yes' and, therefore, there is an indirect subsidy directly into the cost of providing the facilities, which includes both the land and the building. Dr Hammond is clearly talking about the actual cost—the marginal cost—of the building. In fact, if we put all the land and the infrastructure in, clearly there is a big subsidy by the Government, and no-one denies that. I am sure that the member for Hart is not trying to deny the fact that the Government owns the land and has put the money in.

Members interjecting:

The SPEAKER: Order! The Chair is on the point of calling on the business of the day—it is entirely in the hands of members of the House.

SAGRIC INTERNATIONAL

Mr ANDREW (Chaffey): As the technology transfer company SAGRIC International held its annual general meeting today, can the Minister for Industry, Manufacturing, Small Business and Regional Development report to the House on the success this organisation has had in the development of Asian contracts involving South Australian services and businesses?

The Hon. J.W. OLSEN: SAGRIC is a South Australian success story. Since its establishment some 20 years ago, SAGRIC has completed more than 600 international technology and service export contracts to more than 70 countries. They have delivered economic benefits to South Australia of some $350 million. Recently the Government approved the establishment of a marketing unit within SAGRIC to oversee the export of Government technology to Asia. Currently, 30 Government agencies in South Australia are involved in about 200 individual export initiatives, and that is reaping South Australia about $40 million a year.

The establishment of the unit follows a report prepared for the Government by GovernmentAsia, which indicated that there was much duplication of activity; in fact, at a suggested cost of some $3 million in this State. Clearly, greater efficiency and direction was needed, and the new unit will ensure that sound business cases are established before international commercial activities are pursued by respective agencies.

Part of the refocussing on SAGRIC—and this is an important point—has occurred because SAGRIC has discharged a number of liabilities in recent times. It has eliminated a $3.5 million Government guarantee. No longer does the Government guarantee the operations of SAGRIC: it has its own commercial financing arrangements in place. In addition to that, in the past 18 months or so we have eliminated some $18 million of potential liability associated with Innovation Management and MRad. Having achieved that very significant turnaround, SAGRIC has now made significant progress in contracts overseas. In Indonesia, for example, SAGRIC is involved in a $21 million project for AUSAID to provide the Torrens titling system, the aim being to increase the number of registered land parcels in Indonesia to 75 million. In Western Samoa, SAGRIC, in association with SA Treasury, has won a $6 million project to assist the Government with the operations of its Treasury in economic development models whilst maintaining social and environmental goals. In Thailand, SAGRIC now has a contract to manage $18.5 million for AUSAID to expand the number of science and engineering places in Thai universities.

In summary, SAGRIC, being refocused and restructured, is proving that exports do not have to be in a cargo hold: they can be technology proudly developed in South Australia by South Australians, and the benefit of SAGRIC is now coming home to this State.

RAIL SERVICES

Mr CLARKE (Deputy Leader of the Opposition): Will the Premier use the State Government's right of veto under the Railway Transfer Agreement to protect jobs and rail services that make a major contribution to the State's economy? Yesterday, the Minister for Transport revealed that the Victorian Government has a proposal to close the Overland and re-route the Indian Pacific through Melbourne. The Minister also said that, irrespective of that proposal, continuation of the Indian Pacific, Ghan and Overland services, as well as the operation of South Australian Grain Lines, cannot be guaranteed and all depend on the outcome of the Australian National privatisation process.

The Hon. J.W. OLSEN: As the Minister for Transport has said on a number of occasions—

Mr Clarke interjecting:

The SPEAKER: Order! For the second time the Deputy Leader of the Opposition is warned.

Mr Clarke interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: I represent the Minister for Transport in this place, and the Minister for Transport has the passage of this issue. That is why I have been asked to respond to this question. The simple fact is, as the Minister for Transport said over the weekend, that this State has a power of veto. We will be considering all factors and possibilities relating to Australian National. As I have advised the House previously, the Economic Development Authority has had an officer overseas looking at possible purchasers to ensure that we have a number of people who have the capacity to purchase the infrastructure and the operations, because this Government has a very significant goal in terms of the maintenance of as many jobs as we can as a result of the restructuring of Australian National, and of building economic development opportunities out of it so that we can create further jobs in this State. I can assure the House that the Minister for Transport is single-mindedly focused on those objectives and, at the end, there is a last resort—power of veto.

RECYCLED PRODUCTS

Mr ROSSI (Lee): Will the Minister for State Government Services provide the House with details of the Government campaign to increase the proportion of recycled products and environmentally friendly goods that it purchases?

The Hon. W.A. MATTHEW: This is a particularly important question to many members of Parliament and members of the community. It does not give me great joy to have to advise the House that the Government's purchase of

environmentally friendly products has remained constant for many years at a little under 3 per cent: despite best endeavours, that percentage has not increased. As a result, it has been necessary to embark on a new strategy to encourage Government agencies to purchase a greater proportion of environmentally friendly products. This strategy has the strong support of the Minister for the Environment and Natural Resources, indeed of all members of Government.

During the 1995-96 financial year, about $28 million worth of goods was purchased through my agency, Services SA. Of that, only $807 926 worth, or 2.89 per cent, was recycled or environmentally friendly products. An immediate focus has been placed on the Government's use of recycled paper for photocopier use, obviously with assurances being encouraged from suppliers of photocopier machines to allow this to occur. All agencies are to be encouraged to use recycled paper in their photocopier machines. In 1995-96 more than $3.6 million was spent on photocopy paper but, of this, only $132 575 was spent on recycled paper.

This was in part due to a number of misconceptions that have prevailed for many years. A survey of agencies has revealed that Government agencies—and many members of Parliament are included in this—believe that photocopiers are prone to jamming if recycled paper is used and that recycled paper is more expensive. Neither is true. Recycled paper now costs no more than ordinary paper for photocopier use and, further, a new contract presently being negotiated by Government for supply and maintenance of photocopiers will result in the successful contractor's not only guaranteeing his equipment safe for photocopier use with recycled paper but further encouraging and supporting such use.

Attention has also been given to a wide variety of other goods which the Government and all members of Parliament use and which can be bought as environmentally friendly or recycled products. In the near future I will be writing to every member of Parliament detailing those products which are available and which are environmentally friendly or recycled. I hope that even the member for Ross Smith, who does not seem to be too interested in the import of this issue, might take the trouble to read that list and ensure that his own electorate office, at the very least, takes the opportunity to buy recycled or environmentally friendly products.

WORKCOVER AGENTS

Mr CLARKE (Deputy Leader of the Opposition): What action will the Minister for Industrial Affairs take against those claims management agents of WorkCover who are found to have falsified any of their performance evaluation documents, and will he rule out any weakening of those standards because seven of the nine agents failed WorkCover's independent assessment of their performance?

The Opposition has a copy of a leaked document submitted by the Manager of the Self-Insured and Agent Services Department to the board of WorkCover on 15 November 1996 which states that, despite the fact that all nine claim management agents on a self-assessment basis claimed to meet WorkCover's performance evaluation standards, seven of the nine failed to meet those standards when independently evaluated by WorkCover, and that two agents are suspected of altering documents, including one who might have falsified documentation. In addition, the board was advised that one agent charged WorkCover $20 098 in respect of services that should have been covered by the agent's service fee rather than billed as an additional expense item.

The Hon. G.A. INGERSON: As the Deputy Leader is aware, I have said in the House on many occasions that, if there is any evidence of fraud or misuse, all he has to do is walk across the floor and give it to me. I would have thought that, if the importance of the document was so great, the member opposite would have given it to me.

Mr Clarke interjecting:

The SPEAKER: Order!

The Hon. G.A. INGERSON: If he happens to give it to me, I will get it fixed.

PARENTING SA

Mrs ROSENBERG (Kaurna): My question is directed to the Minister for Family and Community Services. What response and benefits have resulted from the Government's newly released Parenting SA campaign? Last month the Minister announced the positive parenting campaign, Parenting SA, in a bid to provide added assistance and support for South Australian parents. What success has been achieved by this campaign?

The Hon. D.C. WOTTON: I am very pleased to provide some information for the member for Kaurna and other members of the House on what has been a very successful program. In fact, I believe that Parenting SA has been one of the most successful and proactive Government prevention campaigns conducted so far in South Australia. The campaign brings together agencies across Government to help parents in a non-intrusive but supportive way in the various tasks of parenting.

In short, the Office for Families and Children has been overwhelmed by the response. For example, the relaunched Parent Help Line is now receiving an average of 1 705 calls per week from parents seeking advice, assistance and referral. Recent surveys show that most parents at some stage feel ill equipped in dealing with particular parenting issues, and the Parent Help Line is doing a great deal to help with communications. The demand for one million parent information guides has also been overwhelming, so much so that reprints will begin early in the new year.

One of the major features of this program has been the solid support from the community and the private sector in wanting to help and support our parents and this particular program. For example, Chem Mart chemists are taking delivery of 25 Parenting SA stands to distribute information sheets to parents. In addition, Westfield has also announced it will place Parenting SA in promotion stands in all its centres and will also pay for the reprinting costs of the major parent easy guides they use. That is a fantastic contribution to South Australian parents. As well, 150 applications for funding for community based groups who want to develop community based parenting programs have been received, and the outcome of these applications will be announced soon. Further, a new internet site containing parent easy guides and other parenting information will come on line in a matter of weeks as a further resource for practitioners, families, and the medical, teacher and community service professions.

The response to this campaign has come not only from within South Australia: the Northern Territory and Queensland Governments are now looking to use this campaign which they see as one of the best developed in the country, and overseas authorities have also taken note, with both the Commission for the Family in Dublin and similar organisations in the United Kingdom seeking information on this

program, which means that South Australia is well on track with prevention campaigns.

Finally, I make the point that, if I take members back to December 1993, this Government clearly identified that it would give priority to assisting families, particularly through prevention programs and helping in the development of life skills. Our policy recognises the key role that all parents and all families play as the basis of our society—a far cry, I might suggest, from the destructive and irresponsible policies of the previous Labor Government, whose period in power was marked—

Members interjecting:

The SPEAKER: Order! The Chair is on the verge of naming the Deputy Leader and the member for Elizabeth, who is continuing to interject. The honourable Minister.

The Hon. D.C. WOTTON: This is a far cry from the destructive and irresponsible policies of the previous Labor Government, whose period in power was marked by some of the most significant pressures placed on families in this State. Our efforts will help to ensure parents are treated with much more respect and recognition, certainly than they were under Labor.

INDUSTRY TRAINING ADVISORY BOARDS

Ms WHITE (Taylor): Does the Minister for Employment, Training and Further Education value the State's 16 industry training advisory boards enough to guarantee their current levels of operating funding and, if not, what effect will the Federal Government's planned funding cut to those bodies have on the quality of training in South Australia? A letter obtained by the Opposition dated 18 November 1996 and signed by the General Manager of the Australian National Training Authority advises ITABS of a 20 per cent cut to their funding.

The Hon. R.B. SUCH: I regard industry training advisory bodies as very important indeed. As a State Government, we currently contribute half of their funding. The Federal Government has indicated that it may cut funding to those bodies. That was a matter that came up recently at the Training Ministers meeting in Brisbane and concern was expressed not only by me but by other State and Territory Ministers.

At this stage, we have had no definite indication of a funding cut by the Commonwealth, but we will continue to press strongly for a continuation of Commonwealth funding, because the industry training advisory bodies are vital if we are to get the view of industry represented in terms of training. I would like to see those bodies strengthened, not weakened, so I will be doing all I can to ensure there is a continuation of funding.

ADELAIDE UNIVERSITY STUDENT HOUSING

Mrs HALL (Coles): Will the Minister for Housing, Urban Development and Local Government Relations please advise the House of the Government's involvement with an Adelaide University student housing development being set up in North Adelaide called Mattanya?

The Hon. E.S. ASHENDEN: A community housing development is being set up in North Adelaide to provide affordable housing for Aboriginal and Torres Strait Islander students attending the tertiary institutions here in Adelaide. The State Government has helped fund the housing initiative following the identification of a need for this sort of community housing by the University of Adelaide.

Members interjecting:

The Hon. E.S. ASHENDEN: I am sure that the Minister for Aboriginal Affairs would be only too happy to have such a facility within his electorate. The project involves transforming 2 Finniss Street houses into 18 single bedroom units for students of the University of Adelaide. The development is a joint initiative between the South Australian Community Housing Authority and the University of Adelaide and is expected to be completed in February 1997, which means it will be available for students attending the university in the academic year commencing in March next year.

A resident academic director will be appointed to Mattanya to oversee the development of this student accommodation and to create an environment for students which will allow them to learn and succeed to the best of their abilities. This development will provide an affordable home base for Aboriginal and Torres Strait Islander students who often have to move to Adelaide from far reaching outback communities. I am sure we would all agree that they, of all students—who often come from very different cultural backgrounds and from homes which are thousands of kilometres away—need this sort of support, and I am absolutely delighted to have been able to provide funding assistance to this program which will enable a number of students to undertake programs at the University of Adelaide in good conditions and with support. I am sure that, from this development, a number of students will turn out to be very successful graduates.

The Hon. M.H. Armitage interjecting:

The Hon. E.S. ASHENDEN: As the Minister for Aboriginal Affairs points out, they will undoubtedly be leaders in their community, and this initiative is one of which this State Government can be very proud indeed.

MINISTER'S REMARKS

Mr ATKINSON (Spence): I seek leave to make a personal explanation.

Leave granted.

Mr ATKINSON: Yesterday in the House, the Minister for Health attributed to me remarks that it was legal for pensioners to be garnisheed for the payment of fines. I made no such remarks. My remarks were that the verb 'to garnishee' was well established in our language and not technical, as the Minister claimed, and that deductions were already made from Social Security payments for some purposes, such as Housing Trust rents.

GRIEVANCE DEBATE

The SPEAKER: The proposal before the Chair is that the House note grievances.

Ms STEVENS (Elizabeth): Mr Speaker—

Members interjecting:

The SPEAKER: Order! The member for Elizabeth has the call and is entitled to be heard.

Ms STEVENS: In this grievance debate, I refer to an issue that has been raised with me on a number of occasions by older people in my electorate—

Members interjecting:

The SPEAKER: Order! Members will not converse in the centre of the Chamber and will allow the member for Elizabeth to proceed.

Ms STEVENS: Over a number of months pensioners who live in my electorate have come to see me and have raised with me an issue of concern to them relating to increases in Housing Trust rent which are not accommodated by increases in their pensions. A couple of weeks ago one constituent brought to me his record of payment over the past six months.

Mr Venning interjecting:

The SPEAKER: The member for Custance is out of order.

Ms STEVENS: I put this information on the record on my constituent's behalf. This resident, Mr David Cundell, brought this information to me.

Mr Andrew interjecting:

The SPEAKER: The member for Chaffey will come to order.

Ms STEVENS: He explained that on 18 May his rent was increased by 50¢ per week (or $1 per fortnight) and that on 21 September 1996 it was further increased by $1.80 per week (or $3.60 per fortnight). The total rent increase for Mr Cundell over that period was $2.30 per week (or $4.60 per fortnight). He pointed out that over that period his pension had increased by only $1.90 per week (or $3.80 per fortnight). As a result, Mr Cundell is 80¢ per fortnight worse off.

Older people are saying that if there is to be a cost of living adjustment to their pension the entire cost of living adjustment should not be swallowed up or exceeded by increases in their rent payments. Many pensioners are saying this, and I think that it is something that the community should not accept. I believe that this can be remedied by the Minister for Housing, Urban Development and Local Government Relations making sure that increases in Housing Trust rent do not swallow up and exceed increases in pension entitlements. My constituent wanted me to raise this matter, and I have done so. Many other constituents in my electorate in the same position have also raised this matter with me. This is just another difficulty being experienced by older people in our community.

As a result of Federal budget cuts, older people and particularly pensioners in our community have been hard hit. There have been cuts to the Commonwealth dental program; there is the requirement now for people to pay for home and community care programs; and there is the requirement in the August Federal budget for older people to pay for nursing home care. Despite protests from the community, from the Labor Opposition and from the minor Parties in the Federal Parliament, those budget Bills were passed in the Senate last week. Older people in our community across this country will now be feeling the full brunt of the Federal Government's budget.

When one combines these costs with the ongoing inequities to which I first referred—that is, the way that pension increases are swallowed up by Housing Trust rent increases—one can see how much older people, especially those who are not wealthy and who depend on pensions, are being negatively and unjustly affected.

The SPEAKER: The honourable member's time has expired. The member for Mitchell.

Mr CAUDELL (Mitchell): This afternoon I will address Labor's equivalent to a chook raffle. Like sideshow alley, every punter wins a prize—and in this competition the prize is an outfit from Myer. What is amazing is the level to which the Labor Party will stoop. It still has not learnt how to run a chook raffle since Lynn Arnold, prior to 1993, said that he could not run one.

This cannot be disguised as anything else but another attempt to bribe the constituents of South Australia to enter into a competition to provide information to the Australian Labor Party. It is nothing more than a cynical attempt by the Labor Party to build up its mailing list, because no-one will talk to it without a prize as an inducement.

Members interjecting:

The SPEAKER: Order!

Mr CAUDELL: It adds a new grey area to politics. I will outline some of the scenarios that will occur if one were to fill out the form to which I refer. I have it on good authority that for anyone who fills it out and gets the answers right the prize is automatic elevation to the Labor Party's front bench—and I understand that at this stage 11 prizes are up for grabs—plus a new outfit from Myer. With the $3 billion that the Labor Party lost on the State Bank it could have bought Myer; if it wanted it could have ended up on the board of Myer. It does not surprise me that it is offering the constituents of South Australia a new wardrobe from Myer if they fill out the form.

I have heard that by turning up at the 'Labor listens' campaign two people and a dog have a chance of being given a trip to Kangaroo Island. You would need a holiday after you have been with Mike Rann at the 'Labor listens' campaign! Also, I have it on good authority that the Labor Party has offered the constituents of South Australia a dinner for one with Mike Rann if they put up an election poster in their house—but if you say 'No' you get two tickets for dinner with Mike Rann!

Mr CLARKE: On a point of order, Mr Speaker, the honourable member is required, under Standing Orders, to refer to members of this House either by their title—in this case, the Leader of the Opposition—or by their electorate.

The SPEAKER: The Deputy Leader is correct. I would ask that the honourable member refer to members by their title or electorate.

Mr CAUDELL: Thank you, Mr Speaker: I take note of your ruling. As I said, it is dinner for one with the Leader of the Opposition if you put up an election poster and dinner for two if you say 'No'. The ultimate prize in the Labor Party's chook raffle, that of having Labor in Government, is a lifetime of debt. I understand that they are looking for a new host for the *Wheel of Fortune* and that Mike Rann, the Leader of the Opposition, will be auditioning for this position, because he is to draw the chook raffle at ALP headquarters. The Leader of the Opposition is looking for another job, and it is with Channel 7 for the *Wheel of Fortune*. Mr Speaker, I put it to you that Labor listens, Labor lies and Labor has lost out.

Mr CLARKE (Deputy Leader of the Opposition): In the grievance debate today I want to speak briefly about the issues I canvassed in my question to the Minister for Industrial Affairs dealing with the private claims management agents of WorkCover and, in particular, the memo submitted by a WorkCover employee to the board on 15 November 1996 concerning the performance evaluation of those agents.

I want to read some quotes from that memo, as follows:

> 3.3 The all-agent validation is almost concluded, and some results and issues have emerged:
>
> c. During the validation process, evidence has come to light suggesting that two agents may have altered documents on files. In one case, the alterations appear to have been made between the time the agent self-evaluated and the time the corporation evaluators validated the compliance certificate. In the other, it is suspected that the alterations were made either during or immediately before self-evaluation. The alterations appear to include:
>
> i. the addition of information to case management plans to achieve compliance in such a way as to represent the added material as original content.
>
> ii. the alteration of dates of plans and reviews in order to bring the plans into purported compliance.
>
> Suspicions about the latter agent have been reinforced by their own use of form identification numbers. One form, according to the identification code, was not released for use until June 1996, yet the date of the completed form has been altered to May.
>
> 3.4 The two agents suspected of altering documents had previously qualified for a performance payment. Of the two, one is likely to fail the validation in any case due to the poor quality of case management plans. The other may, on the overt evidence, have otherwise passed the validation, but the suspicion of falsified documentation, if confirmed, will naturally preclude that. The corporation's doubts about the validity of the latter agent's documentation have been reinforced by an evaluator's experience, wherein a senior member of the agent's staff was seen working on a purple sheet on a file suspected to be from the validation sample while the validation was being carried out. The agent's compliance-related documents are a distinctive purple colour. When approached, the agent staff member behaved in a defensive manner as if to try to prevent the evaluator from viewing the file.

The document later states:

> 3.6 In broader terms the corporation needs to address the issue of why the agents certified such high levels of compliance within measure 4.1 when the corporation's validation indicates that seven out of nine in fact failed. It is likely that the agents will seek to place blame with the corporation with allegations that the requirements were not clearly explained. The corporation has already moved to forestall such a move by seeking a legal opinion on the issue.

In relation to section 58B, dealing with costs, it continues:

> 3.9 Concurrent with the validation problems, corporation management has observed with growing concern the pattern of costs incurred and paid by one agent in connection with section 58B matters. The agent appears to have a commercial agreement with a company to provide advice and investigation services when section 58B issues arise in claims. Despite the fact that the initial action on section 58B is clearly a case management function which is intended to be covered by the agent's service fee, the agent has paid the cost of work by the company as claim costs using the rehabilitation external case management payment code.
>
> 3.10 System analysis has indicated that a total of $20 098 has been charged against the fund by the agent in respect of services provided by the company. This matter is being investigated in some detail and the board will be advised as to further action which, if wrongdoing can be established, may include the issuing of warning notices and possible recovery from the agent of the costs charged to the fund. Corporation management will seek legal advice on this issue before approaching the agent.

Quite clearly, these are very serious concerns, with the Government having privatised the claims management of WorkCover just over a year ago and already seven out of nine claims agents not being able to meet the performance evaluation test; only two can do so. Indeed, is it not amazing that on a self-assessment basis all nine agents gave themselves the big tick but when they were investigated by an independent evaluator seven out of nine failed the test? That raises serious concerns about the Government's policy of privatising whole slabs of the public sector. What guarantees do we, as a community, have that we will not be ripped off by unscrupulous private sector operators who are in the game only for profit rather than for community good?

Mr ROSSI (Lee): I would like to continue my contribution to the grievance debate from yesterday, when I alleged that the Labor Party was prepared to sell off the EWS Department and ETSA as one unit. Now, of course, it is opposing the selling off of Government assets which makes Labor's statements on this matter an hypocrisy. Members opposite do not want to remind the people of South Australia that they were the ones who tried to tie the noose around our necks and forced the State to embark on a program of debt reduction. Members opposite were the key players, instrumental in forcing South Australia's economic downfall. Their illustrious Leader was the Minister for Business: was that funny business or just plain bad business? Under his direction, business in South Australia suffered more than ever.

Mr Rann was indeed a high achiever with his portfolio, having managed to create an environment that would give us the highest number of small business bankruptcies ever. Mr Blevins was Deputy Premier and Treasurer: I wonder in which bank his money was at the time, because we know what happened to the State Bank.

Mr CLARKE: I rise on a point of order, Sir, and it relates to the imputation of improper motives on the part of members of Parliament and, in particular, the member for Lee's imputation that the member for Giles would have his money in some other bank.

The SPEAKER: Order! The Deputy Leader of the Opposition is correct; the honourable member must refer to members by their electorate or recognised title. I point out to the Deputy Leader that I am very pleased that he wants the Standing Orders rigorously applied, and I will rigorously apply them tomorrow in other areas.

Mr ROSSI: Likewise, my predecessor, Mr Kevin Hamilton, and Mr Holloway in another place were members of the Economic and Finance Committee, which was working behind the scenes to quietly sell out our State's assets. The member for Spence was on the Social Development Committee: now he is the shadow Attorney-General. Let us look at the social development program that Labor gave us whilst it was in Government. It gave us the right to waste our time and money on poker machines—a truly instrumental social development tool providing hopelessness and torment to South Australians. However, it did not end there. South Australia received more from Labor than merely the freedom and ability to shovel coins into slot machines. It delivered more unemployment, more homeless youth, more crime, more family break-ups and more poverty. Giving the member for Spence the Attorney-General's portfolio is like giving a child a tin of petrol and a box of matches. Given his previous achievements as a committee member, I dread to think of his law-making abilities.

Ms Lenehan, who was the Minister for Education under the previous Labor Government, produced what was probably the worst public education system this State has ever witnessed. School buildings were neglected and required

urgent refurbishment. Students were leaving school without the ability to spell, perform simple arithmetic or even read and write. That all occurred as a result of her efforts. Members opposite must be proud of these achievements. Thankfully my Government has turned the tide and delivered the ability for some students to record near world's best results for science and mathematics. That is what can happen with a decent policy and a firm Government.

I cannot, however, put the total blame on the Opposition for its mismanagement of the State. After all, you cannot expect someone who has never been successful in business to be able to balance a budget. As you know, Mr Speaker, every enterprise that the Labor Party or Labor members of Parliament have tried to implement has ended up in failure and near bankruptcy. To be fair, Labor's downfall was a national phenomenon because, as if through divine intervention, all Labor Governments across Australia, Federal and State, were exposed as being hopeless economic managers. There was the Pyramid Building Society in Victoria with Labor's Cain-Kirner initiators. Similar events occurred in Western Australia and at the national level. Labor put us behind the eight ball to the tune of $10 billion. Of course, not to be outdone, our State Labor Government had the State Bank to play with.

Mr FOLEY (Hart): I rise to follow up on my line of questioning today on the MFP and EDS proposals. It was interesting to hear the Premier's answers today because again he was all over the place. It is okay for members opposite, including the sycophantic Minister who can say what he likes, but the bottom line is—

The Hon. R.B. Such: You cannot understand simple things.

Mr FOLEY: I can understand Laurie Hammond's letter that made very clear that Dean Brown, the Premier of this State, and Dr Andrew Scott and others tell different stories about the level of EDS subsidies that were or were not being offered by the MFP. The bottom line of the story is that the Economic and Finance Committee, including the members for Unley and Light and the esteemed Presiding Member, the long serving member for Peake, met this morning. All members of the committee heard what I heard. In fact, the member for Unley was so enraged by the conflicting statements provided to the committee that he talked about criminal sanctions and other ways of obtaining the right information.

It is not just me as the member for Hart on this issue, because Laurie Hammond, the head of the MFP, the member for Unley and other members of the committee realised today—perhaps for the very first time—that the Premier's version of events over the whole EDS head office issue is at best difficult to understand and at worst nothing but shameful political manipulation so that he can have a crane on North Terrace—and his defence in so doing was to denigrate the MFP.

Let us be clear: the Premier has told this Parliament repeatedly that there were $4 million to $5 million worth of rent subsidies. Not Kevin Foley but Laurie Hammond said, 'No rent subsidies'. The Premier continually says that the Government will own the building. Even in Question Time today he said that the Government will own the building. The CEO of the MFP, Laurie Hammond, said in his letter:

> During the period of this arrangement the building will be owned by a private financier. At the end of the period the building would revert back to the MFP.

Yet again that is wrong. The Premier has insisted on issues to do with a whole range of what he considers to be subsidies, but Dr Laurie Hammond has knocked it on the head and said that that is simply not the case. Worse still, today Dr Scott told the committee that he based his letter—and therefore the Premier based his comments—on assumptions and not on fact because he had not seen the full MFP proposal. I thought that that was bad enough of itself, that one would simply make assumptions or a best guess on such an important issue and that the Premier would use that to belt the MFP over the head and isolate it on this issue. However, it developed into something worse than that later in the morning when I discovered that Dr Scott, the Premiers Department and officers were provided with a summary of the proposal that made it very clear that there were no rent subsidies and that the ownership of the building would be a privately financed venture. What is going on?

It is not good enough in this State when we are trying to get economic development and jobs that we have a Premier who continually bends the truth to suit his political advantage. I am prepared to stand up in this place and challenge him time and again to get the facts right because our State, my State, my kids future, all of our kids futures, the future of this State, are put in jeopardy because we have a Premier—

The Hon. R.B. SUCH: I rise on a point of order, Mr Acting Speaker. The member for Hart has accused the Premier of bending the truth. That is unparliamentary and he should withdraw it.

The ACTING SPEAKER (Mr Bass): Order! The remark was made some time ago. A point of order has to be taken at the time, so there is no point of order.

Mr FOLEY: I will continue to raise this issue, because it is about time we as a Parliament took a stand. Let us stop playing petty politics with our State's future. Members opposite should sort out their leadership wrangle. We must have a Premier and an Industry Minister who can work as one in this State for our State's future and not be continually divided.

The ACTING SPEAKER: Order! The honourable member's time has expired.

Mr ANDREW (Chaffey): Last week saw the official opening of the Monash adventure park in the Riverland by the Minister for Tourism (Hon. Graham Ingerson) in a formal ceremony which brought to an end almost four years closure of the Monash playground in the Riverland. At the time of its closure the Monash playground was well known and was a well patronised destination for tourists and the local community. The playground had a very interesting evolution. It began about 25 years ago with Grant Telfer, a local self-taught engineer who built private play equipment for local children. He and his engineering works continued to expand the range of activities, and the playground's reputation for adventure and thrills grew to such an enormous extent that it became a major tourist attraction for the Riverland and for South Australia.

However, the issue of liability for injury through public liability claims was of increasing concern to both the Telfer family and the Berri council. The ownership of the land and the assets was transferred to the Berri council. When the whole issue of availability of insurance cover could not be resolved, the playground was closed and fenced in November-December 1992. Naturally at that time there was considerable public pressure to resolve the issue and reopen the playground. In 1993, the then Leader of the Opposition,

now the Premier (Hon. Dean Brown), gave a commitment to reopen the playground. Subsequently, negotiations between the State Government and the District Council of Berri resulted in the State Government, through the SA Tourism Commission, providing $150 000 to re-establish Monash park.

Investigation of design possibilities led to contact with Malcolm Munro and Associates, the architects for the project. Once construction was underway, significant help was provided through a DEET JobSkills program whereby 20 people were employed for six months, and the total assistance through JobSkills amounted to about $260 000. RivSkills was commissioned to employ a further 20 people for job training and skills enhancement.

A new theme for the playground area was developed in two parts involving, first, a pleasure attraction for mixed ages, which included adventure play equipment, a waterway and an area for picnics and walking, mazes and other equipment. Secondly, it provided regional tourist information and an interpretive centre for the Riverland. This part of the project utilised a Commonwealth Department of Tourism grant of $110 000 obtained from the regional tourism development fund.

The re-establishment of the Monash adventure park and its on-going maintenance is the responsibility of the District Council of Berri and Barmera. It has been supported by many individuals and organisations, and in particular the council has recognised television stations RTS 5A and NSW 9 for their generous publicity and promotion of the park. The total cost of the new adventure park is in the order of $850 000 and, although it was open to the public in June this year, it was officially opened last week. Since then it is estimated that some 78 000 people have visited the park, which corresponds to something like 100 to 150 per week and up to 1 500 each day on a weekend.

The local community and previous visitors to the Riverland have been strongly attached to the Monash playground. Unfortunately, its redevelopment became necessary because of the reality of current litigation practices of which we are all too well aware. Most people understand the reality that because of the liability and litigation issues this new park could never maintain the same type of equipment on which adults and teenagers used to seek thrills and adrenalin rushes. Unfortunately, too often the park's challenges involved too many dares for individuals to outdo each other in terms of going faster and higher on the equipment, which undoubtedly contributed to an accident factor.

The Riverland community and I are thankful that State and Federal authorities were able to provide assistance for this worthwhile tourist project. We look forward to visitor numbers continuing to climb, reflecting the quality of the facilities now being delivered to the people of the Riverland and at Monash. I congratulate the District Council of Berri and the whole Riverland community for its support of this project.

INDUSTRIAL AND EMPLOYEE RELATIONS (TRANSITIONAL ARRANGEMENTS) AMENDMENT BILL

The Hon. G.A. INGERSON (Minister for Industrial Affairs) obtained leave and introduced a Bill for an Act to amend the Industrial and Employee Relations Act 1994. Read a first time.

The Hon. G.A. INGERSON: I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill proposes amendments to the *Industrial and Employee Relations Act 1994* to extend the transitional period for changes to arrangements for the registration of associations under the Act.

New arrangements for the registration of Industrial Associations under the Act were enacted with the *Industrial Conciliation and Arbitration (Commonwealth Provisions) Amendment Act (SA), 1991* and brought into operation on 1 January, 1993. The new scheme of registration was designed to operate in conjunction with the Commonwealth *Industrial Relations Act, 1998* and provides for associations to be able to register under both Acts without having dual legal personalities attached to the single association. The 1991 amendments to the Act provided a transitional period of four years for registered organisations to amend their rules to comply with the new arrangements. During this transitional period relevant associations are protected from deregistration proceedings as a result of their dual incorporation. The transitional period is due to end on 1 January, 1997.

The majority of associations registered under the Act have completed the necessary rule changes in order to make the transition to the new arrangements. Some associations however, have encountered circumstances beyond their control, which have delayed efforts to register rule changes to comply with the new arrangements.

Failure to complete the necessary rule changes before the end of the transitional period will result in these associations losing registration under the Act.

Whilst the Government might be entitled to be critical of those associations which have failed to make the necessary rule changes during the four year transitional period, it is considered that in some cases, the circumstances facing some of these associations warrants providing some compensation through an extension of the transitional period for one year.

The Government has consulted the United Trades and Labour Council of South Australian and the State Industrial Registry with regard to the circumstances confronting these associations and agreement has been reached to the effect that a twelve month extension of the transitional period would provide appropriate scope for these associations to address the matter.

The Government has also advised peak employer and employee bodies of its intention to further review the registration arrangements under the Act in line with changes in Commonwealth law in this area.

The Government will consult with peak employer and employee bodies regarding proposed changes to the Act as a consequence of amendments to the Commonwealth Act during the extension to the transitional period.

I commend this Bill to the house and seek leave to have the explanation of clauses inserted in Hansard without my reading it.

Clause 1: Short title

This Clause is formal.

Clause 2: Amendment of Schedule 1, section 16—Registered associations

This clause amends section 16(2) of Schedule 1. This is the provision that prevents any objection of the kind that was formerly prevented by section 55 of the *Industrial Conciliation and Arbitration (Commonwealth Provisions) Amendment Act 1991* from being taken to the registration of an association whose registration continues in effect under section 16(1). The period of this moratorium on objections is extended from 1 January 1997 to 1 January 1998.

The amendment also ensures that the transitional arrangements which were made in section 55(4) to (7) of the *Industrial Conciliation and Arbitration (Commonwealth Provisions) Amendment Act 1991* in relation to associations which would otherwise be liable to objections of kind recognised in *Mohr v Doyle* continue to operate with the necessary modifications.

Mr CLARKE secured the adjournment of the debate.

LIVESTOCK BILL

The Hon. R.G. KERIN (Minister for Primary Industries) obtained leave and introduced a Bill for an Act to regulate matters relating to livestock; to repeal the Apiaries Act 1931, the Branding of Pigs Act 1964, the Brands Act 1933, the Cattle Compensation Act 1939, the Deer Keepers Act 1987, the Foot and Mouth Disease Eradication Fund Act 1958, the Stock Act 1990 and the Swine Compensation Act 1936; and for other purposes. Read a first time.

The Hon. R.G. KERIN: I move:

That this Bill be now read a second time.

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

Leave granted.

The Livestock Bill, which is the culmination of 20 months joint effort by representatives of the State's livestock industries and Government, represents a major step forward in the regulation of the State's livestock industries. It supports opportunities for the livestock industries to position themselves as safe and wholesome providers of food to our local and export markets. The Bill is a result of this joint approach and is designed to meet the needs of livestock producers, processors and service sectors in the 1990's.

The major effect of this Bill is the consolidation of eight Acts into the one Act, to be called the *Livestock Act*. This step alone will significantly enhance the administration of livestock legislation, thereby enabling Government to focus public expenditures into activities beneficial to livestock industries.

The Bill incorporates support for a number of important national agreements, thereby ensuring that South Australia is in harmony with livestock legislation enacted, or to be enacted, elsewhere in Australia. In particular, these changes ensure that South Australia complies with national agreements on the control of and funding for exotic diseases and vendor liability.

This Bill contains effective controls in relation to contaminants (residues). Contaminants are becoming a major trade issue in livestock products and their control is essential if South Australia is to retain its reputation as a supplier of high quality and clean livestock products.

The Bill also provides Government with the ability to investigate and control any disease or contaminant that has the ability to affect the health of livestock or native or feral animals, or the marketability of livestock or livestock products. With the continuing emergence of serious new conditions in livestock, such as equine morbilivirus in Queensland last year, the ability of Government to quickly and effectively investigate, and if necessary control, a new potential threat to productivity of the State's livestock industries or marketability of livestock products is essential.

Fish health is incorporated into this Bill, which will ensure that the control of diseases and contaminants of this rapidly emerging sector continues to receive a high priority from Government. This is a step forward in ensuring the continued preservation of the productivity and market access for this important sector, especially aquaculture.

Under the Bill, each of the livestock sectors are offered the opportunity of establishing a livestock advisory group. These groups will advise the Government directly on a number of matters affecting the sector that they represent, including the establishment of a self-funding capacity, codes of practice and vendor warranties. Through this mechanism, the livestock industries have opportunity to actively contribute to the management of their own industry. This is in keeping with the Government's philosophy of fostering self-regulation.

The State's livestock industries are also offered the opportunity in the *Livestock Act* to undertake self-funding for areas they consider important to develop for the well-being of their industry. Due to the State's relatively small size in a number of mainstream livestock industries, it is important that the State's livestock industries are able to develop and position themselves within the global marketplace, to take advantage of any strategic advantages they may have. The provision of a self-funding capability to them will enable this to occur.

The *Livestock Act* will provide South Australia with additional controls over the feeding of livestock equivalent to those found anywhere else in Australia. The controls are designed to prevent, for example, an outbreak of mad cow disease.

The Bill contemplates vendor liability provisions being prescribed by regulation. This is an important step forward in risk management for livestock producers and processors. These provisions enable buyers of livestock and livestock products to determine risk of market or production limiting conditions before the sale is transacted, with the confidence of knowing that there is a ready remedy available to them if the product is found not to be in the condition described. This will place South Australia at the forefront as a supplier of safe livestock and livestock products.

Several benefit/cost analyses have been conducted during the preparation of this Bill. For each of these, the benefits to the community as a whole have been shown to substantially outweigh their associated costs. In applying this Act to particular diseases and contaminants consideration will be given to a number of parameters including risk and benefit/cost analyses. This will ensure maximum return to South Australia on expenditure for the control of diseases and contaminants. For example, the benefits to the community of imposing controls on virulent footrot in sheep within South Australia exceed the costs incurred by the community of doing so by a factor of 17:1. More extensive and exhaustive benefit cost analyses conducted in Victoria gave similar benefit/cost outcomes for legislation which is substantially the same as that contained in this Bill.

I commend the Bill to Honourable Members.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

Clause 3: Interpretation

This clause defines terms for the purposes of the Bill.

Clause 4: Interpretation—notifiable condition and exotic disease

The Minister may declare particular diseases and contaminants (called residues in the *Stock Act*) to be notifiable conditions for the purposes of the Bill. Special provisions apply in Part 4 Division 1 to notifiable conditions.

Clause 5: Interpretation—livestock etc. affected or suspected of being affected with a disease or contaminant

This clause assigns a meaning to the terminology used throughout the Bill about livestock or other property affected with a disease or contaminant. It also provides that the Minister may declare periods in respect of which livestock that have been exposed to affected livestock will themselves be suspected of being affected. The latter concept is similar to that of endangered stock under the *Stock Act*.

Clause 6: Interpretation—controlling or eradicating disease or contamination

This clause ensures that the concept of controlling or eradicating disease or contamination encompasses diagnosis, preventing the spread of disease, minimising risks etc. It is designed to overcome some of the difficulties associated with choosing terminology relevant to both disease and contamination.

Clause 7: Application of Act

This clause authorises Ministerial exemptions. It also ensures that civil remedies are unaffected by the provisions of the Bill.

PART 2

INDUSTRY INVOLVEMENT IN REGULATION

DIVISION 1—LIVESTOCK ADVISORY GROUPS

Clause 8: Establishment of livestock advisory groups

Livestock advisory groups may be formed for the various sectors of the industry to provide advice to the Minister. This is a new initiative designed to recognise the significant role that industry can play in determining relevant regulation and to foster communication between government and industry.

Clause 9: Functions of livestock advisory groups

Advice is to be given to the Minister about the operation of the Bill in relation to the sector of the industry. The Minister may seek advice about other issues related to the relevant sector of the industry.

Clause 10: Terms and conditions of membership and procedures

Appointments are to be made by the Minister and the Minister is to determine the terms and conditions of appointments.

Clause 11: Annual reports

Annual reports are required and are to be made available to industry.

DIVISION 2—INDUSTRY FUNDS

Clause 12: Establishment of funds

The Minister may establish a fund for a particular sector of the industry, on the recommendation of or after consultation with the relevant livestock advisory group. The provisions in this Division support self-funding schemes. The funds are designed to take the place of the funds maintained under the *Apiaries Act 1931*, the *Cattle*

Compensation Act 1939, the *Deer Keepers Act 1987* and the *Swine Compensation Act 1936*.

Clause 13: Contributions to funds

The regulations are to prescribe the methods of collecting or paying money into funds. Constitutional limitations will apply to the schemes established by regulation.

Clause 14: Application of funds

The regulations (or a trust deed incorporated or referred to in the regulations) will set out the purposes for which the funds may be applied. These may include compensation schemes, services such as the honey testing service or other benefits.

Clause 15: Audit of funds

The Auditor-General is to audit the funds at least once each year.

DIVISION 3—INDUSTRY CODES OF PRACTICE

Clause 16: Codes of practice

This clause contemplates the establishment of sector specific codes of practice by regulation. The relevant livestock advisory group is to be consulted with a view to ensuring that any regulation is relevant and advantageous to industry.

It is, for example, intended that various of the provisions in the *Apiaries Act* relating to the management of hives and bees will be included in a code of practice.

PART 3
REGISTRATION OF CERTAIN INDUSTRIES

This Part provides the framework for registration schemes for keeping livestock, artificial breeding and veterinary diagnostic laboratories. The schemes are to be supported by regulations. The resulting flexibility facilitates appropriate regulation of industry.

DIVISION 1—KEEPING LIVESTOCK

Clause 17: Requirement for registration to keep certain livestock

The regulations may prescribe classes of livestock in respect of which registration is required.

Under current legislation registration is required for keeping bees or deer (*Apiaries Act*, *Deer Keepers Act*). By enabling regulations to prescribe the classes of livestock, the matter can be kept under constant review and an appropriate response made to industry needs.

DIVISION 2—ARTIFICIAL BREEDING

Clause 18: Requirement for registration of artificial breeding centre

Registration is required for a business involving artificial breeding for livestock of a prescribed class. This is similar to the current requirement under regulations under the *Stock Act*.

Clause 19: Requirement for registration to perform artificial breeding procedure

Registration is required for the carrying out of an artificial breeding procedure. This does not apply to veterinarians. It is intended that the regulations will exempt owners of livestock from the requirement for registration authorising the carrying out of certain artificial breeding procedures on the livestock.

Registration is currently required under regulations under the *Stock Act* for all procedures in relation to specified classes of livestock.

DIVISION 3—VETERINARY DIAGNOSTIC LABORATORIES

Clause 20: Requirement for registration of veterinary diagnostic laboratory

This requirement for registration authorising operation of a veterinary diagnostic laboratory is similar to the current requirement under the *Stock Act*.

DIVISION 4—GENERAL

Clause 21: Eligibility for registration

This clause contemplates requirements for registration being spelt out in regulations.

Clause 22: Application for registration

This clause determines the process for applications.

Clause 23: Term of registration and renewal

The regulations are to specify the term of registration.

Clause 24: Conditions of registration

The regulations may impose conditions of registration, as may the Chief Inspector.

Clause 25: Periodic returns

The regulations may require registered persons to make periodic returns.

Clause 26: Suspension or cancellation of registration

The Chief Inspector is empowered to suspend or cancel registration if the person ceases to be eligible or commits an offence against the Bill.

PART 4
HEALTH OF LIVESTOCK

DIVISION 1—NOTIFIABLE CONDITIONS

The *Stock Act* applies to diseases and residues (contaminants) declared by the Minister by Gazette notice. The reporting requirements and the provisions empowering inspectors to issue orders or take action both relate to declared diseases and residues. To ensure that appropriate action may be taken many relatively minor conditions are declared and technically must be reported. The Bill limits the reporting requirements to the more serious conditions (declared as notifiable conditions under clause 4) while allowing action to be taken in relation to any disease or contaminant as necessary. This change is designed to facilitate owners and veterinarians distinguishing the conditions that are serious and to encourage compliance with the reporting requirement. Other serious offences are limited to notifiable conditions.

Clause 27: Requirement to report notifiable conditions

The owner or manager of livestock or livestock products is required to report notifiable conditions or a suspicion of a notifiable condition to an inspector. A veterinary surgeon or a livestock consultant is under a similar obligation.

This clause is similar to section 16 of the *Stock Act*, but extends the requirements to livestock consultants (stock agents or other persons who provide advice about livestock for fee or reward) and, as noted above, limits the reporting requirement to notifiable conditions.

Clause 28: Acts causing or likely to cause livestock to become affected with notifiable condition

This clause makes it a serious offence to do an act intending or being recklessly indifferent as to whether livestock become affected or further affected with a notifiable condition.

This clause is similar to section 13(2) of the *Stock Act*.

Clause 29: Bringing notifiable disease into State

This clause makes it an offence to bring a notifiable disease into the State without the approval of the Chief Inspector.

Clause 30: Movement of livestock or other property affected with notifiable condition

This clause makes it an offence to move livestock or livestock products affected with a notifiable condition into, out of or within the State.

The provision is similar to section 13 of the *Stock Act*.

Clause 31: Supply of livestock or livestock products affected with notifiable condition

This clause makes it an offence to sell or supply livestock or livestock products affected with a notifiable condition.

This provision is similar to current section 27 of the *Stock Act*.

Clause 32: Feeding of products that may cause livestock to become affected with notifiable condition

This clause makes it an offence to sell or supply livestock food that may cause livestock to become affected with a notifiable condition or to otherwise feed or facilitate the feeding of livestock with such food.

This provision is similar to section 28 of the *Stock Act*.

DIVISION 2—RESTRICTIONS ON ENTRY OF LIVESTOCK OR OTHER PROPERTY

Clause 33: Prohibition on entry of livestock or other property absolutely or without required health certificate, etc.

The Minister is empowered to prohibit the entry into the State or a specified area of livestock, livestock products or other property by notice in the Gazette for the purposes of controlling or eradicating disease or contamination. The measures can be preventative, *ie*, there is no need for any particular disease or contamination to be present.

The notice may require livestock or other property to be accompanied by a relevant health certificate.

The clause covers matters currently contained in sections 14 and 15 of the *Stock Act* and in the *Apiaries Act*.

DIVISION 3—INVESTIGATIONS

Clause 34: Investigation by inspector

Like section 17 of the *Stock Act* this clause authorises investigations by inspectors. The power is extended to investigation of the cause of death or of a condition affecting livestock.

Clause 35: Investigation by owner or occupier of land

This clause allows the owner or occupier of land to detain and examine stock found on the land and to recover costs if the stock are found to be affected with a disease or contaminant. It is similar to section 18 of the *Stock Act*.

DIVISION 4—CONTROL OR ERADICATION OF DISEASE OR CONTAMINATION

Clause 36: Guidelines for taking action under this Division

Action may be taken under this Division to control or eradicate any disease or contamination affecting livestock. There is no need to

prescribe the diseases or contaminations by Ministerial notice before action can be taken as is currently the case. This clause requires the Minister, Chief Inspector or inspector in taking action under the Division to have regard to the gravity of the consequences of the disease or contamination.

This clause also recognises the importance of the national strategies for exotic disease and allows other guidelines to be prepared in relation to other diseases and contaminations.

The provisions in this Division rationalise the provisions in Part 3 of the *Stock Act* and provide a flexible system providing a range of powers to assist in the effective and efficient control of an outbreak of disease or contamination.

Clause 37: Gazette notices

The Minister is empowered to impose restrictions by Gazette notice for a specified period for the purposes of controlling or eradicating disease or contamination. Schedule 1 sets out examples of the sorts of restrictions that may be imposed.

Section 25 of the *Stock Act* provided for proclamations covering similar matters in relation to exotic disease.

Clause 38: Individual orders

An inspector is empowered to impose restrictions by individual order for the purposes of controlling or eradicating disease or contamination if the inspector knows or has reason to suspect that livestock, livestock products or other property is affected or in danger of becoming affected with the disease or contaminant. The examples set out in Schedule 1 are also applicable to individual orders.

Compare sections 19 and 21 of the *Stock Act*.

Clause 39: Action on default

If a person refuses or fails to take action required under a notice or order, the inspector may take the action and the costs of doing so may be recovered.

Clause 40: Action in emergency situations

An inspector may taken urgent action for the purposes of controlling or eradicating disease or contamination without issuing an order or without the Minister having issued a notice. This is a new power to ensure a prompt response can be made where it is warranted.

Clause 41: Action where no person in charge and owner cannot be located

An inspector may also take action for the purposes of controlling or eradicating disease or contamination where the owner of livestock or other property cannot be found and there is apparently no person in charge of the livestock or other property. The costs of taking the action may be recovered from the owner of the livestock or other property. Compare section 20 of the *Stock Act*.

Clause 42: Exercising powers in relation to native or feral animals

Native or feral animals may be treated or destroyed if necessary for the purposes of controlling or eradicating disease or contamination. Before issuing an order in relation to native animals an inspector must seek the approval of the Chief Inspector. Powers may be exercised in relation to native animals despite the fact that they may be protected. Except in urgent circumstances the Minister for the Environment and Natural Resources must be consulted before powers are exercised in relation to native animals. Compare section 29 of the *Stock Act*.

Clause 43: Limitation on destruction or disposal of livestock or other property

The approval of the Chief Inspector must be obtained for the destruction or disposal of livestock, livestock products, livestock food or equipment or articles used in relation to livestock and destruction or disposal of other property must be authorised by warrant of a magistrate.

This is similar to section 23 of the *Stock Act* except that section 23 requires the warrant of a justice rather than a magistrate and that requirement extends to livestock food and equipment or articles used in relation to livestock.

Clause 44: Limitation on proceedings in case of exotic disease

Like section 26 of the *Stock Act* this clause prevents legal action that may delay a prompt response to exotic disease.

DIVISION 5—IMPLIED CONTRACTUAL TERMS AND CONDITIONS AS TO HEALTH OF LIVESTOCK

Clause 45: Implied contractual terms and conditions

This is a new initiative. It is contemplated that the regulations will establish terms and conditions for vendor declarations relating to the health of livestock, or the quality of livestock products or livestock food. The terms and conditions will determine the consequences that flow if the declaration is proved false in relation to some of the livestock, livestock products or livestock food. They will also set out qualifications for persons who may certify matters relevant to proving a declaration false.

The terms and conditions are to be implied into every contract. However, it will be up to the vendor to invoke the provisions by making the relevant declaration in individual cases.

The parties are to be free to vary or revoke the terms and conditions set out in the regulations.

DIVISION 6—MISCELLANEOUS

Clause 46: Feeding of animal products in certain circumstances

This clause prohibits feeding material from a placental mammal to livestock; feeding material from a ruminant to another ruminant; and feeding material that contains faeces (such as chicken litter) to livestock. This regulation is, in part, aimed at attempting to avoid problems such as mad cow disease.

A prohibition against swill feeding is currently contained in the regulations under the *Stock Act*.

PART 5

EXOTIC DISEASES ERADICATION FUND

This Part takes the place of the *Foot and Mouth Disease Eradication Fund Act 1958*. The provisions are consistent with an intergovernmental cost sharing agreement on exotic animal diseases.

Clause 47: Establishment of Fund

The Fund is to be kept as directed by the Treasurer and consists of money advanced under the cost sharing agreement or by the Treasurer.

Clause 48: Application of Fund

The Fund is to be applied to clean up operations and to compensation.

Clause 49: Claims for compensation from Fund

This clause sets out the amount of compensation payable in relation to livestock or other property destroyed in a program to control a declared exotic disease outbreak. In the case of livestock, this is the value of the livestock basically at the beginning of the outbreak or, if there has been an increase in the overall value of livestock owned by a particular claimant at the end of the outbreak, the value at that later date. The aim is to provide an amount of compensation that will allow the claimant to restock at the end of the outbreak.

In the case of property other than livestock, it is the value of the livestock at the time it is destroyed.

Clause 50: Procedure for making claim and determination of claim

Claims must be made within 90 days of the death or destruction of the livestock or other property. However, a top up claim may be made if the overall value of livestock owned by the claimant has increased at the end of the outbreak.

The Minister may refuse or reduce compensation if the claimant is convicted of an offence related to the outbreak.

The Chief Inspector is to assess the claim and inform the claimant of the amount determined.

Clause 51: Appeal against Chief Inspector's determination of claim

The claimant has 21 days to appeal to the Minister against the Chief Inspector's determination. The matter is to be determined by a panel (an industry member, a valuer and a departmental nominee).

PART 6

SPECIAL PROVISIONS RELATING TO BEES

Clause 52: Reservation of Kangaroo Island for pure Ligurian bees

This clause makes it an offence to keep in or bring into Kangaroo Island any bees other than Ligurian bees. This is similar to section 12 of the *Apiaries Act*.

Clause 53: Reservation of other areas for classes of bees by proclamation

This clause allows the Governor to reserve parts of the State for particular types of bees by proclamation. It is similar to section 13 of the *Apiaries Act*.

Clause 54: Prohibition against keeping bees in specified areas of State

This clause allows the Governor by proclamation to prohibit the keeping of bees in specified parts of the State to assist the dried fruits industry. It is similar to section 11 of the *Apiaries Act*.

PART 7

BRANDS

This Part takes the place of the *Brands Act* and the *Branding of Pigs Act*. The provisions are consolidated and simplified. All registrations are to be for limited terms with renewal, to assist in keeping the registers up to date.

Clause 55: Registers of brands

This clause requires the Chief Inspector to keep registers for brands for prescribed classes of livestock.

Clause 56: Applications

This clause sets out the procedure for applications for registration.

Clause 57: Refusal to register brand

This clause contemplates the regulations setting out requirements for registration of brands—for example, brands for sheep must reflect the requirements for the district in which the sheep are usually kept. A brand is also required to be unique.

Clause 58: Term of registration of brand and renewal

The regulations are to determine the term of registration.

Clause 59: Exclusive use of registered brand

This clause sets out the right of the registered owner to exclusive use of a brand.

Clause 60: Transfer of ownership of registered brand

Transfer is to be with the consent of the Chief Inspector to enable the Chief Inspector to be satisfied that the relevant requirements of the regulations are complied with in relation to the proposed new owner.

Clause 61: Cancellation of registration of brand

Provisions for cancellation are included to enable the register to be kept up to date.

Clause 62: Offence to use registered brand of another

This clause makes it an offence for a registered brand to be applied to livestock not belonging to the owner of the brand. It also makes it an offence to destroy or deface a registered brand mark.

PART 8
ADMINISTRATION AND ENFORCEMENT
DIVISION 1—ADMINISTRATION

Clause 63: Appointments

The Minister is to appoint a Chief Inspector, deputy Chief Inspectors and inspectors. The ability to appoint more than one deputy is new and is designed to facilitate exercise of the Chief Inspector's powers.

Clause 64: Identification of inspectors

An inspector is required to be issued with an identification card and to produce it for inspection at the request of a person in relation to whom the inspector intends to exercise powers under this or any other Act.

Clause 65: Analysts

This clause contemplates approval of analysts by the Chief Inspector for the purposes of the evidentiary provisions of the Bill.

Clause 66: Delegations

This clause enables the Minister or Chief Inspector to delegate powers or functions.

Clause 67: Immunity from personal liability

This clause is the standard provision providing immunity for acts in good faith to an inspector or other person engaged in the administration of enforcement of the Bill.

DIVISION 2—GENERAL POWERS OF INSPECTORS

Clause 68: General powers of inspectors

This clause provides inspectors with powers to search and request information and to seize evidence etc.

Clause 69: Provisions relating to seizure

This clause determines what is to happen to seized property. It recognises that property may need to be disinfected or even destroyed for the purposes of the control or eradication of disease or contamination.

Clause 70: Offence to hinder, etc., inspectors

This clause is a standard provision making it an offence to hinder or obstruct an inspector etc.

Clause 71: Self-incrimination

The privilege against self-incrimination is not to apply. However, if a person objects on that ground, the answer or the fact of producing information cannot be used against the person except in proceedings relating to false or misleading statements.

DIVISION 3—COMPLIANCE NOTICES

Clause 72: Compliance notices

This is a new initiative to facilitate compliance with the requirements of the Bill, largely those set out in regulations. It enables an inspector to issue a notice to a person to secure compliance with the requirement. The notice can require the person to take action or to refrain from taking action.

PART 9
APPEALS

Clause 73: Appeals

An appeal to the Administrative and Disciplinary Division of the District Court is provided for decisions related to registration and compliance notices.

Clause 74: Operation and implementation of decisions subject to appeal

Decisions are to continue to have effect despite an appeal, unless the court orders otherwise.

PART 10
MISCELLANEOUS

Clause 75: False or misleading information

This is a standard provision making it an offence to provide false or misleading information under the Bill.

Clause 76: Statutory declarations

This clause allows the Chief Inspector to require information to be verified by statutory declaration.

Clause 77: Telephone warrants

This clause facilitates the obtaining of warrants by telephone in urgent circumstances. Warrants are required to break into premises or anything on premises or to destroy certain types of property.

Clause 78: General defence

This clause provides that it is a defence if the defendant proves that the offence was not committed intentionally and did not result from any failure on the part of the defendant to take reasonable care to avoid commission of the offence.

Clause 79: Vicarious liability

This clause provides that employers and principals are responsible for the acts of employees or agents in the course of the employment or agency.

Clause 80: Offences by bodies corporate

This is a standard provision providing that each director of a body corporate is guilty of an offence if the body corporate is guilty of an offence.

Clause 81: Continuing offence

This is a standard provision providing further penalties for continuing offences.

Clause 82: Prosecution period

Prosecutions are to be able to be commenced up to 5 years after the alleged offence to take account of biological factors. After 2 years the Minister's authorisation for the prosecution is required.

Clause 83: Recovery of technical costs associated with prosecutions

The court is required, at the request of the prosecutor, to make an order for the reasonable costs of analysis against a convicted offender.

Clause 84: Evidence

This clause provides evidentiary aids.

Clause 85: Service

This clause provides for the method of service of notices and orders under the Bill.

Clause 86: Incorporation of codes, standards or other documents

This clause authorises the incorporation of codes etc. as in force from time to time in regulations, notices, orders or codes of practice.

Clause 87: Gazette notices

This clause enables Gazette notices under the Bill to be varied or revoked and contemplates that it may be necessary for discretions to be granted in the notices (*eg* an inspector's approval may be necessary for movement of certain items in the strategy for control of an exotic disease).

Clause 88: Regulations

This clause expressly contemplates regulations about identification of livestock, vaccines and hormonal growth promotants and a new regulatory scheme for waybills for movement of livestock. It also contemplates regulations providing for transitional matters.

SCHEDULE 1

Requirements for control or eradication of disease or contamination

This schedule sets out examples of requirements that may be imposed by Gazette notice or individual order for the purposes of controlling or eradicating disease or contamination.

SCHEDULE 2

Repeal and transitional provisions

The Acts to be repealed are: *Apiaries Act 1931, Branding of Pigs Act 1964, Brands Act 1933, Cattle Compensation Act 1939, Deer Keepers Act 1987, Foot and Mouth Disease Eradication Fund Act 1958, Stock Act 1990, Swine Compensation Act 1936*.

Transitional provisions are included for the positions of the Chief Inspector and Deputy Chief Inspector. New appointments are to be made for inspectors. Arrangements are made for the continuation of orders, licences and registration of brands. Necessary notices and proclamations will be remade. The transitional provisions require the existing funds to be maintained pending payment into a corresponding fund or other application in accordance with the regulations.

Mr CLARKE secured the adjournment of the debate.

BULK HANDLING OF GRAIN (DIRECTORS) AMENDMENT BILL

The Hon. R.G. KERIN (Minister for Primary Industries) obtained leave and introduced a Bill for an Act to amend the Bulk Handling of Grain Act 1955. Read a first time.

The Hon. R.G. KERIN: I move:

That this Bill be now read a second time.

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

Leave granted.

The *Bulk Handling of Grain Act 1955* was designed to meet strong imperatives for the substitution of an archaic system of bagged grain with a system of bulk handling. The measure was most appropriate to the conditions then in existence.

To strategically position itself for the changing economic and competitive environment now affecting the Australian grains industry, South Australian Cooperative Bulk Handling Limited (SACBH) wish to make a number of non contentious amendments to their Memorandum and Articles of Association. This Bill aims to accommodate those wishes.

The Bill would see the deletion of section 5 (Directors), 6 (Director's remuneration), and 7 (Disagreement between Directors) from the Act. The inclusion of these as amendments to SACBH's Articles of Association under the *Corporations Law* was approved at an Extra-ordinary General Meeting of the Company on 29 October 1996. That approval was prefaced by 14 meetings around the State seeking growers' permission to make such changes.

SACBH was originally established as an unlisted public company limited by guarantee and registered under the *Corporations Law*. It has no authorised or issued share capital.

Legal advice is that with deletion of the above sections from the Act the behaviour of directors would be guided by corporate law. The proposal is of no great significance from a Government view point.

For the longer term the government has scheduled a review in 1997-98 of the *Bulk Handling of Grain Act*, to meet the Government's obligations under the Competition Principles Agreement. The review will explore the need for an Act which in light of those principles, is highly contentious and will take some time to sort out. As a consequence, it has been agreed with industry to proceed with a bill to delete the less contentious sections of the Act, that is to say sections 5, 6 and 7.

In conclusion it is pointed out that passage of the bill holds no financial implications for the Government.

Explanation of Clauses

Clause 1 : Short title

Clause 2: Commencement

Clauses 1 and 2 are formal.

Clause 3: Repeal of ss. 5 to 7

Clause 3 repeals the sections in the principal Act that deal with Directors, their remuneration and disagreement between them. These matters will now be covered by the *Corporations Law*.

Mr CLARKE secured the adjournment of the debate.

DEVELOPMENT (PRIVATE CERTIFICATION) AMENDMENT BILL

The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations) obtained leave and introduced a Bill for an Act to amend the Development Act 1993 and to make a related amendment to the Statutes Repeal and Amendment (Development) Act 1993. Read a first time.

The Hon. E.S. ASHENDEN: I move:

That this Bill be now read a second time.

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

Leave granted.

The *Development Act 1993* which came into operation on 15 January 1994, introduced the framework for private certification in South Australia. The Development Act integrates the planning and building assessment systems. A number of consents, including a provisional building rules consent, are required before the relevant authority can issue a development approval.

The Act allows for an applicant to appoint a private certifier as an alternative to submitting an application to a Council to assess a development against the Building Rules. The private certifier then issues the provisional building rules consent, with or without conditions. In addition, private certifiers may carry out a number of associated functions such as assignment of a classification to a building, the modification of an application of the Building Rules and the issue of a schedule of essential safety provisions.

Private certifiers have only operated in South Australia since the end of April 1995. At this time an amendment to Regulation 93 of the Development Regulations removed a requirement for the private certifier's policy of professional indemnity insurance to have a 10 year run off cover after the completion of building work. The insurance industry had not been able to provide such a policy.

The Legislative Review Committee of Parliament, in reviewing the amendment to Regulation 93, took submissions from a number of interested parties. There was a strong perception in that evidence that the Development Act did not provide adequate consumer protection, where private certifiers were employed.

The *Development (Private Certification) Amendment Bill* addresses a number of issues identified by the Building Advisory Committee, a statutory committee which advises on the administration of the Development Act with respect to building matters. As a result of the concerns raised by the Legislative Review Committee, the Building Advisory Committee was requested to provide advice to the Government on consumer protection, liability and any other key issues relating to private certification of building work.

The Building Advisory Committee undertook an extensive review of the operation of private certification in its first six months, and consulted widely with local government and the construction industry. One of the guiding principles for the Committee was the need for a level playing field for relevant authorities, Councils or private certifiers, and a number of inequities in statutory powers and processes were noted.

In December 1995 the Building Advisory Committee submitted a report to the Government which made a number of recommendations in relation to private certification of building work that were considered to be essential to ensure that the current system will be more efficient, effective and equitable. These recommendations were circulated for industry comment and were widely supported.

A number of the Building Advisory Committee recommendations formed the basis of the amendments to the Development Regulations which were gazetted on 24 April 1996 and took effect from 1 May 1996. Following successful negotiations with the insurance industry, all private certifiers in South Australia are now required to be registered and to hold a policy of professional indemnity insurance which has a run off cover for 10 years after the completion of the certified building work.

The Development (Private Certification) Amendment Bill introduces amendments to the Development Act 1993 relating to private certification of building work which are necessary to clarify the legislation and to ensure that building rules assessment procedures are equitable and efficient, address consumer protection and limit the liability exposure of local government. The Bill further implements the Building Advisory Committee's report.

The Bill seeks to extend the powers of a private certifier to issue a Certificate of Occupancy, where he or she has issued the building rules consent, and will also allow an appeal against a decision of a private certifier. Most importantly the Bill seeks to provide indemnity against errors and omissions made by a private certifier, for councils when inspecting building work.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will come into operation by proclamation.

Clause 3: Amendment of s. 4—Definitions

The definition of "repealed Act" under the Act only refers to the *Planning Act 1982*. However, the provisions where this definition is used (section 84 and 85) should logically also be capable of application in cases involving the *Building Act 1991* and *City of Adelaide Development Control Act 1976*. The definition is therefore to be revised accordingly.

Clause 4: Amendment of s. 33—Matters against which a development must be assessed

It is intended to make it clear when a development can be taken to be "approved" for the purposes of the Act.

Clause 5: Amendment of s. 36—Special provisions relating to assessment against the Building Rules

This clause relates to three issues under section 36 of the Act. Firstly, it has been decided to revise (to an extent) the principles that will apply in respect of a proposed modification to the Building Rules. In particular, the substitution of paragraphs *(a)* to *(d)* of subsection (2) with a new paragraph is intended to provide that any modification for proposed building work is warranted having regard to the objects of the Development Plan or the performance requirements of the Building Code of Australia, and would achieve the objects of the Act as effectively, or more effectively than if the modification were not to occur.

Secondly, it has been decided to increase the protection from liability afforded to a relevant authority where a private certifier has given a certificate in respect of building work. This matter will be dealt with by amendments to section 89 of the Act. A consequential amendment is required in relation to section 36(5).

Thirdly, it is intended to require that if a modification is made to the Building Rules, then the relevant authority (which may include a private certifier) will be required to specify the modification, and the grounds on which the modification is made.

Clause 6: Insertion of s. 68A

New section 68A will enable private certifiers to assign classifications to buildings, and to grant certificates of occupancy (or temporary occupancy) under Division 4 Part 6 of the Act in respect of building work for which the private certifier has granted provisional building rules consent.

Clause 7: Amendment of s. 84—Enforcement notices

This amendment is connected with the revision of the definition of "repealed Act" to include the *Building Act 1971* and the *City of Adelaide Development Control Act 1976* so as to allow an enforcement notice to be issued in relation to a breach of either of those Acts (together with the *Planning Act 1982*).

Clause 8: Amendment of s. 85—Applications to the Court

This amendment will allow applications to be made to the Court to remedy or restrain breaches of any of the "repealed Acts" (consistent with the amendment to section 84).

Clause 9: Amendment of s. 89—Preliminary

It is intended to ensure that private certifiers are able to require additional information (similar to the powers of relevant authorities under section 39(1)*(b)* of the Act), and to ensure that a standard form of application is used to provide consistency across the scheme under the Act. Furthermore, it is proposed to provide greater protection to a relevant authority when a certificate is given by a private certifier under the Act. Accordingly, subsection (6) is to be revised to ensure that a relevant authority incurs no liability if it relies on the certificate of a private certifier, or acts (or decides not to act) in relation to a matter within the ambit of a certificate given by a private certifier.

Clause 10: Amendment of s. 93—Authority to be advised of certain matters

It is intended to delete the requirement under the Act that a private certifier must furnish a relevant authority with evidence of the taking out of a policy of insurance of a prescribed kind whenever the private certifier makes a decision in relation to a prescribed aspect of building work. The requirement for insurance that complies with prescribed standards has now been incorporated into the registration scheme for private certifiers under the regulations and so the requirement of section 93*(b)*(ii) is superfluous.

Clause 11: Revocation of s. 98

It is now proposed to have no restriction on rights of appeal against decisions of private certifiers under the Act.

Clause 12: Amendment of the Statutes Repeal and Amendment (Development) Act 1993

This is a technical amendment to ensure that private certifiers can act in the same manner as other relevant authorities under section 28 of the *Statutes Repeal and Amendment (Development) Act 1993*.

Ms HURLEY secured the adjournment of the debate.

DEVELOPMENT PLAN (CITY OF SALISBURY-MFP (THE LEVELS)) AMENDMENT BILL

The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations) obtained leave and introduced a Bill for an Act to amend the Development Plan under the Development Act 1993 that relates to the area of the City of Salisbury. Read a first time.

The Hon. E.S. ASHENDEN: I move:

That this Bill be now read a second time.

I wish to place on record my appreciation of the Opposition for the manner in which it has assisted the Government to ensure that the Bill proceeds rapidly through both Houses of Parliament.

Mr Quirke interjecting:

The Hon. E.S. ASHENDEN: Thank you. This is a very important matter and, if we were not able to deal with the Bill quickly, it would make it difficult for the Government to enter into contractual arrangements with the proposed developers of the MFP Smart City, in particular. This is a vital issue, and I again place on record my appreciation to the Opposition, particularly the member for Napier, who has assisted me in ensuring the rapid progress of the Bill. I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

This Bill will bring in to effect development control policies for the MFP Smart City project at the Levels by amending the City of Salisbury Development Plan.

Following the Government's recent decision to approve the Smart City project, it is critical that appropriate development control objectives and principles supportive of the proposed development are put in place. In particular, there is a need to give clear indications of policy, to provide certainty to proponents and the community, and to enable essential works to begin on site.

Given the importance of proceeding with the project to promote economic development, encourage information technology advantages, take a lead in energy efficient housing, and implement aspects of the Planning Strategy, it has been decided to provide for the appropriate development plan amendments by Act of Parliament. The effect of these amendments is to rezone the land to 'MFP mixed use', which will accommodate the Smart City project. The amendments will allow for development of a mix of 'smart' housing, commercial, open space and high technology industries.

It is acknowledged that the Bill replaces the public consultation processes for plan amendments established by the Development Act 1993. However, there has been substantial discussion about the project and there has been consultation in preparing the amendments, particularly with the Salisbury City Council. The development plan amendments provide for some broad principles of development control and an initial concept plan. Upon passage of this Bill, the development plan amendments will be brought into effect and the Act will effectively have no further purpose. It is intended that subsequent amendments will be made to the Development Plan through the usual procedures.

It is not intended that the Bill should set a precedent for other rezonings by the State government. It is only because of the extraordinary nature and scale of the proposed development that the government is undertaking this approach. It is intended that a more detailed plan amendment will be prepared under the *Development Act*, which will provide further refinement of the development control objectives and principles for the MFP The Levels area, and which will include policies which promote the leading edge of technology and energy efficiency. The Department of Housing and Urban Development, the City of Salisbury and MFP Australia have already met in order to ensure that a more detailed Plan Amendment Report is commenced early next year.

Finally, it has been agreed that it would be appropriate for the Development Assessment Commission to be the planning authority to assess development applications, and a regulation under the Development Act to this effect will be introduced shortly. It is also proposed to constitute a sub-committee of the Development Assessment Commission to undertake the relevant assessments.

I commend the Bill to the House.

Explanation of Clauses

Clause 1: Short title

This clause provides for the short title of the measure.

Clause 2: Commencement

The measure will come into operation on a day to be fixed by proclamation. This arrangement will allow the commencement of the Act to coincide with appropriate variation to the *Development*

Regulations 1993 to provide that the Development Assessment Authority is the relevant authority for the purposes of the assessment of developments within the relevant zone.

Clause 3: Interpretation

A reference in the measure to the Development Plan is a reference to the Development Plan under the *Development Act 1993* that relates to the area of the City of Salisbury.

Clause 4: Amendment of Development Plan

The Development Plan is to be amended in the manner set out in the schedule.

SCHEDULE

The schedule incorporates detailed amendments to the Development Plan.

Ms HURLEY secured the adjournment of the debate.

Mr MEIER: Mr Acting Speaker, I draw your attention to the state of the House.

A quorum having been formed:

INDUSTRIAL AND EMPLOYEE RELATIONS (TRANSITIONAL ARRANGEMENTS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 656.)

Mr CLARKE (Deputy Leader of the Opposition): This is one of those happy occasions on which I can advise that the Opposition fully concurs with the Government's Bill. As the Minister has pointed out in his second reading explanation, it is necessary that this amendment go through both Houses of Parliament before Parliament rises because there are about three registered trade unions in South Australia that, for a variety of reasons, have not yet been able to regularise their registration at Federal and State levels. If this legislation were not carried through by 31 December this year, those three organisations would be liable to have deregistration proceedings taken against them, and that was not the purpose of the original Bill.

I note that the Government has consulted the Trades and Labor Council and the State Industrial Registry with respect to the circumstances confronting the three unions involved. Those reasons are now well known to me and to the Opposition, and we agree with them. With those few words, we support the rapid passage of the legislation and will facilitate it in another place.

Bill read a second time and taken through its remaining stages.

DEVELOPMENT PLAN (CITY OF SALISBURY-MFP (THE LEVELS)) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

Ms HURLEY (Napier): As the Minister said, the Opposition has assisted in supporting this Bill. We are, in fact, reluctant to have any legislation at all that bypasses the public notification procedures, but the Government has been slow to act on the rezoning of the MFP area in which the Smart City is destined to be sited, and that means that we have had to have this rushed through in order, I understand, for contracts to be signed. I have been in contact with the Salisbury council, which has indicated that it has no opposition to this: indeed, the council agreed to it at a recent meeting.

I understand that the Salisbury council was actually ready to go with this sort of rezoning provision 18 months ago, but the Government did not take up the opportunity at that time. That raises questions about the Government's commitment to the MFP Smart City development. However, it has been approved now and the Opposition has been vocal in calling for a decision to be made about the MFP and the Smart City. Therefore, we are cooperating, facilitating the passage of this Bill, which rezones the area of the Smart City from light industrial to allow mixed development including the required residential development.

Mr QUIRKE (Playford): I always have a word about the MFP; it is one of those projects that always excites my interest, as members of this place know. I want to set down on record my best wishes for the project and to say that I hope everything goes well. I am not talking about the housing area but about the McDonald's that is being built next to it. That will be a sister McDonald's to the one in Para Hills. They are eagerly awaiting some houses being built around there, although I think most of their business will still come from the traffic that goes up and down Main North Road and from my four kids, who cannot get down there quickly enough. What is a McDonald's without houses around it? It is a Smart City: they are building their McDonald's first.

The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations): Again, I place on record my thanks to the Opposition for its assistance and support for this vital legislation to ensure that the Smart City and the MFP are able to proceed.

Bill read a second time and taken through its remaining stages.

GAS (APPLIANCES) AMENDMENT BILL

The Hon. E.S. ASHENDEN (Minister for Housing, Urban Development and Local Government Relations) obtained leave and introduced a Bill for an Act to amend the Gas Act 1988. Read a first time.

The Hon. E.S. ASHENDEN: I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill sets out proposed amendments to the *Gas Act 1988*. The amendments will enhance safety for consumers purchasing gas appliances and make provision for installation work to be done in accordance with appropriate standards.

I would first like to give some background leading to the amendments and then outline the proposed amendments.

In August 1995 the Australian and New Zealand Minerals and Energy Council (ANZMEC) supported proposals to implement common safety regulatory arrangements. The aim of the proposals was to enhance safety for Australian consumers purchasing household appliances with the intention that the necessary arrangements be in place by the end of 1996. The South Australian Government has agreed to give effect to this ANZMEC agreement, by ensuring that gas appliances using either LPG or natural gas are tested, approved and marked to meet the requirements of nationally recognised gas appliances standards.

This enhancement is consistent with legislation already in place for proclaimed electrical products under the *Electrical Products Act 1988*.

The Bill will ensure that no domestic gas products can be sold in South Australia unless they comply with appropriate product codes. Over many years the Australian Gas Association (AGA) and the Australian Liquefied Petroleum Gas Association (ALPGA) have developed industry codes which are accepted and supported by gas appliance manufacturers and gas fitters and distributors. Both the AGA and the ALPGA have developed testing, approval and marking procedures over many years and these are widely accepted by the gas industry. The legislation will recognise approval by these organisa-

tions and provides for approval by other bodies approved by the Minister.

The benefits of introducing common safety standards at the point of sale or hire are—

- It will prevent the sale of substandard gas products, particularly those that are imported and may not be suitable for Australian conditions.
- It will protect the consumer against the purchasing of substandard gas appliances which the gas fitter will refuse to connect to the gas supply system with subsequent economic loss to the consumer.
- It will establish common safety standards throughout Australia at the point of sale, which will assist manufacturers in design, manufacture and testing.

Further, to protect the general public, these amendments will ensure that the installation of gas appliances in consumers' premises is carried out according to the relevant standards and safe for users. The Bill therefore empowers the making of regulations to regulate the standard of gas fitting work and for certification of compliance. Preliminary discussions have been held with the Gas Company and the ALPGA and extensive consultation before regulations are made with respect to procedures for the certification of compliance.

Finally, the Bill makes provision to enable authorised persons under the *Gas Act* to take necessary action to examine gas appliances and installations to ensure safety is maintained and to take immediate and appropriate corrective action if an unsafe situation occurs.

In summary, this Bill proposes to ensure that:

- gas appliances purchased or hired out by consumers meet national safety standards;
- gas fitting work carried out in consumers premises is in accordance with national safety standards and safe for use; and
- authorised persons can act to maintain safety, particularly in an emergency.

I commend this Bill to the Honourable Members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

Clause 3: Amendment of long title

The Bill extends the scope of the Act to safety and technical standards for gas appliances and installations (whether or not associated with a gas reticulation system) and the amendment reflects this in the long title.

Clause 4: Insertion of Part 4 GAS APPLIANCES AND INSTALLATIONS

This clause inserts a new Part providing for approval and labelling of gas appliances and regulations governing the carrying out of certain gas fitting work.

New section 21 establishes a scheme under which gas appliances of a class declared by the Minister must be approved by a body declared by the Minister (or by the Minister) and labelled to indicate that approval.

New section 22 contemplates regulations stipulating safety and technical standards for gas fitting work on fixed gas appliances, pipes and associated equipment and providing for certificates of compliance or notification of work.

New section 23 is a complementary provision providing enforcement powers in relation to the new Part.

Clause 5: Amendment of s. 34—Regulations

The amendment enables the regulations to incorporate or operate by reference to a specified code or standard as in force from time to time.

Mr QUIRKE secured the adjournment of the debate.

POLICE (COMPLAINTS AND DISCIPLINARY PROCEEDINGS) (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 November. Page 548.)

Mr QUIRKE (Playford): This Bill has had an interesting gestation. In fact, it is relatively inert. It has brought up to date the Police Complaints Authority legislation. I note that it has now been approximately 11 or 12 years since that Act was passed by the Parliament. I use the word 'inert' because initially it was to be a backdoor way of lowering the onus of proof on police officers who are charged with various disciplinary infractions. In fact, the Opposition is now satisfied that agreement has been reached between the Minister and various organisations such as the Police Association, and now we see before us a Bill which satisfies their concerns.

We have been waiting for some time for the Police Act to come before this place. In fact, one of the key issues in that was the question of the lowering of the level of proof for police officers charged with various disciplinary matters. That is a controversial issue, but there are doubts about the integrity of many police officers in New South Wales; there is an ongoing problem in Victoria; Queensland just happens to have a few problems; and I understand that there are some hassles in Western Australia as well. That may well be an issue for other States, but it is pleasing to see that there is no requirement to lower that threshold in South Australia.

The introduction of this Bill and the way it was to be dealt with in the other Chamber obviously meant there was a backdoor way in which the onus of proof could be lowered. I am pleased to note that, if that debate is to be held, it is to be part of the Police Act and not part of something that is brought through the Legislative Council. I do not wish to take more time of the House except to say that the Opposition supports the legislation. I have about 20 questions that I want to ask the acting Minister at the table, but I cannot think of any just now.

Mr BASS (Florey): I support this legislation but only after there has been some sensible dialogue with the Police Association and some appropriate amendments and changes by the Minister. As a policeman with 33 years experience, I can speak with some authority. The Police Complaints Authority was formed in 1985 after a great deal of toing-and-froing between Governments and the Police Department. It had very strong opposition from the Police Association. I was one of those members who disagreed with the establishment of the Police Complaints Authority.

Over the years, it has proved its worth, because there is always an accusation against the Police Department that, whenever someone complains about the conduct or actions of a police officer, they say that Caesar is judging Caesar. They throw accusations against the commissioned officers, from the Commissioner down, that they are covering up wrongdoings by their police officers. During my entire career—and I might say I have been the subject of quite a few allegations over the years—I have never found a commissioned officer who would actually cover up the wrongdoings of a police officer, whether it be his or her officer on the beat, in a patrol car or part of a team. Any complaints made against a police officer were always investigated by their sergeant, their commissioned officer and, as I say, in my career there was never an attempt to cover up any allegations.

A police force—and it is not just the South Australian Police Force but police forces throughout Australia—is probably one of the most over-regulated and over-checked organisations in the whole world. If a police officer does overstep the mark or commits an offence, whether it be a matter of language to a speeding driver or an allegation of undue force against a person whom that officer has arrested, the action can be checked and over-viewed approximately eight or nine times. If a complaint is made to the Police Department, the Commissioner or his commissioned officers can investigate it.

The Internal Investigation Branch and the Anti-Corruption Branch of the Police Department investigate complaints. The commissioned officer in charge of that officer's area can investigate complaints. The sergeant in charge can investigate complaints. We have the National Crime Authority (NCA)—and I am no lover of the National Crime Authority; I think it is one of the most incompetent bodies put together in Australia—which has the power in certain circumstances to oversee or instigate investigations into police. And, since 1985, we have had the Police Complaints Authority.

Police have been happy with the role that the PCA has played since 1985, and it has given credibility to investigations: the PCA looks at the investigation carried out by the Anti-Corruption Branch or the Internal Investigation Branch, and is satisfied that the investigation was carried out correctly, the witnesses were investigated and spoken to, the investigating officer has looked at all the facts surrounding the allegations and has then put a recommendation to the Commissioner that either there is insufficient evidence to support the allegation or that the allegation is proved in the opinion of the investigating officer and the member should be charged.

An independent body, such as the Police Complaints Authority, which is constituted not by a police officer but usually by a lawyer or someone with an industrial background, provides an independent check to ensure that the police have done their job and there is no internal cover-up. The other areas of change, namely, the categorisation of offences, the expungement provisions and time limitations, are long overdue. I like the idea of having different standards of offence.

One should consider the situation of a police officer after a high speed chase, after he or she has risked their life and finally caught an offender, that chase also having jeopardised the lives of South Australian citizens. I have been in that position. If you hurtle down the Mount Barker Road on a motor cycle at 130 kilometres an hour and finally catch the offender, the adrenalin is really going. Police officers must remember—and most do—that they are police officers: they get the offender and take some deep breaths before questioning them.

Some offences are petty. I have seen police officers in the heat of the moment swear at a speeding motorist after they have risked their life—and, yes, it should not happen, but it does. No-one in this Parliament can know what it feels like after you have been involved in a high speed chase, having risked your life to apprehend someone—and this not only occurs with high speed chases. I have seen police officers die from gunshot wounds. It is only by the grace of God that I am still alive. At the Arkaba Hotel in 1978, if the aim had been one inch to the left, I would not be the member for Florey but would be feeding the worms at Centennial Park.

In the heat of the moment a police officer has to retain his or her cool and treat offenders as the law provides. If an offence occurs in the heat of the moment, that should be able to be dealt with at a lower category. Over the years I have seen offences which I believe should have been treated as offences in a lower category and which have caused an officer to lose thousands of dollars. A police officer can be charged with a minor offence, be found guilty or plead guilty, and the Commissioner has the power to demote that person in rank, say, from a sergeant to a senior constable. One could say, 'So, they have lost one stripe off their arm; how bad is that?'

If one looks at the difference in wage between a senior constable and a sergeant and the length of time it takes a senior constable to again become a sergeant, one sees that the punishment amounts to between $50 000 and $60 000 over two or three years—all for swearing at a motorist. One does not get that sort of fine for defrauding the State Bank! Some offences in the Police Department are very minor and must be treated as such.

The member for Playford raised the matter of the onus of proof. I am glad to see that the lowering of the onus of proof, in terms of changing 'beyond reasonable doubt' to 'on the balance of probabilities', has been dropped, proof in such matters to remain at the higher level of 'beyond reasonable doubt'. I have heard the argument that South Australia is the only State that does not have a provision stipulating 'on the balance of probabilities', but when the other States had such a provision what good did it do them? Over the years, various allegations have been made in Queensland, New South Wales and Victoria, but South Australia, over the past three decades, has had a relatively good record. Some police officers have yielded to temptation but they have been dealt with very swiftly by the South Australian Police Department (and I will not name those officers who have disgraced the Police Force because they have been dealt with).

I believe that we must always treat our police as first-class citizens. If they are to be charged they deserve consideration in that the charge must be proven beyond reasonable doubt. I am pleased to support this legislation. If there were an attempt to lower the onus of proof I would give this Government one of the greatest fights it has ever had. I support the Bill and commend it to the House.

Bill read a second time and taken through its remaining stages.

ADJOURNMENT DEBATE

The Hon. G.A. INGERSON (Minister for Tourism): I move:

That the House do now adjourn.

Mr ATKINSON (Spence): In July this year Mr Corey Krawtschenko was convicted of unlawful sexual intercourse and gross indecency after admitting that he had had sexual intercourse with a five-year-old girl. His crime was discovered when his mother found a videotape that Mr Krawtschenko had made of the act. The case was heard in the District Court. Mr Krawtschenko pleaded guilty and Judge Brebner sentenced him to two years and three months gaol, with a non-parole period of 18 months.

Both the family of the victim and the public believed that the sentence was manifestly inadequate. Section 9 of the Director of Public Prosecutions Act provides:

(1) Subject to this section, the Director is entirely independent of direction or control by the Crown or any Minister or officer of the Crown.

(2) The Attorney-General may, after consultation with the Director, give directions and guidelines to the Director in relation to the carrying out of his or her functions.

(3) Directions and guidelines under this section must, as soon as practicable after they have been given, be published in the *Gazette* and must, within six sitting days after they have been given, be laid before each House of Parliament.

(4) Subsection (3) need not be complied with in relation to directions or guidelines under this section relating to individual matters if, in the opinion of the Attorney-General, disclosure may be prejudicial to an investigation or prosecution.

The thing to note about that section is that it gives the Attorney-General authority to issue directions to the DPP and

subsection (4) makes it clear that these directions may be about individual cases, such as Mr Krawtschenko's case.

This is not what the current Attorney-General wanted when he was shadow Attorney-General. When the Director of Public Prosecutions Bill was debated in the Council on 10 October 1991, the Hon. Trevor Griffin sought to amend it so that the Attorney's directions to the DPP could only be general, not specific. His amendment failed. The then Attorney-General (Hon. C.J. Sumner), when introducing the Bill, said:

> Such directions may be in general terms or relate to particular cases.

During the Committee stage, the then shadow Attorney-General (Hon. Trevor Griffin) said:

> I lost the earlier point about the Attorney-General not being able to give specific direction to the DPP.

Returning now to this year, within days of the sentencing of prisoner Krawtschenko I wrote to the Attorney-General to ask him to order an appeal of the sentence should the Director of Public Prosecutions decline to appeal. On 23 July, during Question Time in the House of Assembly, I asked the Premier:

> Will the Government, through the Attorney-General, use its authority under section 9 of the Director of Public Prosecutions Act to appeal the sentence imposed last week on Mr Corey Krawtschenko on the grounds of its manifest inadequacy?

The Deputy Premier answered the question, and the short answer was 'No', the Government would not appeal the sentence if the DPP decided not to appeal. On the same day, the Hon. Dr Bernice Pfitzner asked the Attorney-General a question about the Krawtschenko case which referred to my criticism of his approach to the case and proceeded thus:

> Does the Attorney-General plan to take the advice of the shadow Attorney-General and intervene on this matter and, if not, why not?

As things turned out, the DPP did appeal the sentence and the court increased the sentence to 4½ years gaol with a non-parole period of three years. Last week, when I was talking to Bob Francis on Radio 5AA's *Nightline* program, the Krawtschenko case was raised. I congratulated the DPP on its successful appeal. I said that it showed that the criminal justice system worked. I mentioned that I had raised the matter in Parliament and with the Attorney-General, and expressed the opinion that the Government through the Attorney-General should have supported an appeal earlier. I stand by that opinion.

Yesterday, in another place, the Hon. J.C. Irwin said that a transcript of the Bob Francis *Nightline* program had been 'drawn to my attention'. It would have to be drawn to the attention of the Hon. J.C. Irwin, because he regards himself as too high in social stature to listen to what the people of South Australia are saying on an evening talkback program. The transcript was provided to him at taxpayers' expense by the Attorney-General—and I have a question coming on notice about just how much of taxpayers' money this Attorney-General spends monitoring my remarks—and only my remarks—on evening talkback radio. The figure will be interesting when it comes out. The Hon. J.C. Irwin then quoted from the transcript and asked the Attorney-General:

> Did the Attorney-General choose not to appeal the case or are we merely hearing the ramblings of someone who professes to be well acquainted with the law but, in fact, has never practised the law? What is the current status in relation to lodging appeals against sentences and does the Attorney-General have any power to intervene?

The Hon. J.C. Irwin's snobbery about my not having practised law after completing my law degree is insulting not just to me—as it was intended to be—but also to the many Attorneys-General and Justice Ministers in Liberal and Coalition Governments who have not practised law.

The Attorney-General then told the other place that I had been misleading and blatantly dishonest in suggesting that I had asked him questions about the Krawtschenko case. As the record shows, I wrote to the Attorney-General about the case. I asked the Government a question without notice in the House about the matter, and the Hon. Dr Bernice Pfitzner put my suggestions to the Attorney-General, sourcing them to me, in a question without notice on the same day.

I do not care whether members of the Government ask my questions of the Attorney-General in another place, but the plain fact is that I cannot ask the Attorney-General a question without notice, because I am a member of this place and not the other place. I cannot be a member of both simultaneously. The best I can do is write to him and ask questions of the Minister representing him in this place, both of which I did in relation to this matter. I did not mislead Radio 5AA's *Nightline* listeners about my pursuit of these issues with the Attorney-General. The Attorney-General then turned to section 9 of the Director of Public Prosecutions Act and said:

> I think the people of South Australia ought to be very concerned, indeed, that the State's shadow Attorney-General has little or no understanding of the law in this area. . . The Attorney-General in South Australia does not—I repeat does not—have the power to intervene in any case to determine whether there should be an appeal.

Later, the Attorney-General qualified this when he said of his authority to direct the DPP:

> The Attorney-General can only do so generally if it is in writing and published in the *Government Gazette*.

One does not need to have been educated at Scotch College or St Peters College to read section 9 of the Director of Public Prosecutions Act and understand it. I was in Parliament when it was passed. It had been discussed in the Attorney-General's subcommittee of the parliamentary Labor Party. The then Attorney-General (Hon. C.J. Sumner) had no intention of ditching completely and forever his authority to appeal manifestly inadequate sentences. If one reads section 9 carefully one will notice that he did not ditch that power at all.

The current Attorney-General has explained the Act to the Council, not as it is but as he would like it to be for the purposes of escaping political responsibility for the conduct of the Krawtschenko case. The laws of this State do not change merely because the Hon. Trevor Griffin becomes Attorney-General. The laws of this State change only when a Bill is passed. There has been no relevant change to the Director of Public Prosecutions Act. Nothing I have said about the meaning of that Act or the process of the Krawtschenko case is wrong or misleading. I am owed an apology by the Attorney-General or, at the very least, the Attorney-General ought to have the decency and the guts to make a fuller and more honest explanation of the Act to Parliament. The fact is that the Attorney-General of this State has misled the other place on an Act of this Parliament.

Mr MEIER (Goyder): I was very pleased to have some good news announced to my electorate over the weekend. Innes National Park, the national park outside the metropolitan area which is most visited, is to receive a $2 million upgrade. I thank publicly the Minister for the Environment and Natural Resources, the Hon. David Wotton, for having recognised the importance of Innes National Park and for having made this money available.

Those members who have been there would appreciate that Innes National Park has some phenomenal features. In

fact, its coastal features would rate with the best in the world. Many years ago, I used to take matriculation students into that national park to study coastal land forms, and I found that virtually every coastal land form, other than stacks, was available for people to see and study in the national park. For members who do not know, a stack is epitomised by the so-called 12 apostles off the Victorian coast. As well as that, there are many other natural and historical features of past grandeur, including the township of Innes and also Stenhouse Bay, which date back to the early days of the mining era of that area.

The $2 million upgrade includes a new eco-awareness centre, which I think will be the real focus for people entering the park. It will provide many facilities that currently are not available. I must acknowledge that it is to be funded jointly by the State Government (from admission fees paid by park users) and the Commonwealth Government through a $171 000 ecotourism grant.

It is pleasing to recognise that it is a combined approach to ensure that these facilities are available. It will feature natural lighting, cross ventilation, solar heating, an evaporative cooling tower, waste water treatment, water collection and the use of recycled building material. Since it is in a national park, it is important that those things are acknowledged. The building will include an interpretive display. I have been to Innes National Park often over many years, so I am aware that an interpretive display is very much needed because there are so many things that a person from outside the area would not fully understand. There will also be a conference auditorium, which has been lacking for many years. I have attended seminars and open days there and, although the local hall certainly serves its purpose, a proper conference auditorium means that we will be able to tap into a wide variety of people who may wish to use these facilities. A district office and administrative area will also be included.

All in all, Innes National Park and, more importantly, South Australia and Yorke Peninsula will benefit enormously. One of the things that has annoyed tourists to the Innes National Park for many years has been the roads. The other part of the funding will go towards an upgrade of the key road into the park from Stenhouse Bay to Brown's Beach—a distance of some 12 kms through to Pondalowie Bay—which will cost something like $1.5 million. Because of the number of tourists who use that road, even when it is graded, within a short time, and particularly in dry conditions, the pot holes return. I recall driving along that road and feeling that the whole vehicle would shake to bits. That will no longer be the case in the next year or two when the road is upgraded.

The importance of the national park cannot be fully appreciated until one realises that the park attracts more visitors than any other park outside the metropolitan area. The importance of that is that the people who visit the park must travel the whole length of the peninsula, which means that towns along the way can seek to attract those tourists and have them stop in their town or area and spend their tourist dollars. The Minister for Tourism recently identified tourism as a major asset to South Australia. Currently $5 million a day is spent on tourism in South Australia. That is good news in itself, but it also means that for every $1 spent by a tourist another $4 is generated. So the $5 million a day is generating $20 million in economic value to the South Australian economy. I compliment the Minister for Tourism on the excellent work he has done with respect to promoting tourism over the past two or three years. We all appreciate the amount of work done and the recent announcement to seek to get better value for our tourist and tax dollars.

Innes National Park will be an area which people can visit at any time of the year. Previously in winter people tended to avoid the area because the roads were too slippery and muddy, while in the middle of summer they tended to avoid it because of the massive dust problems. However, with the sealed road those problems will no longer be a factor. I compliment the Minister and endorse the comments he made, namely, that the development will help increase the status of the unique Innes National Park by improving visitor experience and providing opportunities for school, community and business groups to choose Innes as a self-contained, educational and conference destination. I applaud the Minister for the work he has done. As the local member, I was pleased to push this project for some time because of the spin offs that will result to business and industry in the region as a whole.

Another positive feature is the fact that the current district office, which is housed in a temporary building, will be converted to bunk-style accommodation for visitors. There will be greater accommodation availability. That was well overdue because some years ago old Stenhouse Bay houses were available for groups to rent. It was a tragedy when they were removed because it meant that only camping style accommodation facilities were available. That is no longer the case. The $2 million upgrade for Innes National Park is another achievement of this Government. I certainly applaud the Government and the Minister. It is a great boost to the electorate of Goyder and Yorke Peninsula in particular.

Motion carried.

At 4.47 p.m. the House adjourned until Thursday 28 November at 10.30 a.m.