HOUSE OF ASSEMBLY

Thursday 28 May 1998

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 10.30 a.m. and read prayers.

OMBUDSMAN (PRIVATE OR CORPORATISED COMMUNITY SERVICE PROVIDERS) AMENDMENT BILL

Mr HILL (Kaurna) obtained leave and introduced a Bill for an Act to amend the Ombudsman Act 1972. Read a first time.

Mr HILL: I move:

That this Bill be now read a second time.

In my explanation, I briefly want to cover four issues: first, the reasons for introducing the Bill; secondly, authority and precedent; thirdly, privatisation issues generally—and, in particular, the experience in Victoria; and fourthly, the resource implications of the Bill.

The Bill that I have introduced is relatively modest. Its intention is to maintain the ability of the Ombudsman to investigate complaints against the existing range of service providers if and when these services are privatised, outsourced or corporatised. The Bill introduces a notion of community service provider, which would be a corporation or a body which provides services or manages the provision of services under contract with the Government. In particular, the Bill refers to a number of services: electricity, in the sense of retail, distribution and transmission; water and sewerage; public transport; prisons; hospitals; schools; and services that may at some future time be prescribed by regulation. The service provider may be either private or corporatised.

The Bill does not apply in relation to hospitals and schools, unless a contract is in place with the Crown to provide such services—that is, the scope of the Bill covers only those entities that are currently subject to the Ombudsman and which provide public services. So, existing private schools, for example, are exempt. However, if a Government decided to privatise individual schools, and if such schools were to provide services to a particular community—say a country town—this legislation would apply. Equally, existing private hospitals are exempt, but if Flinders Medical Centre, for example, were to be privatised and contracted to supply hospital services to the south, it would be covered by the legislation.

I would like to turn now to authority for the propositions that I am putting. The Industry Commission in 1996, in its consideration of privatisation, expressed the view that:

> . . . the legislative framework that currently exists at the Commonwealth level and in most States does not extend to those services provided by the private sector under contract to the government.

Underlying this concern was the principle that the legal rights of individuals to seek redress in relation to government-funded services should not be diminished by contracting out. Particular concern was expressed that the jurisdiction of the Ombudsman does not extend to those services provided by the private sector.

The Commonwealth Ombudsman and several other participants suggested the desirability of extending the jurisdiction of this and other elements of administrative law to cover the activities of private contractors. Indeed, the Commonwealth Government has taken this approach in one case by extending the administrative law package to private case managers under the Employment Services Act of 1994.

In his 22nd Annual Report the Ombudsman of South Australia made this statement:

> Assuming that there be commercialisation, corporatisation or privatisation of any agency or instrumentality of the Crown or part thereof, it would not be undesirable that in situations for which there may no longer otherwise exist an avenue for independent external review of public complaints that, for the reasons shown in the Report of the State-Owned Enterprises (Ombudsmen and Official Information Acts) Committee (NZ), the jurisdiction of the Ombudsman be retained.

He continued:

> In New Zealand the Parliamentary Select Committee recommended that State-Owned Enterprises which have purely commercial objectives and operate in a competitively neutral environment, subject to the same rules as any private sector business, continue to be subject to the Ombudsman Act and the freedom of information regime. These Acts were considered to provide a measure of accountability to members of the public that the Companies Act, Trade Practices legislation and the State-Owned Enterprises Act did not.

In Australia, Robert Fitzgerald, the ACOSS President in 1977 explained that in Australia the position is not as clear. He said:

> . . . the growing practice of Governments involved in economic and fiscal reform to convert departmental organisations with commercial potential into trading entities. Ombudsmen are finding some difficulty in retaining or operating jurisdiction in respect of these new organisations. People who previously had recourse to an ombudsman when the trading entity was in departmental form are being denied that right when converted to a trading enterprise.

That was in a paper called 'Twenty Years of the Commonwealth Ombudsman', published in 1977. In some jurisdictions, notably Tasmania and the Northern Territory, the Ombudsman has authority to investigate all private hospitals, for example. Roberta Jamieson, who is the Ombudsman of Ontario, gave a speech in March this year on 'Privatisation and the Ombudsman'. Her speech strongly argues for the preservation of independent investigation of complaints against public service providers, whether run by the Government or the private sector. As she says:

> The fundamental principle which needs to be reiterated loudly and frequently and a basic feature of democracy is that individuals who believe they have been treated unfairly in the provision of public services must have access to an effective complaints procedure with an independent mechanism of last resort for unresolved complaints.

She provided by way of illustration the case of 300 Puerto Rican prisoners who were transferred to a prison run by a private company some 4 000 miles away in Minnesota in the United States. The prisoners had complaints, which they made to the Minnesota Ombudsman, who had no jurisdiction in the matter. They then called the Puerto Rican Ombudsman, who had no jurisdiction over a private prison. So these people had no place to go. Eventually by agreement an investigation revealed 'grievous contractual transgressions' causing the violation of human rights and 'cruel and inhuman conditions' and a 'denial of the access to any legal process to alleviate the situation'. So that is an example of what can happen when public services are privatised and there is no proper process of complaint.

The third issue I would like to deal with concerns privatisation issues generally, and I refer particularly to the Victorian experience. I ask the question: what might happen if ETSA were to be sold off? As the law currently stands in South Australia, privatisation would remove ETSA from both

government control and the Ombudsman's jurisdiction. Michael Taggart, who has written extensively in the area of administrative law, says:

> The process of privatisation strips away most of the accountability mechanisms that operate in the public sector—Ombudsman review, freedom of information, scrutiny by the Auditor-General and ministerial responsibility.

Imagine that ETSA was sold to a big American power company with headquarters in New York, Boston or Chicago. Who would Joe or Mary Battler complain to? Who would listen to their complaints about power surges destroying appliances, about overcharging or about disconnection of power, because they are the sorts of complaints that the current Ombudsman in South Australia deals with many, many times a year?

We do not know who would deal with those complaints. As we know, the principal concern of the private company is the maximisation of profits for shareholders. What mechanisms exist for complaints will depend on company policy and any provision that may or may not be in the sale contract by the Government. Victoria, which has gone further down the privatisation track, is an interesting point of comparison. Graeme Hodge, in his 1996 paper reviewing the contracting out of Government services there, states:

> Recent experience in Victoria . . . has highlighted the closure of avenues which have traditionally been available to the community for inquiry into areas central to Government accountability. The unavailability of information has been justified on the grounds of this now being commercial in confidence.

Under Victoria's privatised electricity system, Victorians now have access to a private electricity industry Ombudsman. Without impugning the character of the person currently holding the position, I make the general observation that he who pays the piper calls the tune. How can the community have confidence in an Ombudsman who is answerable to the industry which he must scrutinise? In Victoria the Electricity Industry Ombudsman (Victoria) Ltd (EIOV Ltd) is a private company which runs the Ombudsman. The private company has a board of directors which is comprised exclusively of agents of the electricity suppliers and distributors in that State.

Underneath that is an independent council, and half of its membership is comprised of industry representatives. The others, as I said last night in another debate, are the Treasurer of the Victorian Farmers Federation, the executive member of the Small Business Association and the Consumers Federation of Australia, and it is chaired by the Hon. Tony Staley who, I understand, is the Federal President of the Liberal Party. Given that kind of structure, it is easy to see how the powers of the Ombudsman can be taken away if the structures put in place are really answerable to the industry which it is supposed to be scrutinising. I believe that that is a totally unacceptable construction.

My last point relates to resource implications. As the Bill intends to maintain only the current scope of the Ombudsman's authority, there should be no additional costs. Indeed, if the privatised corporation were to be charged on a *pro rata* basis for complaints received, then not only would this reduce costs to Government but it would encourage the privatised entity to develop appropriate and additional in-house processes for dealing with complaints. It is important that the Ombudsman's role be one of last resort. Companies, as well as departments, should provide their own internal methods of dispute resolution.

In Victoria the number of complaints in the electricity sector prior to privatisation was roughly of the same magnitude as in South Australia, that is, less than 300 in the 1996-97 year. By comparison since privatisation the EIOV received some 9 869 telephone contacts leading to 5 166 cases—a massive blow-out in complaints about the electricity system. As the Victorian Electricity Ombudsman said:

> The summer 1997 period was a very difficult one.

Part of the explanation for the increased number may be as a result of the poor complaints system within individual companies. The level of complaint highlights both the need for an Ombudsman in the electricity sector and the need to charge the power companies for the cost of its provision. I acknowledge my indebtedness to the parliamentary library for the provision of much of the research material I have used in my address. I also acknowledge my gratitude to the SA Ombudsman, Mr Eugene Biganovsky, who assisted with the provision of factual information and who has assured me that my suggestions are in keeping with international best practice, and who further informed me that he had no objection to the amendments, and neither should this House.

I am also grateful to Mr Biganovsky for writing to me about this matter. With his permission I read his letter into *Hansard*, as follows:

> Dear Mr Hill,
>
> I refer to your letter of 7 April 1998 and the discussions held in my office on Thursday 21 May 1998.
>
> I congratulate you on your initiative in preparing the draft Bill '(Private or Corporatised Community Service Providers) Amendment Act 1998'.
>
> I have now had an opportunity to read the draft Bill and have conducted a search of resources and information throughout the world and am now in a position to intimate that the form and substance of the draft Bill is in keeping with the developments in relation to the Ombudsman jurisdiction in the Northern Territory, Tasmania and overseas, including the State of Nebraska and the Province of Manitoba. Moreover, the Bill is in keeping with the essential conditions of a Legislative Ombudsman and I note that its purposes are properly underpinned by clause 4(e). In these circumstances, I would approve the proposal, but any question of support for the Bill of course is a matter which is entirely the prerogative of the Parliament.

I sincerely thank the Ombudsman for that endorsement. He then adds a paragraph which suggests to me other sources of information and which I will not read into the record.

The proposals I put before the House are limited in scope. They are designed to ensure that, regardless of which public services are privatised, outsourced or corporatised, the people of South Australia still have the right to go to an Ombudsman for redress when there has been a complaint. It is not a terribly radical proposal: it does not seek to extend the Ombudsman's power to any new areas—I will leave that to others on another day—but it attempts to maintain the rights that South Australians currently have with regard to the services that I have outlined. I commend the Bill to the House. I seek leave to insert in *Hansard* the explanation of the clauses without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The clause allows a three month delay before the measure would come into operation after passing through Parliament and receiving the Governor's assent.

Clause 3: Amendment of long title

The long title of the *Ombudsman Act* is amended so that it extends to administrative acts of certain private or corporatised community service providers.

Clause 4: Amendment of s. 3—Interpretation

The *Ombudsman Act* in its current form applies to administrative acts of agencies—public service administrative units, other Government authorities and local government councils. The clause extends the definition of agency to which this Act applies so that it includes a private community service provider to which the Act applies and a corporatised community service provider, terms which are defined in proposed new section 3A (see *clause 5*). Consequential amendments are made where necessary to other definitions contained in section 3. A new subclause (2a) is proposed to make it clear that administrative acts will include acts relating to a matter of commercial or contractual practice on the part of a private or corporatised community service provider.

Clause 5: Insertion of s. 3A

A community service provider under this proposed new interpretation provision would be a *Corporations Law* company that provides certain services or, under a contract with the Crown, an agency or instrumentality of the Crown or a Government authority, manages the provision of such services.

The following services would be covered:

- retailing of electricity
- operation of an electricity transmission or distribution network, where the operations involve connecting consumers to the network
- supply of water by reticulated systems
- removal and treatment of wastewater by sewerage systems
- operation of regular passenger transport services
- operation of a prison or part of a prison
- operation of a hospital or part of a hospital
- operation of a primary, secondary or tertiary education institution or part of such an institution
- services of a kind prescribed by regulation.

A community service provider would be a private community service provider if the company is not owned or controlled by or on behalf of the Crown.

A community service provider would be a corporatised community service provider if the company is owned or controlled by or on behalf of the Crown.

The clause goes on to exclude from the application of the Act a private community service provider that operates a hospital or educational institution, or a part of a hospital or educational institution, unless a contract is in force between he community service provider and the Crown, an agency or instrumentality of the Crown or a Government authority dealing with the continued provision of the services and the manner in which they are to be provided.

A private community service provider may also be excluded from the application of the Act by regulation.

Mr HAMILTON-SMITH secured the adjournment of the debate.

TECHNICAL AND FURTHER EDUCATION ACT REGULATIONS

Ms WHITE (Taylor): I move:

That the principal regulations under the Technical and Further Education Act 1975, made on 28 August 1997 and laid on the table of this House on 2 December 1997, be disallowed.

I will speak only briefly to this motion because it was placed on the Notice Paper towards the end of the March sitting of this House and I believe that the circumstances have altered during the interim. My initial intention in signalling that I would move to disallow these TAFE regulations was to place on them what members of this place colloquially call a 'holding motion'. I did that because there was some indication at that time that the Minister for Education, Children's Services and Training (Hon. Malcolm Buckby) would review these regulations in response to concerns that had been raised about them.

My concerns with the regulations related to a number of provisions which seemed to encompass an expansion of the powers of the Minister or the Minister's delegates. I felt that some of those measures needed further consideration by the Minister, particularly one aspect to which I will refer shortly. It appears from what the Minister indicated to me yesterday that he may now revoke these regulations and that I was justified in my concern that they were not totally appropriate.

One of my concerns related to regulation 66 involving the power of the Director of a TAFE institute or the director's delegate to search people. That regulation provides for that power to be expanded from being able to search employees or students of the college to being able to search visitors, whether it be a search of their person, their handbag or their vehicle. This regulation also provides that a person who may be a visitor to a TAFE institute and who fails to submit to such a search will be guilty of an offence. That seemed to me to be quite a harsh provision and I understand that it may be revoked.

I have written privately to the Minister outlining some of the issues involving the rest of the regulations, some of which were raised with me by the Australian Education Union, as they were raised by that union with the Hon. Mike Elliott. I note that the Hon. Mike Elliott has put some of those concerns on the record in another place, so I will not repeat them for this House, other than to mention a few. Regulation 69 is a new administrative instruction. In part, it states:

> The Minister may from time to time issue administrative instructions as contemplated by these regulations or as necessary or expedient in the exercise of the powers and functions conferred on the Minister by the Act or prescribed by these regulations.

Clearly, that appears to be an expansion of the Minister's administrative powers under the Act. It would infer that there would be the ability to change instructions administratively without reference to Parliament or to the TAFE award, and that is of concern because it does allow administrative instructions by the Minister to be in conflict with the Department of TAFE's Educational Staff (Interim) Award.

I do not want to delay the House, because most of these concerns have been communicated to the Minister, but I want to note that concerns were raised by the Australian Education Union with respect to regulation 12 (contained in clause 20 of the award) relating to the recreation leave entitlement of 20 days for employees. That allows the Minister to determine or change leave entitlements by administrative instruction. There were concerns in respect of regulation 14. The award (clause 29 for lecturers and clause 10 for educational managers) provides for specific non-attendance days for staff. They are an award entitlement but the regulation as printed would give the Minister the power to determine and change by administrative instruction an employee entitlement.

I will leave the concerns regarding the provisions listed in the regulations at that. I have written informally to the Minister listing them, so I do not wish to detain the House, other than to say that I understand there is an intention on the part of the Minister to alter at least part of these regulations. I ask him, in considering the changes, to take into consideration the issues raised today and previously by me and by others.

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training): I note the concerns of the member for Taylor regarding some regulations under the Act. One in particular, of which I have informed the Legislative Review Committee in the past couple of days, is regulation 66, which allowed the director or staff of a TAFE institute to search cars on the premises of a TAFE institute. I am advised that we have advised the Legislative Review Committee that we are withdrawing that regulation and

returning to the wording of the original regulation which allows for a search of bags and that sort of thing on TAFE premises but which does not extend to cars on TAFE premises. That has been addressed. I presume that the withdrawal of the regulation will be gazetted and that the original regulation will stand. I have taken note of the other concerns that the member for Taylor has raised and we will be discussing them.

Mr MEIER secured the adjournment of the debate.

ONKAPARINGA CATCHMENT

Mr HAMILTON-SMITH (Waite): I move:

That the levy proposal forming part of the Onkaparinga Catchment Water Management Board Initial Water Catchment Management Plan, laid on the table of this House on 26 May 1997, be disallowed.

In proposing this motion, I indicate to the House that my object in moving for disallowance is to have this matter debated and decided as soon as possible. For reasons I will explain, I hope that the House will reject this motion for disallowance and by so doing clear a blockage in process associated with the Economic and Finance Committee's deliberations. The Water Resources Act 1997 confers a statutory responsibility upon the Economic and Finance Committee whereby water catchment board plans are placed before the committee to assess the levy proposals contained within and to assess the administrative compliance with the Act. The Economic and Finance Committee has the power to object to, amend or accept the levy. If the Economic and Finance Committee objects to the levy, the Act requires that the catchment plan be placed before the House of Assembly to vote for or against the levy proposal. If an amendment is suggested, the Minister—

The SPEAKER: Order! I draw to the attention of the cameraman in the gallery that you are to film members on their feet and not other action around the Chamber. We have very strict rules on that. The member for Waite.

Mr HAMILTON-SMITH: If an amendment is suggested, the Minister may refuse to accept it. If the committee stands by its amendment and objects to the plan, it is placed before the House of Assembly to vote for or against the levy proposal. At its first meeting to determine a view on the levies of the Northern Adelaide and Barossa Plan and the Onkaparinga Plan, the Economic and Finance Committee moved a motion seeking further information to assist in determining its view. Inadvertently, the committee worded the motion incorrectly. By using the term 'object to the levy' in part of the motion, the committee complied with the requirement under the Act for the plan to be submitted to the House of Assembly without any further deliberation. As a consequence of this motion to object to the levies associated with the plan, this House now has an opportunity to debate and vote for or against the levy proposal within this plan. The Act requires that only the levy proposal be voted on, not the plan itself. However, if the levy proposal is rejected, in effect this will mean that the plan cannot be implemented.

Without a levy in place, there is no operational structure to enable the appointed catchment board to prepare, in conjunction with the community, a catchment plan that will define the priorities and special needs of the particular catchment area. Without a levy, the appointed catchment board, which has been funded by taxpayers for the past three months, will become insolvent and inoperable. Taxpayers' funds applied as an investment in the catchment board and catchment plan will be lost. However, the real losers will be the people and the environment within the catchment zone.

The environmental imperatives relate to proper water management, and the economic development which flows from sustainable water resources will be delayed for over a year. Before any development can be commenced, it must be funded. Levies need to be struck prior to the beginning of this financial year. A rejection of this levy proposal will mean that no further levy can be brought into operation until 30 June 1999. It may not have been the intention of the Economic and Finance Committee to object to the whole of the plan for Onkaparinga or Northern Adelaide and the Barossa catchment; to disallow the community of the northern areas or the Onkaparinga an opportunity to determine the future of water management in their area for themselves; or to disallow a competent group of local people to serve their community as a board.

In effect, however, this newly-constituted committee has blocked the plans. It is imperative that this matter be resolved forthwith. If this motion is not resolved at this time to enable the process of gazettal to take place before the end of this financial year, the result will also mean that the plan will be lost to the Onkaparinga and the northern areas over the coming year. Catchment boards have been in place since 1995. So, we are not looking at anything new or unusual. The achievements of previous boards are now well documented.

All levies collected within catchment areas are spent within those areas. The board's funds from the levies can be used to attract national heritage trust funds and, therefore, increase the overall expenditure on major environmental problems within the catchment areas. Salinity problems, aquifer recharge and storage, dam diversion storage and bore leakages causing pollution are only some of the impacts related to water use which, if not controlled and managed, can diminish economic development. A rejection of this motion to disallow the regulation will enable the plans to be implemented to the benefit of the residents within the catchment zone.

Mr LEWIS (Hammond): This motion will set a precedent in this Chamber as it relates to the operations of water catchment boards throughout the State established under the Act which passed through this Parliament very recently. All members of this House agreed with the wisdom contained in that legislation to enable us better to manage the way in which we use South Australia's water resources. My purpose in rising is not to canvass that debate again: it is to address some of the details of the process by which the water catchment boards determine how they will obtain their revenue.

A number of options are available within the Act, one of which—and the most obvious—is to strike a levy on different categories of irrigators according to the definitions chosen in that case and on the other landowners who may not be irrigators within that area, according to what the board's best available knowledge at the time judges to be the relative risk to which the catchment area or the underground water resource is exposed by the land use activity involved. That, at best, within the boards as I have seen it to date, has been subjective rather than objective. It is not without its rigour and objective appraisal, but it has been more subjective than objective.

The other mechanisms available to the board, for instance, are to sell the right to use underground water, or indeed to

become irrigators using surface water, to those people who wish to use that water for that purpose, namely, irrigation. To sell that right does not then determine whether or not it is appropriate to use the water on this or that crop, for this or that purpose, and that should not be up to Governments or the boards established by them. It ought to be up to the competitive desires of the potential industries that can be established by accessing that very scarce resource—the water—by getting the use of the water from the limited amount that is available. That is what I am saying in advocating this approach of selling to the highest bidder the right to use the water.

Members will know—and if they do not, let me now quickly tell them in less than 60 seconds—that glasshouse horticultural crop producers in the western suburbs of Adelaide and still some in the Torrens Valley in the metropolitan area, as well as in the districts of Salisbury, Virginia and Murray Bridge, use mains water and pay excess water rates. Mains water is obtained through meters on domestic blocks for those glasshouse beans, cucumbers and tomatoes, and they pay each year a recurrent cost of about $1 a kilolitre, that is $1 000 a megalitre, and it is gone. They pay it as though it was an input just like fertiliser, pesticides (whether for soil, fungi, leaf pests, bacteria, insects, weedicides and so on). They spend that money on their water as an annual input to production, just as they do for the other annual inputs to production.

They can afford to do that and still make a profit at an annual cost of $1 000 a megalitre, yet other irrigators of crops such as pasture or lucerne say that they could not possibly afford to pay $30 a megalitre as an annual recurrent cost: that is .3¢ a kilolitre. To my mind that then begs the question: 'Why the hell are we letting them continue to use the water when there are other crops on which the water could be used that would generate more jobs, a bigger State domestic product and a greater value to the State's economy?' I tried to make this point in the second reading speech on the legislation under which these regulations were established, but it was not well understood. I try again to make the point.

The policy advisers to Government have not thought this through properly. They have never bothered to and have never had to: they have been largely clerical officers who have been promoted beyond the level of their competence in so far as the hydrology of the resource and the biology, botany and economic use of the scarce resource are concerned. Their job has simply been to administer the dispatch of the water to the irrigators to whom it was first provided and not concern themselves with the greatest benefit that could be derived from its use.

In those circumstances we find ourselves having accommodated a very unnecessary piece of baggage from the past, a very primitive approach which, in the short run, is not sustainable and by which much of the water being used for irrigation across the State is iniquitously used through flood irrigation technology. It does not matter how you dress it up or how fancy is the system—it is not sustainable to go on flood irrigating anything in this State, apart from the fact that, if you cannot afford a better technique for distributing the water, you are certainly not getting the maximum possible income from the use of that water and therefore not generating the maximum possible number of jobs for South Australians by using that water. Altogether it means that it is unfortunate that we are now confronted with the prospect of gutting the boards by striping them of the power to raise any revenue this year or allowing them to believe that what they have done is acceptable, sustainable, efficient and useful.

Either way we are foist on the horns of a dilemma. On the one hand, we can let the boards go and give the disallowance proposition the flick or, on the other hand, we have the boards and in the process the Government, if it is then so inclined, can force them, without providing them with any additional revenue of a few hundred thousand dollars out of a budget of several billion, to become insolvent and committed to the history books. Of course, the Government would have to accept that on its head, and I am part of that Government. I accept that I belong to the Liberal Party in that dilemma, but it distresses me that the manner in which policy is determined is more to do with the perceptions of how people will vote rather than about how the best interests of those people and their children will be served in the longer term, as has been the case in this instance, and there was not the kind of debate there ought to have been about such a precious resource to a State like South Australia, when we consider the options for this stored surface water for irrigation purposes or the underground water that is available to us in those locations in which it occurs and in which it is suitable.

We have otherwise screwed up (and I will not use profanities more than that) a few aquifers in this State already and not learnt the lessons from so doing. The Torrens Valley was one of them and I was one of the people who suffered in consequence of that. The area around Virginia was another one, and again I was a person who suffered in consequence of that, even though I tried to argue on the basis of my experience as an adolescent and a young man about what happened here in the Torrens Valley in what is now an area covered by houses, that we ought not go on doing that in the Virginia, Two Wells and Gawler River area as we had done 30 years ago. No-one would listen then. No Government Minister or member in the Dunstan Government of the day was interested.

An honourable member: Your colleagues are not listening now.

Mr LEWIS: As may be; one never knows. But I am telling the entire House of my concerns about this approach to policy and I want to see a change made in the next 12 months. If this measure is defeated, I want to see that change and I want a clear message to go to those boards that they cannot allow irrigators to go on doing what they have done in the past just because they have done it in the past. They have to stand back and let the market place decide what that water is worth and pay for it fairly and squarely. More particularly, I want to see plans come forward to accommodate that change before next year because, I tell you, I will be voting against the regulations next year if no such change has occurred. Meters are the way to go, whether it is on surface water or underground water, and the sooner everyone has their water metered the sooner we will know how much we are using and what we are therefore applying to which crops to get what kind of jobs and what kind of dollar values we get for the State's gross domestic product.

Whilst I am therefore prepared to give breathing space to the Minister for 12 months, make no bones about it, if there is a willingness in this House to take my concerns into consideration, I will be voting against it next year.

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

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I appreciate the comments made by all concerned

on the Bill. I know that catchment boards around the State have certainly proved their worth in the past. The achievements are lined up. The Torrens and Patawalonga boards were two of the first boards to have been formed, in 1995. It was only just recently that both the Torrens and Patawalonga boards took out national awards for their storm pollution remediation programs and I congratulate both boards on that. Today we are dealing with the Onkaparinga board. I understand that the Economic and Finance Committee has no real concerns in this area and I am happy to support the board's continuing. In this instance I will be voting against the disallowance.

Mr HILL (Kaurna): I will speak briefly on this motion. As I understand it, the Economic and Finance Committee approved the levy in the case of this board. I know as a representative of a southern electorate that I have not had representations from anyone who is opposed to it. So, despite the unusual nature of this particular device to get this decided today, it is the Opposition's intention not to support the disallowance motion.

Motion negatived.

PUBLIC WORKS COMMITTEE: ADELAIDE YOUTH COURT

Mr LEWIS (Hammond): I move:

That the sixty-ninth report of the committee on the Adelaide Youth Court redevelopment be noted.

The Adelaide Youth Court as it now stands was built in 1975 at its current location in Wright Street within the central business district of Adelaide. It was established by the Youth Court Act in 1993. It is a separate participating court within the definition of the Courts Administration Act. In 1994, due to growing community concerns about a range of issues involving juveniles and the adequacy of existing community arrangements to deal with problems concerning children, the new legislation was introduced, designed to provide a more effective and efficient system for administering juvenile justice in South Australia. In consequence, this expanded the Youth Court role, resulting in the need to consolidate the Youth Court facilities on one site and to upgrade and address the deficiencies of the existing site. I can tell the House that they are aplenty.

The existing site and facilities had more to do with people's perceptions of aesthetic beauty than they had to do with functional purpose—and aesthetic beauty, by definition, is in the eye of the beholder. Consequently, though, the Courts Administration Authority now proposes to redevelop the Adelaide Youth Court on the existing Adelaide site in Wright Street. The estimated cost of these works is $4.5 million and the anticipated completion date of the project is September 1999.

Mr Atkinson: Is it going to be as ugly as Brisbane's Magistrates Court?

Mr LEWIS: The honourable member asks me to make a subjective judgment in an area in which I am not expert, and I am therefore unable to tell him. In summary, the works to be undertaken for the proposed redevelopment include the refurbishment and upgrade of existing buildings and facilities and construction of a new two-storey building next to the existing Youth Court building. As a result of the redevelopment, the complex will have: two additional secure courts, bringing the total to four; five holding cells; separate facilities for the relatively new functions of the family conferencing and care and protection; more waiting rooms and improved interview facilities; improved security, in that you will not have offenders coming before the courts going through the open public area in which members of the public attending are sitting; and a sound, secured area enabling an access for the judges and magistrates through a covered second storey walkway between the buildings comprising the complex. In addition to that, a heritage listed shop within the complex area will be retained, according to the information provided to the committee.

On Wednesday 25 February, a delegation of the committee conducted an inspection of the existing Adelaide Youth Court site in Wright Street, including the temporary DEMAC buildings adjacent to the main building. The site has already been vacated in preparation for the proposed works. However, the committee was still able to gain a clear understanding of the problems and deficiencies of the current accommodation in providing appropriate and effective services and delivery levels consistent with modern day court activities, particularly with respect to young offenders, some of them engaged in heinous crimes. More specifically, the site visit revealed the potentially high security risks that exist, particularly in relation to the judges' offices and the car parks, and the inadequacy of the waiting areas which contribute to client crowding in the main corridor. Moreover, the complex is poorly lit, it lacks privacy, and generally does not meet current occupational health and safety standards. Judges' lives are at risk. Of course, the Parliament would feel shame and enormous regret if an incident resulted in serious injury or death to any one of our judiciary, in consequence of Parliament's failing to provide appropriate facilities in which the people such as judges and those supporting them have to work.

The Public Works Committee acknowledges that a number of functional problems are associated with those existing facilities, and they include security, the non-separation of civil and criminal functions that ought to have been separated from the start, and the occupational health and safety standards and surrounding issues to which I have just referred. Members of the committee are unanimous that the proposed development will provide improved accommodation for the functions of the Adelaide Youth Court and greatly improve the working conditions for all court personnel, as well as the facilities for all members of the public, whether attending the court or visiting prisoners. It will enable the functions of the court to operate within the same location while maintaining the required separate work environment, and it will allow improved services to the public and the legal profession.

In addition, the committee recognises that the proposed redevelopment will significantly improve the amenity of families who have a member before the courts and, therefore, with appropriately designed facilities for waiting, for child care, for people who are victims of crimes, for officers and others to interview members of the family, for professional staff and for counselling and other associated Government services which will ensure that families who experience the court system are helped in ways that minimise their stress in the circumstances. Committee members were pleased to note that a separate entrance for family conference, care and protection units is included in the redevelopment. This has the additional social benefit of family conferences, and care and protection meetings being separated from the courts proper.

However, in accordance with the Auditor-General's guidelines, as they appear in his most recent report to this

Parliament, the committee has requested acquittals from the Departments of Treasury and Finance, Premier and Cabinet, and Attorney-General that the works and procedures undertaken for this project are lawful and that prudential processes have been followed. To date, those acquittals have not been received. The Adelaide Youth Court has advised the committee that it has been unable to obtain the necessary acquittals at the time the committee decided to submit an interim report. The committee accepts that the Adelaide Youth Court has taken every reasonable step to obtain this information. Although the committee supports the proposal to develop the court, it is unable to recommend the proposed works until such time as it receives this outstanding evidence; that is, the committee is unwilling to provide the Parliament with a final report on the matter until such acquittals are provided. To remind members of what they are, let me state them briefly, as follows:

· From the Department of Treasury and Finance a statement to the effect of proposed public works on the Consolidated Account or the funds of a statutory authority as delineated in section 12C(a)(vi) of our Parliamentary Committees Act 1991.

· From the Department of Premier and Cabinet, which provides a statement to the committee that compliance exists with the established Prudential Management and other Procedural Frameworks to provide assurance of procedural regularity within the executive Government; also, the form that that compliance will take if it varies from a general proposition provided by that department to the committee.

· From the Crown Solicitor [that is, the Attorney-General, probably prepared by the Crown Solicitor and/or his officers] a statement to the effect that the processes are legal; that the proposals which it is proposed will be adopted will comply with the law.

The committee needs to know which processes will be followed and that all tenders are treated equally: who will sign those tenders; is it lawful; is it enforceable against the Crown? The committee also acknowledges that such acquittals need to identify whether or not anticipatory fetters exist. That is something more esoteric and into which I might be willing to go to some length in another instance, to illustrate the meaning of how a contract cannot be properly concluded if it includes by inference or by statement an anticipatory fetter. In any case, I have learned in recent hours that these acquittals have been provided, although the committee has not yet seen them. I commend the report to the House.

Ms STEVENS secured the adjournment of the debate.

NORTHERN ADELAIDE AND BAROSSA CATCHMENT

Mr HAMILTON-SMITH (Waite): I move:

That the levy proposal forming part of the Northern Adelaide and Barossa Catchment Water Management Board Initial Water Catchment Management Plan, laid on the table of this House on 26 May 1997, be disallowed.

In opening the debate on this motion I indicate to the House, as I did earlier, that my object in bringing the disallowance motion has been simply to cause this debate and to seek a decision on the matter as soon as possible. I again hope that the House will reject this motion to disallow and, in so doing, clear the blockage in the process associated with the Economic and Finance Committee's deliberations. As the background to this motion is similar to that of the earlier one, I will not repeat the detail provided under the previous motion except to say that, as a consequence of this motion to object, the House now has to debate and vote for or against the levy proposal within this plan.

The Act requires that only the levy proposal be voted on, not the plan itself. If the levy proposal is rejected this will, in effect, mean that the plan cannot be implemented. Without a levy in place there is no operational structure to enable the appointed catchment board to prepare a catchment plan in conjunction with the community which will define the priorities and special needs of this catchment area. Without the levy the appointed catchment board, which has been funded by taxpayers for the past three months, will also become insolvent and inoperable. Taxpayers' funds applied as an investment in the catchment board and catchment plan will again be lost.

Again, the real losers will be the people living in the Northern Adelaide and Barossa catchment zone. Before any enterprise can be undertaken, funds must be raised. It is imperative that this matter be resolved forthwith. The Northern Adelaide and Barossa catchment zone is different from the Onkaparinga catchment zone, in that the arrangement for the collection of levies differs. However, if this motion is not resolved at this time to enable the process of gazettal to take place before the end of this financial year, the result will again mean that the plan will be lost to the northern areas over the coming year.

Now that this disallowance motion has been put, the House has an opportunity to decide the matter. A rejection of the motion to disallow will enable the plans to be implemented to the benefit of all residents within the Northern Adelaide and Barossa catchment zone.

The SPEAKER: I call the honourable member for Stuart.

Mr Atkinson: Oh, no. What filth have you got today? Keep it clean.

The SPEAKER: Order!

The Hon. G.M. GUNN (Stuart): If you want to go down that track, I am very happy—

The SPEAKER: Order! Let us return to the debate.

Mr Atkinson: You are the expert—

The SPEAKER: Order! The member for Stuart has the call.

The Hon. G.M. GUNN: There are a few names that we might like to bring to the attention of the House.

Mr Atkinson interjecting:

The SPEAKER: Order!

The Hon. G.M. GUNN: As Chairman of the Economic and Finance Committee, I make the following comments in relation to the assessment of levy proposals which form part of the Catchment Water Management Board plans. The Water Resources Act 1997 provides for the management of the State's water resources. One aspect of the Act is the provision for catchment water management boards to be formed to prepare and implement catchment water management plans. In order to fund the boards and support the implementation of plans, a levy may be set by the boards. Section 95 of the Water Resources Act 1997 provides that, before a plan comes into operation, the Minister must approve or adopt it.

In addition, where a plan that has been adopted proposes that a levy be set, the Minister must refer that plan to the Economic and Finance Committee for consideration. The committee acknowledges this statutory reporting requirement, and considers its role in assessing the levy proposals con-

tained in the Catchment Water Management Board plans to be of the utmost importance. However, the committee is of the opinion that the legislation outlining the process of levy assessment is seriously flawed.

To date, the committee has considered a number of Catchment Water Management Board initial plans referred to it by the Minister, including the Northern Adelaide and Barossa and Onkaparinga initial plans. The committee has had difficulty in executing its responsibilities pursuant to the Water Resources Act, as much of the information provided to it in relation to these plans appears to be inadequate and contradictory. In fact, the quality of information presented to the committee in relation to the Northern Adelaide and Barossa and Onkaparinga initial plans has resulted in the committee objecting to them on the basis that it was unable to make an informed decision within the 21 days afforded to it under the legislation. The committee is of the opinion that, for the purpose of its statutory obligations with care and consideration, it must be provided with accurate and timely information. The committee must also be granted sufficient time to consider each levy proposal such that they are evaluated appropriately.

On receipt of further information in relation to the Northern Adelaide and Barossa and Onkaparinga initial plans, the House should be aware that the committee has subsequently resolved to:

- not object to the catchment environmental levy as it is proposed within the Onkaparinga initial plan; and in relation to the Northern Adelaide and Barossa initial plan:
- not object to the Division 2 levy as set out in the initial plan; but
- seek further clarification of the contradictory evidence put before the committee in relation to the Division 1 levy and, until this occurs, object to the Division 1 levy as set out in the initial plan.

The committee understands that these resolutions have not been formally recognised, as they were made outside the 21 days afforded to the committee to make a determination on such matters under the legislation. I therefore call for a review of the Water Resources Act 1997 such that the difficulties experienced by the committee in making its determinations to date are eliminated. This will then allow the committee to effectively fulfil its functions as intended under the Act. I am firmly of the view that we must have adequate protection for our water resources in this State to ensure that, when they are being used, it is in the interests of all sections of the South Australian community.

I also make the point that, when witnesses come to the committee, they have to be fully aware that, if they are in a position to tax citizens of South Australia, it is the proper right of this Parliament and its committees to ask questions about their budgets and how they intend to spend that money. Unless those questions are asked before the process is put in place, in many cases people will not have a further opportunity to question them. The Government of the day has to face questioning in this House as to how it appropriates people's money, and these boards which have budgets up to $800 000 should have to face the same sort of scrutiny. It is not their money, it is public money, and therefore in my view it is quite appropriate that they are questioned on how they intend to spend that money and what plans they have in force.

Ms WHITE (Taylor): I rise to speak on behalf of my constituents of the northern Adelaide Plains, Salisbury and parts of Elizabeth who come under the jurisdiction of the Northern Adelaide and Barossa Catchment Water Management Board. The Chair of the Economic and Finance Committee has just outlined the committee's disapproval of the way in which this matter has been dealt with by the Minister for Environment and Heritage. The Economic and Finance Committee objected to the levies encompassed in this initial plan. The committee, of which I am a member, after further consideration and, as the Chair of the committee has just told the House, after much inadequate and contradictory evidence provided by the expert witnesses on behalf of the Government, resolved to continue to object to the Division 1 levy which is charged to water users.

The money that is to be raised by these levies amounts to $2.3 million in the first year and, according to the plan that is before Parliament today, it includes an allocation for 'social wellbeing' at a cost of $500 000. The information given to the committee was that the social wellbeing item has three headings: community awareness and involvement ($354 000); water-related cultural heritage ($25 000); and public water supplies ($100 000). In addition, there is an administration component of $319 000.

As members can see from the plan, little detail is given as to how the budget will be spent. It was devised in a very short period of six weeks, without consultation with the water users who will be levied with such a high charge, and it will be a high charge. The Virginia and Adelaide Plains water users will be levied around 1¢ a kilolitre in addition to the price they now pay for the use of that water.

Members may recall that, earlier this year, some of those irrigators had negotiations with a private company to take water from the Bolivar waste water treatment plant via a pipeline. Those negotiations were very fine and they fell down because it was a very rushed and pressured exercise. In a matter of a few short weeks in December and January, the growers were pressured into signing contracts that made their businesses very marginal.

A second round of contract signings took place as well as some renegotiation but, at no time, were those irrigators aware of the size of this State Government tax—an additional 1¢ per kilolitre as at 1 July—that the Liberal Government now intends to bestow on them. If members are unaware, I inform them that many irrigators in the Virginia region are vegetable growers, they operate on very short margins, they are not wealthy people and they will find it very difficult to sustain an impost of hundreds and even thousands of dollars per year in addition to their current costs. Of approximately 1 000 licences in the region, nearly 300 will attract an impost in this first year of over $500.

Approximately 80 licences will attract an impost exceeding $1 000, and some will attract an impost of $4 500. A board member has provided me with these figures. The Northern Adelaide and Barossa Catchment Water Management Board has been using these figures not only for its own purposes but also when talking to people. But how much consultation took place with the growers in the area or, indeed, the residents? Every resident in my electorate will be paying a State Government tax of, on average, $15, in addition to their council rates. The answer to the question is: effectively none. According to its own evidence, the board did not receive one submission from horticulturalists or irrigators, and the reason for that is that there was no consultation process.

Consultation was waived, as the Minister outlined to the Economic and Finance Committee, because of the timing. In essence, you have the board collecting $2.3 million on a very

nebulous budget. Witnesses before the committee admitted that it is a nebulous budget but that it needed to be so because there was only a six week period between the formation of that board and the formulation of this budget. Effectively no consultation took place with growers. It will come as a shock to most ratepayers in the Salisbury, Elizabeth and surrounding districts when, in July, they are hit with this tax in addition to their July rates bill.

The committee objected to the size of this levy. It mainly objected to the contradictory and inadequate evidence with which it had been provided, and the Minister must take responsibility for that. In fact, quite a few aspects of her own submissions to the committee were contradictory. If the Minister is not firm about how this will work in practice, cannot satisfy the committee of its merits and has not consulted adequately with irrigators or residents then the Minister must justify to the House why Parliament should agree to the amount of tax to be imposed on my constituents. I will listen to the rest of the debate with interest.

I understand that one of my colleagues will be moving to adjourn this debate. Notice of this motion was given yesterday. I understand that the Minister intends to try to hurry through something today in relation to this issue, which has been very poorly handled for a number of months. As far as the councils are concerned, the levy will be imposed from 1 July. I hope the Minister appreciates the impost that this tax will place on many people, particularly those of my constituents who are irrigators, and the need for proper information to be put before the Parliament before it decides on the fate of those ratepayers and taxpayers—the hip pocket effect.

Mr McEWEN (Gordon): Today might well be remembered as another Sorry Day, as a day when democracy died in the electorates of Taylor and Schubert. What could well happen today in those two electorates is that a group of people, who were never elected, with the assistance of the Minister, will impose a tax on water users. Those two members of Parliament will need to go back to their electorates and explain to their constituents that, for the first time, a tax has been imposed without due democratic process, because in effect that is what is happening.

This is the fourth of the new catchment boards which have been set up. The Patawalonga and Torrens catchment boards have been set up and are running with division 2 property-based levies. We have just allowed the Onkaparinga catchment board to go ahead with a division 2 property-based levy. Now we come to the North Adelaide and Barossa water catchment management board and its plan which incorporates division 1 and division 2 levies. Division 1 levies are a direct tax on water users. In this case, they will be made up of two parts based partly on allocation and partly on use.

When this tax was brought to the attention of the Economic and Finance Committee, it rightly asked some questions. This is a significant impost on some taxpayers within those two electorates. As we have just heard from the member for Taylor, for some of her constituents it is a significant impost of over $1 000 a year. So, the committee asked a few questions about how this tax was calculated—and I might add that there are some problems with it. An irrigation equivalent of $50 per hectare will be charged to lucerne growers versus $10 a hectare which will be charged to vignerons, yet the department's evidence is that the crop factor for vines is 3.4. I can tell members that 10 is not the result when 50 is divided by 3.4, so there is a problem with the calculations.

The committee asked some other questions because it had some concerns. One of the witnesses was asked about how much extra money would be raised, and that witness advised the committee that no extra money would be raised, that the same licence fees that have been collected in the past would simply be collected in another form. I challenged the witness on that evidence—it was reported by *Hansard*—but she was sure that that was the case. The committee then raised this matter with the Minister's office and was advised in writing that the levy would be more than that, that it would be a division 1 levy based partly on allocation and partly on use.

On the same day, another piece of correspondence came to the committee from the Minister's office saying that no licences would be issued. So, originally we were told that there would be licences and that the levy would be the same. Then we were told that there would be licences with new levies. Now we are told that there will be no licences. The committee had every right to be confused and to request further information. However, the Minister chose not to do that but to bring the matter to a head today in this House.

Today is an all or nothing day. Today we are being forced to make a decision about the environment versus democracy. We will be told today that if we delay this any further the environment will suffer because we will delay for 12 months essential work that must be done in those water catchment areas. So, today, democracy can die but the environment can be enhanced. This will not occur in my electorate. I have already written to the Minister and to the Premier saying that the process in relation to the gazetting and imposition of division 1 levies through unelected swill will not occur. That judgment needs to be made by the duly elected representatives for Schubert and Taylor, because today those two electorates will have imposed on them a levy that has not been arrived at through due democratic process. This will be a sorry day for those two electorates.

Mr WILLIAMS (MacKillop): I refer to the Water Resources Act 1997. It is one of the few Acts of this Parliament that I know reasonably well because it is due to that Act that I find myself in this Parliament. In my opinion it is a very poor piece of legislation. As some of my colleagues have pointed out, one of the problems with it is that it is basically a taxing Act. It does not have a lot to do with the environment: it has more to do with taxation than anything else. We hear in these times of the importance of water, and it has been noted far and wide, particularly in this State and country, that water will be the gold into the next century. I believe that the drafters of this Act decided they would get their little piece of the action right at the ground level.

The Act contains provisions to impose taxation on two levels: first, on a land based level (the same as council rates); and, secondly, on a water based level—Division 1 and Division 2 levels. As the member for Gordon just pointed out, this is the first time under the Act that land-holders away from the River Murray will be taxed supposedly for environmental purposes on the amount of water they are using. I have serious problems with the mechanism, as has been pointed out by other members.

The members of the board that sets this tax—and let us call it a tax and not muck around by calling it a levy—are appointed. It is not an elected board from the community. As the member for Gordon pointed out, democracy is in the process of dying here today and has been ever since the Water Resources Act 1997 was passed by this Parliament. I believe that, as these non-elected boards are set up all over

the State, this Act will raise approximately $20 million from the people of South Australia. That is absolutely disgraceful.

A few people said at the time the legislation was drafted—and I know that the Hon. Mike Elliott was one—that the members of the board should be elected. I have spoken with the former Minister on this topic, and I believe that at least 50 per cent, and probably a voting majority, of the board membership should be elected. I accept the fact that there should be some ministerial appointments to the board. If the board is to have taxing powers, as it has, it should have a majority of elected members, members who truly represent the community that they propose to tax.

One of the problems with the Water Resources Act and these boards is that they seek to pick winners. If you are unfortunate enough to be growing lucerne or involved in the pursuit of a pasture regime to try to make a living in the area we are talking about—the Northern Adelaide Plains and the Barossa Valley—you will be taxed at the rate of $50 a hectare. If you happen to be in another pursuit, such as vegetable growing, recreation or law, it will be different: the local football club will be charged $50 a hectare to water the footy ground.

But if you happen to be growing vines or some other products that are seen as winners at the moment, you will be charged at $10 a hectare. I know that the Minister will say that vines use less water than do lucerne, and certainly they do but, as the member for Gordon pointed out, the figures from the Minister's department do not reflect the figures in the table in this document on the catchment board. These boards are out to pick winners. Having had a lot of experience in primary industries, I know that you cannot pick winners. I remember that not many years ago in this country people were paying up to $100 for a merino wether: within two years we were shooting them and putting them in holes in the ground because they were absolutely valueless. We all remember the vine pull schemes. You cannot pick winners in primary industries. They do not occur.

As much as the viticulture industry is enjoying very profitable times at the moment—it is certainly pumping millions of dollars into my electorate and I am very supportive of that industry—I do not think it should be the responsibility of Government to pick winners and say that, because you are in a certain industry, you should get a free kick and, if you are in another industry, you miss out on getting that free kick. I do not believe that the board that is proposing these levies or taxes has gone into what are the gross margins in the various industries that are being taxed. I do not believe it has done anything like that and I do not believe it knows the effect this will have on the people in those industries. In fact, the submission to the Economic and Finance Committee states:

> . . . the initial catchment water management plan, which of necessity is limited in scope and which was developed within narrow on.time frames. Due to the limited scope, the Northern Adelaide and Barossa Catchment Water Management Board requested the Minister for Environment and Heritage to waive the normal requirements for consultation and development of the proposal statement.

As it can under this Act—which, I suggest, is a pretty poor piece of legislation—the board requested the Minister to waive those sections of the Act which would compel that board to carry out consultation. The very people who will be taxed with this burden have not even been consulted about it. I commend the motion moved by the member for Waite, and I strongly urge the House to support it.

Mr LEWIS (Hammond): I have no wish nor intention to go over what I have said previously in this debate as it relates to the matter that has already been voted upon and disallowed on the voices. However, I want to expand on a couple of those concepts. The member for Taylor and in some ways also the member for MacKillop inadvertently drew attention to the first of these, namely, the Division 1 levies on the water to be used. At present under other catchment management boards we have Division 2 levies, which are based upon the value of the real property without regard whatever to the crops which are grown on that land or the other purposes for which it may be used. These Division 1 charges, levies, taxes—call them what you please; it does not matter: they are revenue for the board—are causing the current excitement. I seek leave to continue my remarks later.

The SPEAKER: The honourable member may not seek leave at this stage as we are working under sessional orders. The Bill will go in two minutes.

Mr LEWIS: Then I am cut off anyway. In any case, let me draw attention to the substance of one of the interesting facts raised by the member for Taylor: as she has been advised by her constituents, 1¢ per kilolitre would be a heavy impost and a real burden on the irrigators using the water in her electorate. I will say that 1¢ a kilolitre is nothing like the price paid by all the glasshouse tomato, cucumber, bean and flower growers in that intensive horticultural industry. They are paying $1 a kilolitre, because they buy water through the meters. At $1 a kilolitre, that water is a thousand times more expensive, yet they can make profits and they do not complain about it. They are not even compelled to use the water; it is their choice to use it as an input in production, along with fertiliser and so on.

It is, therefore, obvious to me that those people who complain about 1¢ a kilolitre are not doing their sums properly. If that represents the divide between profitability and unprofitability, I would say that they ought to go out of business anyway. After all, 1¢ a kilolitre is an insignificant amount of the total cost of production of any of the crops upon which the water can be used. We cannot afford to allow people at 1¢ a kilolitre to go on using that water to irrigate pasture, weeds and whatever. We must use the water more responsibly and effectively. At 1¢ a kilolitre, or $10 a megalitre—and a megalitre in old money represents about enough to irrigate a quarter of an acre of potatoes during the summer—you need about 1 million gallons (40 inches), and a megalitre is equal to about a quarter of that.

In any case, the member for Taylor and other members can now understand that $10 per megalitre is not a significant cost burden on any crop that is being grown efficiently; it can be afforded. However, I disagree with the entire principle of subjectively deciding which crop ought to get what charge, because what we are doing is saying that if you want to grow lucerne you will use however much water; whereas if you want to grow vines you are using only supplementary irrigation, and you will use only about 20 per cent of the amount of water on the same area of land; that is, a hectare of vines will use 20 per cent of the water which a hectare of lucerne will use. In old money, vines might use eight inches per acre for the irrigation that is required at those crucial times to get maximum quality and optimum result from the maximum quality with the maximum yield of that maximum quality.

However, there is nothing to say that those vineyard owners could not go on and use the same amount of water as Riverland grape growers have used in the past, that is, as

much as the irrigators of lucerne have used. As the levy stands, they are getting it for 20 per cent of the cost, and that is iniquitous. It is wrong; it is stupid. As the member for McKillop said, we are picking winners one way or the other. It is not up to us to make that judgment: it is up to the market place to make it, because that is the most elegant way of deciding who gets the cashew nuts and who has to eat the oatmeal, because there are fewer cashew nuts than there is oatmeal to go around. In that case, our aim should be to get these boards to meter the amount of water that is withdrawn by each irrigator and allow the irrigators, regardless of the crops they will use, to bid against each other for access to that water.

This means that the most efficient users, the people who can make most profit from that water and who can afford to pay more for it, will pay for it. It has nothing to do with how much money you have in your pocket: it has everything to do with how much you can make from using the water. You will bid against other people who wish to use it, and then the more profitable, efficient, effective and relevant industry types will end up with the water. Industry producers will end up with the water, and our boards will not have to make this subjective judgment in terms of, 'We will charge you that much if you want to grow chrysanthemums; we will charge you a bit less if you want to grow worms, because we think worms are nice and friendly; and we will charge you—

Members interjecting:

Mr LEWIS: Worms. You need water to grow worms. I can see that as an emerging cottage industry of substantial worth in the order of several millions of dollars a year. It will be worth a lot of money; people will buy worm castings to go with potting mix to put out their terrace boxes in this new type of subdivision that we are developing in Adelaide. Worm castings are presently worth 10 to 50 times more than other types of fertiliser on the market because people like to have them to grow their flowers. It is not up to boards to decide how much you should pay as a levy if you are going to be a worm farmer as opposed to a bean farmer, a lucerne farmer, a spud farmer, a chrysanthemum or a gladioli farmer, if you bring Edna into it!

Boards ought to get right out of that decision and leave it to the marketplace to decide, and they can do it in the manner I have suggested. The Act contains a provision to enable that to happen and, even though I believe that on this occasion we have fumbled the ball and got to this point without that educational process, let this occasion serve notice to the minions of the Minister and the Government, more particularly the boards and the irrigators, that the way forward is not to have division 1 levies set in this fashion but to have an open market for the water which rolls over at an acceptable rate so that the costs of buying the water are treated like the costs of buying the fertiliser, paying for labour or anything else one uses in the process of production and are tax deductable, instead of having them capitalised in some ways as they are at the moment.

I do not want to cause a crisis in the development of a program for the better management of catch management areas, but I am very disappointed that, even though the good science is documented, it has not been understood and no attempt has been made by most of the players and users of the resource to understand it. Damn it, 12 months is all they have got, as far as I am concerned.

Mr VENNING (Schubert): I rise with reservations today to support this Bill. I support it, although I have many concerns with it. I must agree with a lot of what prior speakers have said, particularly the member for Hammond in both debates this morning. I congratulate him, particularly on the debate on the Onkaparinga catchment area, where we were debating the division 2 levy. Also, I have some sympathy for what the member for Gordon says, but it is a matter of emphasis and interpretation of how we see this.

I did not see the scale of levies until last evening, and I tried to reach my contacts this morning in my electorate to ascertain what the impacts would be. Most were not home. However, the vigneron people whom I contacted were not overly concerned.

Mr McEwen: Of course not.

Mr VENNING: As the member for Gordon says, of course not, because they are on the $10 per hectare levy. It is the broad acre levy—the pasture levy under the new Division 1 category—that most concerned me. I tried, with limited success, to contact my constituency this morning. I am torn, in matters such as this, between supporting a locally established board, which is in place and whose members after all are the closest to the end users, and doing something else. It is a board of local people and I know many of the persons on it. The end users are the irrigators and indeed the payers of these levies. I know members of this committee and the Chairman, Mr Peter Wall, and another member who is a very distinguished former member of this place. I therefore trust that these people have got it right. A telephone call this morning revealed that 400 users in the Barossa would be affected by this. The information has apparently been around for some time and most of those people are aware of what their bills will be.

The concern is mainly with the lucerne that is grown on broad acres. I was reliably told this morning by the Minister that approximately 15 licences are affected under the broad acre irrigation; there is a total crop area of 82.6 hectares, which will attract a total levy of $4 130. So, the smallest grower has .8 of a hectare and the largest has 20 hectares. The average bill will be $275. So far as I can ascertain, one grower (with the 20 hectares) will attract a bill of almost $1 000. I am yet to see what the impact will be. This is a difficult situation for me because I always want, when standing in this place, to represent my people and to always reflect their views.

Mr Foley: Always?

Mr VENNING: Always. I have had my hand on my heart before this. If you represent and know people in your electorate like I do, they are loyal to the end but, betray them once, and you are finished. This is the first of the division 1 levies. That is what makes it difficult. It makes it hard to assess these impacts. I am of a mind to support this motion today, and I will, but I will keep a watchful brief on the matter. I have confidence in Mr Peter Wall and his board, but I am not sure how these charges will impact on some end users. However, I am assured by the Minister's note a minute ago that, of the 15 people involved, only one or two will be significantly impacted. I share the member for Stuart's concerns that the board should always be open for scrutiny in terms of how much it collects, how it spends and salary levels. Doubtless I will be contacted in the next few days by constituents about this matter and I will appreciate a full briefing by all participants in the weeks ahead.

I am torn both ways. To oppose it, the whole measure will fall away and there will be no trial or benchmark in position. The other option is to support or amend, if that is needed, in a year's time. Certainly, I would have appreciated some

warning, consultation and involvement in the prior process, but nevertheless the matter is now before the House this morning. I have no problem with the division 2 levies but it is the division 1 levies that concern me. It is difficult for a member to make a decision on matters as serious as this without being armed with all the facts and without the benefit of support by constituents or otherwise. I support the Government, the Minister and the Bill and I sincerely hope my reservations are unfounded. I will watch the impacts in a year's time. With those reservations, I support the Bill.

Mrs MAYWALD (Chaffey): First, I establish that I will not be voting for the disallowance of this motion because it would be financial vandalism to hijack funding for a board which has been established for three months at taxpayers' expense. However, I am extremely disappointed in the process and how it has come to a point where we are being forced to make a decision today. Last Tuesday, and only last Tuesday, I am led to believe the Economic and Finance Committee was made aware of the initial letter sending it through the requirements of the Act that brought us to where we are today, having to make a decision or hijack the finances for the board. That is very disturbing, because this matter could have been sorted out a long time before it came to the House. It could have been debated and a compromise well and truly reached on what the people in the Barossa and the northern Adelaide regions would approve and also what this House would see as equitable.

I agree with the member for Hammond wholeheartedly: when we start to determine who should pay what based on what they happen to grow on their land, we are entering into risky areas. I do not agree with the member for Hammond when he says that, if a particular grower cannot afford to pay 1¢ per kilolitre, then he should not be in business. I am sure the families of those growers would not appreciate his comments at all. The member for Gordon mentioned that it was a sorry day for—

An honourable member interjecting:

Mrs MAYWALD: —and he is a very good member—democracy, and I believe that this is the case. We have a process in place where the Economic and Finance Committee has the opportunity to investigate proposed levies imposed by catchment boards, which, as the member for MacKillop says, are just another form of tax. This process is to ensure that there is equitable distribution of collection of those dollars. The Economic and Finance Committee was right and justified in its concerns about the equity of these levies. What I believe is the root of this problem is that the Water Resources Act enables a Minister to appoint a community board to represent the environmental aspects of a catchment area and then the Minister can exempt that board from consulting with the very community it has been appointed to service.

Let us talk about that being a local board. I find it very difficult to come to grips with that and I support the member for MacKillop's position, that these boards should at least be partially elected. There is then more accountability in what happens within those boards. I also raise the concerns referred to by the member for Taylor. I am repeating this, but I believe it is a problem if that board is not consulting broadly with the community it represents. Whilst I will be voting against the motion to disallow, I do not support in any way the process that has brought us to this position today.

Mr HILL (Kaurna): I was hoping to hear the comments of the Minister before I spoke because I am curious to know her reasons for pushing this action before us today. We are going through a very curious process. As we all know, one of the Government backbenchers is moving a disallowance to a Bill which the Minister is promoting. I imagine the backbencher moving the disallowance will be voting against his own motion. I must say I have some sympathy with the Minister. Having listened to the speeches from the backbenchers, I can only think: with friends like that who needs enemies? It is clear that the Liberal backbenchers and the Independents are completely dissatisfied by the way in which the Minister has handled this whole matter, not only in relation to the two areas that are before us today but the whole issue of water management. Having looked at the Act in some detail recently, I must say I believe that the Act needs some changes, particularly the processes for consultation. I think they are unbelievably onerous and difficult to enforce. The time lines are absolutely incredible. I believe that there should be some action there.

Today I want to talk about why I believe we should be adjourning debate on this item until another time. Yesterday afternoon, I had a brief conversation with the Minister and, for the first time, she told me what the plan was today so this matter could get up. She advised me that there was some urgency and sought cooperation. I offered cooperation, to the extent that I said, 'The Opposition will be prepared to deal with the matter but we need some time to consult with the community and to consider the matter internally.' I said that I would be seeking an adjournment to have the matter considered next Thursday. At the time when we discussed this, I understood I had the Minister's undertaking that that was a reasonable way to proceed. Subsequently, this morning I was somewhat surprised to find that this matter had to be dealt with today as a matter of urgency.

That meant, as a result of the agreement that I entered into in good faith yesterday, I have not had an opportunity to consult with my colleagues or, as the member for Schubert said, with members of the community. I do know members of the community have many concerns about this proposed levy. The member for Taylor has raised some of those concerns. I have had contact with a number of members of council in the region who have expressed their concerns and I have had correspondence from growers in the area who have expressed concerns. I understand that one grower is likely to face a bill of about $4 000 in addition to what he currently pays, and this is cause for a great deal of concern.

This is a new process that is going through. The Water Resources Act outlines a very onerous process of consultation. It seems to me that that process has not been gone through properly, because there is still great concern in the community. I would like to see a delay of a week so that the Opposition at least has the opportunity to consult with people and get proper advice. If the Government wishes to use its numbers to make sure that does not happen today, a great deal of criticism can be levelled at it. In her argument, the Minister—and I was hoping she would get up before I spoke so that it could be put on the record—said that she needed to have the matter considered today, because there would not be enough process time left after this Parliament had dealt with it, if it was to be dealt with next Thursday; and leaving it until next Thursday would not give her enough time to go through Cabinet and Executive Council and get the matter gazetted.

As I said to the Minister then, and I will say it publicly now, if there is a problem with the processes of Cabinet in Executive Council, change those processes. She can go to the Cabinet this coming Monday and get approval of the Cabinet

to deal with the matter herself after that date and, after we deal with it next Thursday, she can have a special meeting of Executive Council to get the formal approval, after which she can then go through the gazettal process. If that time line is too late, she can use the numbers the Government has to have the matter considered next Tuesday afternoon. We would certainly support that. The Minister has the numbers to do it; and, if we all agree, we can certainly do it. We should not try to shorten the process of the Parliament to consider this very important matter.

Eight or nine speakers from the other side have all raised serious reservations about the levy. We as an Opposition want adequate time to consider it. We are saying not that we will vote against it, but we want more time to consider it. This has been put before us only in the past 24 hours. We know that the Economic and Finance Committee, members of the community and half the Government backbench have serious problems with this matter, and we want an opportunity to consult properly. If the Minister has trouble with the Cabinet, I suggest she talk to her colleagues—and the Deputy Premier is here—and sort out a program to get it through. She should not try to put any blame on us by suggesting that, by not agreeing to this shortened way of dealing with this matter, we will cause any problem in the community. We are not doing that, and it is not our problem. It has been dealt with badly by the Government from the very beginning. You cannot try to fix up your problems here in 24 hours. We need some extra time to consider it, and so I would urge at an appropriate time that the House support an adjournment.

The Hon. D.C. WOTTON (Heysen): I wish to speak only briefly on this matter. I speak in support of the motion moved by the member for Waite. I am in support of the Minister regarding this matter. I want to make a couple of points, because a number of issues have been raised about the Water Resources Act, not the least of which is the need for review of that legislation. I just happen to believe—and I am sure that the Minister will support this—that legislation as significant as that ought to be reviewed at an appropriate time.

Some of the suggestions that have been made by members on this side of the House—particularly by the member for MacKillop—need to be considered. Considerable debate occurred when the legislation was introduced as to the appointment of board members. A strong suggestion was made that at least some of those members should be elected. That is a matter that needs to be further considered, and I am sure it would be the Minister's intention to instigate an appropriate review and consider a number of issues. I also want to make the point that I am not privy to the evidence that has been provided to the Economic and Finance Committee. I know only of the absolute necessity to be able to proceed with the levy and with the actions and responsibilities of the board in this area.

In reply to the member for Taylor I want to make a point regarding consultation. I remind the honourable member that, whilst there has not been consultation in regard to the division 1 levy, there has been considerable consultation over a very long time regarding division 2 and the need for a form of levy for the pipeline. That debate has been going on for at least two or three years. For the honourable member to say that there has not been consultation is totally inappropriate. An advisory committee was in place prior to the board's being established under the chair of Peter Wall, who has done an excellent job in making local residents aware of concerns about the amount of water available throughout the area and the need for an appropriate levy to be put in place.

I am not aware in detail of the consultation that the Minister has had as to the legal implications. It is quite obvious from what has been said, and if you consider the responsibilities of the board, that division 2 should be implemented immediately. There is a necessity for consideration to be given to the rate notice, and I share the Minister's concern about the need to have the process work its way through to enable that to happen. I am also aware that the major concern rests with division 1. The Minister advises me that, from the legal advice she has received, this is not the case, and I am sure she will comment on this, but I had hoped that it might be possible to proceed with division 2 or even consider increasing division 2 but not proceeding with division 1. I understand that there are legal reasons why that cannot happen, which the Minister will explain.

If that were legally possible, I am sure that would have been one way of overcoming the present situation. It is a very complicated situation; the entire legislation is extremely complicated, and I understand the dilemma in which the Minister finds herself at this stage. However, it is important that the Minister explain to the House the reasons why we cannot proceed with division 2 and hold off on division 1 until further consideration can be given to that matter.

I agree with a number of the comments made by my colleague the member for Hammond, and I want to reiterate what I said earlier about the need for a review of the legislation. I also want to place on record again my support for the establishment of the boards and the excellent work that the Patawalonga and Torrens boards have done. I am also delighted that the Onkaparinga and the Northern Adelaide and Barossa boards are in place. I look forward to their being able to get on with their responsibilities under the legislation and hope that they will be able to do that by raising the levy, and that members of the House will support the Minister on this issue.

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I have listened to all the comments made on both sides of the House today. I am aware, from previous discussions with other members, that some considerable concerns have been expressed regarding different matters relating to the Water Resources Act. I take on board the comments by the member for Heysen, and a review at an appropriate time is obviously one of the issues that we need to look at, in terms of the application of this Act and its intent in certain areas. However, I believe that today we are dealing with, on the one hand, an environmental imperative and, on the other hand, economic development. The policies of this Government adhere to economic development but, in terms of our different areas of responsibility, the environment is one of the areas that also must be addressed with a great sense of responsibility—which I believe I do.

In terms of the environment, we live in the driest State in the driest continent. In terms of economic development, we use one of the finite resources that we have, which is water. Water is a very basic staple of economic development in many areas of the State. I believe that every member here will recognise that some of the disasters that have been imposed upon the environment over time have occurred through the misuse of our water resources. I believe that there is a balance between the two, but what we are dealing with in this catchment plan is putting in place a board in a designated area

of the State to look at the integrated management of the resource of water within that area.

Many indications of denigration need to be addressed by the imperative plans that a board will undertake. It was intended, through the Water Resources Act, that the boards be self-funding and that the users of water and other beneficiaries within the catchment community contribute financially to water resource management. The Act enables boards to raise funds from constituent councils and/or licensed water users, and that is where we talk about Division 1 and Division 2 fines. The member for Heysen also asked me to discuss the matter of why in this place we cannot talk about diminishing or taking away one levy, such as Division 1, out of the two levies that make up the proposal that are part of the plan. The Act is quite explicit in that area.

The Economic and Finance Committee receives the plans of a catchment board. It has the opportunity to do one of three things: object to the levy, amend the levy or accept the levy. It is only under the circumstances of the statutory responsibilities of the Economic and Finance Committee under the Water Resources Act that it has the ability at that time to attempt to alter a piece of the Act—and that could be the Division 1 or the Division 2 levy. But the Act is quite explicit that, when the Economic and Finance Committee objects to the levy and it is placed before the House of Assembly (and it is only this House that it comes to), only the proposal of levies as a whole can be discussed and voted upon. There is no means for me to amend at any later stage, because this is the end process of accepting those plans, legally, under the Act.

I assure members that I have attempted to follow up all the different aspects that may have assisted us to negotiate through what I have determined as concerns from various members. But the Act is quite explicit—and the legal advice supports what the Act says in this instance. So, unfortunately, we cannot discuss the funds separately.

The member for Hammond spoke about designing levies to the types of crops that are grown. This is already commonplace. Water allocations are made on the basis of the crops growing because it is a matter of determining water use over an area of ground used for a specific crop. That is called irrigation equivalent. The amounts that are shown in the plan, although they are designated as lucerne, vegetables or potatoes, for example, are a means of determining water allocations under irrigation equivalent numbers, and that is fairly common practice in terms of issuing licences for a particular volume of water that a licensed user will use in any given year.

It is also pertinent to put on the record that this is not the first time that a Division 1 water levy has been struck. The River Murray board also relies on a Division 1 water levy, which was struck by the previous Minister. The South-East Catchment Water Management Board also operates under a Division 1 water levy, so the Northern Adelaide and Barossa board has not set any precedent by applying a Division 1 water levy.

The catchment water management boards have been put into place as the cornerstone of new partnership arrangements between the community and Government for managing and developing the State's water resources in a sustainable manner. The need for this partnership and natural resource management at the catchment level was clearly identified during the review of the water resources legislation that embraced the Water Resources Act 1997.

The funds that are raised from these levies can be used only within the designated catchment areas. It is not a tax that is coming into current revenue by Government. It is an environment enhancement levy and a water use levy that will be utilised totally to remedy the problems of salinity, water degradation or water quality—all the areas that impact on the environment and therefore reduce the security of people being able to economically produce in a sustainable manner.

The advantage of having catchment funds within a designated area also means that Natural Heritage Trust money, which is available at present and which will be available for the next couple of years, can be attracted by the funds that are raised by those areas. As a result, a catchment water board which has struck a levy in any given area can almost double those funds that it raises to be spent on the areas that the priority plans decide for any given catchment.

It is also important to know that the environment aspect will be a continuing debate. It is imperative that the catchment boards devise plans in conjunction with their communities. In conjunction with the community, the community will take ownership of those plans. They will identify the priority needs of any given area. In looking at the problems of economic development, it is extremely important that we as managers do not sit by while the problems arise around us without looking at the scientific and technical knowledge that needs to be assessed before we can take action. It is no good our coming in after the fact, after areas are degraded, after salinity has risen across areas of land that can no longer be used by future generations. We must take action to remediate areas and to put problem-solving procedures in place rather than use many dollars after the damage has been done to remediate areas for which solutions could have been found.

This is a complex issue, and I appreciate the comments that have been made by all members. It is imperative that this plan go through Parliament today, otherwise a penalty will be imposed and the boards will have to find $150 000 to mail out bills if this process today does not allow us to take these levies into council budgets by the end of this month.

Mr De LAINE: I move:

That the debate be now adjourned.

The House divided on the motion:

AYES (21)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Ciccarello, V.
Clarke, R. D.	Conlon, P. F.
De Laine, M. R. (teller)	Foley, K. O.
Hanna, K.	Hill, J. D.
Hurley, A. K. t.)	Key, S. W.
Koutsantonis, T.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	Williams, M. R.
Wright, M. J.	

NOES (24)

Armitage, M. H.	Brindal, M. K.
Brokenshire, R. L.	Brown, D. C.
Buckby, M. R.	Condous, S. G.
Evans, I. F.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L.
Ingerson, G. A.	Kerin, R. G.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A.	Maywald, K. A.
McEwen, R. J.	Meier, E. J. (teller)
Olsen, J. W.	Penfold, E. M.

NOES (cont.)

Scalzi, G.	Such, R. B.
Venning, I. H.	Wotton, D. C.

Majority of 3 for the Noes.

Motion thus negatived.

Mr HAMILTON-SMITH (Waite): In closing the debate, I remind the House that my purpose in moving this motion was to bring about this debate and for a decision to be taken today. It is apparent from the debate that there have been some communication difficulties. In view of the fact that we have a newly constituted Economic and Finance Committee, a new board and a new ministry and because there has been some restructuring within the departments that are involved, I feel confident that that communication will improve. The most important issue is that the interests of the people of the Barossa and the northern Adelaide districts are attended to, particularly with regard to water management and the environment. I hope that the House will decide the matter in the interests of those constituents.

Motion negatived.

PUBLIC WORKS COMMITTEE: HINDMARSH SOCCER STADIUM

Mr LEWIS (Hammond): I move:

That the sixty-seventh report of the committee on the Hindmarsh Soccer Stadium upgrade—stage 2 be noted.

The Department of Industry and Trade has proposed to undertake stage 2 of the upgrade of the Hindmarsh Soccer Stadium. As put before the committee, the project was estimated to cost $18.5 million. The committee now knows that that figure is less than the amount that will be required and that the correct figure will be between $19 million and $19.5 million.

In summary, this proposal includes the following works and facilities. There will be new terraces providing a total of $9 700 permanent individual seats for general admission spectators to replace the existing 3 000 permanent seats that were installed in September 1992 (six years ago) for the 1993 World Cup tournament. Regrettably, those seats were erected on a surface with a very low angle of repose such that spectators in elevation one row behind the other do not necessarily get a very clear view of the activity on the pitch. That was inappropriate and a piece of very poor engineering—imprudent management, to say the least, on the part of whoever was responsible, whether Soccer SA or any consultant they might have employed. It is my judgment that such people ought to have been pursued for their incompetence in that they did cost an enormous amount of money, and now less than six years later we find ourselves contemplating replacement because of that design fault.

Permanent food and beverage concessions under the eastern terrace and provision for temporary food and beverage concessions under the northern and southern terraces are also proposed as part of this development. There will be new toilets at ground level under the terraces which will incorporate more disabled toilets and baby changing facilities. Further, there will be the provision of a disabled persons' lift and a ramp providing access to the concourse level which will form a complete girdle around the stadium.

It is intended to improve the existing change room facilities in the areas to Soccer Federation standards—that is, Federation Internationale de Football Association (FIFA). There is a proposed extension to the playing pitch on the southern side into Hindmarsh Place to meet full FIFA international standards, which will also enable rugby to be played on that pitch. Fences will be upgraded to improve the safety and security of the spectators and the players, and one notes in soccer that sometimes spectators get more willing in the boisterous nature in which they demonstrate their support for or against decisions made by referees and/or other spectators from the opposing team.

Mr Conlon interjecting:

Mr LEWIS: You mean it is a bit like factions in the Labor Party. There will be an upgrading of field lighting to the standards which the FIFA people have stated they will require, though the committee has seen no evidence from FIFA as to that standard. It is not written down anywhere. We are just told that it is FIFA's standard. Again, that is unfortunate. New accommodation for St John Ambulance and SA Police is also proposed, as is a drug testing and a referees' facility. That is not to say that the referees do not have a facility now: it is just that it is not of a very good standard. It will include new ticket sales facilities and turnstiles.

Separately and independently from the committee's hearings, whilst it was not included in the proposal, it has since come to my attention that it is proposed to include in those facilities a $3 million big screen. I speak now not as the Chairman of the committee, because this information has not come before the committee in formal evidence, but that $3 million big screen represents a part of the overall complex which may or may not be paid for by sponsorship from the private sector. Because it is part of the project, it should have been included in the proposal of the project. There are other illustrations of that kind of deficiency in the information given to the committee in the initial proposal. In short, that proposal was a shambles.

The Hindmarsh Soccer Stadium was inspected by members of the committee just a month or so ago—on 4 March. We saw the completed Stage 1 works at the western grandstand and the area where the proposed Stage 2 upgrade works are to be undertaken. The committee looked closely at the area where the new southern stand will be constructed on Hindmarsh Place and looked at the buildings designated for demolition and the adjacent heritage buildings that will be affected by the proposed new construction, should it proceed. In seeing the way in which the southern stand will egress into Hindmarsh Place, the committee realised the enormous affront that represented to the facade and amenity access value of the Belarusian Church. It stands at that point where the southern wall of that stand would be higher than the distance between its base and the front portico of the church, effectively dwarfing its architectural aesthetics and severely restricting access for such functions in the church as weddings and funerals.

The Public Works Committee reported to the Parliament on this first stage in August 1996 on the basis that completion of these works would ensure that Adelaide would have the necessary facilities to host a round of soccer matches for the Sydney 2000 Olympic Games. That is what other members of the committee and I were told at that time. That work was completed in December last year. However, the committee has since been told in evidence that the completed Stage 1 works are inadequate and that the proposed Stage 2 works are needed if Olympic soccer is to be played in Adelaide. Equally, however, I can point out to the House from my own conversations informally with people in SOCOG that it was not SOCOG's requirement that additional permanent works

be undertaken but, rather, the source of those requirements came from within soccer itself.

In addition, and as reported in the committee's report on Stage 1, the upgrade of the Hindmarsh Soccer Stadium was seen to have a number of benefits for South Australia in that it would enable Adelaide to host that series of soccer matches for the Sydney 2000 Olympics soccer tournament of six preliminary round matches and a quarter final. It would also provide a major opportunity to establish the stadium and soccer in general as a viable alternative family sport. This is what we were told about Stage 1 and the committee heartily endorsed these points.

Further, we were told that it would provide an international standard facility capable of expansion in the future in a stepwise manner, as the need to do so arose. We would told that it would minimise capital and operational costs by design as a low maintenance structure with minimum energy usage. Further, the committee heard and believed that the Hindmarsh Soccer Stadium would become the premier facility in South Australia, dedicated to soccer and capable of holding international matches, and that it would provide a long-term facility for the two South Australian national soccer clubs and, moreover, establish the soccer stadium as a long-term, commercially viable, multi-purpose stadium, useful for other activities and sports other than soccer.

However, based on the evidence presented to the committee for Stage 2, the proposing agency and people from soccer attribute the same benefits as justification for the Stage 2 works, as though they were not fulfilled by Stage 1. It is understood that these already completed works will generally enable the State to attract most sporting, recreational, entertainment or cultural events on a local, State, national or international level, and the committee believes that Stage 2 will not significantly increase the stadium's attractiveness in this regard.

Consequently, the committee has a number of concerns regarding the second stage, and these concerns arose at the point at which a proposition from the member for Mawson precluded the committee from obtaining and considering further evidence which might otherwise have come before it and which indeed has since come before it.

Debate adjourned.

[Sitting suspended from 1 to 2 p.m.]

APPROPRIATION BILL

His Excellency the Governor, by message, recommended to the House of Assembly the appropriation of such amounts of money as might be required for the purposes mentioned in the Bill.

LIVING HEALTH

Petitions signed by 50 residents of South Australia requesting that the House urge the Government to reconsider its decision to close Living Health and to ensure that existing sponsorships, currently funded by the tobacco tax, are maintained were presented by Messrs Buckby, Clarke and Conlon.

Petitions received.

SHOPPING HOURS

A petition signed by 3 654 residents of South Australia requesting that the House urge the Government to resist any deregulation to permanent retail trading hours was presented by the Hon. D.C. Kotz.

Petition received.

QUESTIONS

The SPEAKER: I direct that written answers to the following questions on the Notice Paper, as detailed in the schedule that I now table, be distributed and printed in *Hansard:* Nos 34, 44, 51, 57, 75, 77, 81, 86, 105, 106 and 107; and I direct that the following answers to questions asked during the examination of the Auditor-General's Report be distributed and printed in *Hansard*.

ECONOMIC DEVELOPMENT AUTHORITY

In reply to **Mr CLARKE (Ross Smith)** 18 February.

The Hon. G.A. INGERSON:

(a) The Auditor-General's qualification to the EDA's financial statements for 1996-97 related to satisfactory assurance that the level of Receivables can be fully supported by the financial database. These receivables arise from loans, many of them 99-year loans, or (conditional) grants to companies which incorporated claw-back arrangements for non-fulfilment of stated objectives such as a target increase in employment levels. The department is currently conducting an audit confirmation exercise with 500 companies which have received financial assistance since 1988 and expects to complete the review to the Auditor-General's satisfaction before June 1998.

(b) The total documented liabilities of the Government through the Industry Investment Attraction Fund to the year 2006 as at December 1997 is some $148 million, of which payroll tax rebate incentives total $43.5 million with the remainder in the form of grants or loans.

The estimated payroll tax rebate incentives are based upon agreed forecasts of staffing levels (FTEs) for the respective companies, but actual rebate payments are based upon documented levels achieved in each year. Together with the grants and loans, the above total represents a commitment averaging $16.4 million per annum over the nine year period. Procedures are in place to ensure repayments of short-term loans consistent with agreements with the companies assisted. The figures above do not take account of expected future repayments.

(c) No. The specific aspect that requires confirmation arising from the Auditor-General's report is the level of receivables—that is, amounts principally given to companies as short or long term (e.g., 99-year) loans. The forward commitments of the agency in terms of agreed and contracted financial assistance has been quite well documented, although a regular review process has been recently implemented to ensure projects remain within previously agreed parameters or are re-submitted for review or approval at the appropriate level.

In reply to **Mr CLARKE (Ross Smith)** 18 February.

The Hon. G.A. INGERSON: The Auditor-General has not now or previously commented adversely on any aspect of the assessment and approval process leading to financial assistance to companies. Primarily the criticisms of the Auditor-General concerned the need for improved documentation to more readily evidence that the appropriate steps have been undertaken in the assessment and approval process, improved consistency between file and database records, a more formal project monitoring and review process for the more significant projects and improved confidence in the accuracy of historical records to verify financial statement reporting (e.g., receivables).

The EDA established a re-engineering team under the direction of the CEO in September 1997 to oversight very significant changes in process and documentation management to address the issues

raised by the Auditor-General. The changes that have been implemented cover:

1. Standard of documentation, records and database systems
   - new project file structure, colour coded by project size
   - all file folios numbered
   - a file 'running sheet' maintained for each file
   - all actions to be recorded on the project and file
   - project management guidelines reviewed, now much more specific
   - a stocktake being undertaken of all existing project files
   - audit of all projects since 1988 continues to ensure file and database consistency
   - redeveloping financial assistance database
   - checking financial assistance records (loans) with 500 companies
   - revising policies and procedures manual
   - staff being retrained.
2. Monitoring and management reporting
   - formal reviews of major projects with Prudential Management at three month intervals, informal—monthly
   - medium projects reviewed 6 monthly or at significant event
   - minor projects—annual review
   - a change near or beyond approved limits will initiate upward action (CEO, Minister, etc).
3. Financial reporting
   - the financial statement qualification re asset values will be resolved by planned completion of the review processes outlined—expected before June 1998.

The Auditor-General has been briefed on these actions and a follow-up meeting was held on Thursday 26 February 1998.

In reply to **Mr CLARKE (Ross Smith)** 18 February.

The Hon. G.A. INGERSON: The annual financial statements for the EDA for 1995-96 and 1996-97 indicate that the respective remuneration levels for the chief executive were in the $190 000-$200 000 and the $210 000-$220 000 ranges respectively. The chief executive received only one increase in 1996-97 which was the two per cent standard increase received by all executive staff and which applied from 1 July 1996.

Two other factors impacted on the 1996-97 remuneration level—a payment in lieu of long service leave, which is an option provided under the Public Sector Management Act 1995 for executive staff, and some back-pay relating to the chief executives appointment to a new five-year contract in mid 1995-96 which was not formalised until early 1996-97.

WILPENA TOURISM CENTRE

In reply to **Mr CLARKE (Ross Smith)** 18 February.

The Hon. G.A. INGERSON: I provide the following:

Guarantee

Cabinet approved on 30 June 1997 the following details for a Government guarantee of FRTS's funds for the project.

Amount

Guarantee is for half the amount borrowed by FRTS from the ANZ Bank

Repayment of Loan/Term of Guarantee

Government guarantee reduces by one half of each principal repayment made by FRTS on its loan. The guarantee will be extinguished after 10 years, based on FRTS's repayment schedule to the bank. Additionally, the guarantee will extinguish after 20 years should FRTS have any outstanding payments.

Security

An allocation of FRTS assets has been agreed which ensures FRTS assets are realised by the ANZ Bank to offset any FRTS debts prior to the Bank being able to call on the guarantee. Director's guarantees have been provided by FRTS to ensure any personal assets of the directors can be called on prior to the guarantee.

Power Supply

As part of the infrastructure planning for the project, it became apparent that the existing power supply (on-site diesel generators) required significant improvement to provide a reliable supply with sufficient capacity to serve the redeveloped motel and new facilities.

The former MFP Development Corporation explored options to provide an improved power supply. Extending a power line from the nearby town of Hawker emerged as a more cost effective solution than upgrading the on-site generators and Cabinet approved this option subject to further discussion between ETSA, MFPDC and Treasury regarding payment details.

Subsequent discussion between ETSA and MFPDC led to a proposal to install an innovative solar/diesel power supply at Wilpena as an alternative to a power line extension. ETSA agreed to install the solar supply at the same cost, tariff and reliability parameters as the power line option on the basis of important R&D aspects and future use of the technology in other remote areas.

The cost of both options was estimated at $2.5 million. Cabinet approved the solar option on 23 June 1997 after consideration of the tourism, environmental and R&D benefits of the this option over a power line extension. The solar supply will comprise 100kW of solar arrays and a number of back-up diesel generators and will be the largest off-grid solar power supply in Australia and one of the largest in the Southern Hemisphere.

ETSA commenced construction of the solar/diesel power supply in late 1997 and will be completed in mid 1998 as solar cells are manufactured and installed on-site. ETSA has also committed to construct a tourist viewing area on a nearby rise with a walking trail and interpretive panels explaining the solar power process and environmental advantages.

TOURISM SA

In reply to **Mr CLARKE (Ross Smith)** 18 February.

The Hon. G.A. INGERSON: I am advised by the chief executive of the South Australian Tourism Commission that the Ciccarello Report did not feature in either the 1995-96 or 1996-97 expenditure on consultancies.

The Ciccarello Report was costed against SATC Board Miscellaneous expenses in the 1996-97 Financial Year.

The increase in expenditure in 1996-97 can be attributed to an increase in the number of consultancies costing in excess of $50 000 (2:6). These consultancies were engaged by the South Australian Tourism Commission to undertake major projects, which required extensive research, expertise and time.

These projects were:

- Forecasting and Economic Impact Study, which underpinned the development of the new South Australian Tourism Commission strategy, 'The Tourism means Business Tourism Plan'.
- Wilpena Pound Redevelopment Master Plan, which was a major tourism development project for the SATC.
- Advertising Design and Advice. The increase in costs for 1996-97 was due to a change in focus in the allocation of the SATC's advertising expenditure from television to a variety of other media including magazines, newspapers, radio and cinema. The change in focus, aimed at increasing the number of visitors to the State, resulted in greater creative and production costs.

It is expected the expenditure on consultancies for 1997-98 will not amount to the expenditure of 1996-97.

ADELAIDE CONVENTION CENTRE

In reply to **Mr CLARKE (Ross Smith)** 18 February.

The Hon. G.A. INGERSON: Reference to the 'Abnormal item' $179 000 is explained in Note 2 in Notes to Financial Statements page 7 of the Auditor-General's Report. This note states 'An abnormal cost of $179 000 arose from expenses which related to the 10th anniversary promotion of the Adelaide Convention Centre.'

This was a full year promotional exercise to mark the tenth year of operation and designated as a 'Decade of Distinction'. Extensive marketing activities were undertaken worldwide culminating in the 10th birthday celebration on 13 June.

The marketing and promotion exercise accounted for the majority of the $179 000 cost with the celebration party being largely paid for by sponsorship. The results of this full year marketing and promotional activities concluded in the signing of an estimated $71 million of business for the South Australian economy during 1997.

HINDMARSH SOCCER STADIUM

In reply to **Mr FOLEY (Hart)** 18 February.

The Hon. G.A. INGERSON: The following is a sequence of the processes for the Hindmarsh Soccer Stadium Stage 2 project from the initiation of the project through to the awarding of the contract. It must be noted some activities run concurrently, but for ease of reading these have be placed in sequence.

In addition to the statutory obligations there is public consultation throughout the process conducted by the Department for Industry and Trade.

- Cabinet notes the budget and approves engagement of primary consultant subject to an acceptable fee.
- Public announcement by the Premier
- Value Management Study conducted
- The project declared a Major Development by the Minister Transport, Urban Planning and the Arts.
- Application document by the Minister for Industry Trade and Tourism forwarded to the Development Assessment Commission for processing.
- Major Developments Panel prepares an issues paper which is publicly advertised.
- Major Developments Panel determines a Development Report be prepared by the proponent. (Minister for Industry, Trade and Tourism.)
- City of Charles Sturt advises the Government its in-principle support to the project including the proposed road closure of Hindmarsh Place.
- Road closure initiated by the City of Charles Sturt.
- Consent Development approved for works within the existing stadium boundary approved by the City of Charles Sturt.
- Road closure publicly advertised.
- Any road closure objections received by the Development Assessment Commission Responses prepared by the Department for Industry and Trade and City of Charles Sturt.
- Project assessed by the Prudential Management Group
- Cabinet approves the project budget and the scope of work and for it to be referred to the Public Works Committee for examination.
- Development Report publicly advertised.
- Public Works Committee hearing.
- Registrations of Interest from contractors sought.
- Public Works Committee tables report in Parliament.
- Road closure hearing by the Development Assessment Commission and decision.
- Major Development approval granted
- Tenders called.
- Cabinet submission seeking approval of recommended tender.
- Contract awarded.

In reply to **Mr FOLEY (Hart)** 18 February.

The Hon. G.A. INGERSON: The architectural firm of Woods Bagot were selected as the preferred consultant for Stage 1 of the Hindmarsh Soccer Stadium in competition with a selected field of consultants.

The Department of Administrative and Information Services was the project manager for Stage 1 and was responsible for advertising, assessing and selecting the preferred consultant in consultation with the client (the Office for Recreation and Sport and the SA Soccer Federation).

EMERGENCY SERVICES FUNDING

The Hon. I.F. EVANS (Minister for Police, Correctional Services and Emergency Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. I.F. EVANS: On 24 February 1998 this Government announced the establishment of a steering committee to report on the arrangements for funding the delivery of emergency services in South Australia. The committee comprised members from the Department of Justice, the Local Government Association, the insurance industry, Industry and Trade (Office of Local Government), the Department of Treasury and Finance, and the Department of Premier and Cabinet.

The committee was directed to conduct a review and report to Government recommending an appropriate method and implementation plan to achieve more equitable and rational funding for delivering emergency services in South Australia. The latest report, the sixth in 20 years into this issue, shows that the current system is clearly inequitable, unsustainable, inefficient, lacks transparency and accountability, and impedes the capacity of our emergency services to deliver services to meet the genuine needs of the community. This is clearly unacceptable.

The present funding arrangements, being based largely on an insurance premium levy, indicates that people who fully insure are subsidising those who do not insure or who underinsure. Property holders who choose not to insure are not making a fair contribution to the cost of protecting their lives, families, property, the community and the environment in which they live. The Insurance Council of Australia advises that some 31 per cent of households have no insurance and therefore escape paying the existing emergency services levy on insurance premiums. One in three households does not contribute fairly to the emergency services levy. A further 29 per cent underinsure and therefore do not contribute their fair share. Some small businesses are no better. Some 20 per cent carry no insurance at all and 24 per cent are underinsured. These statistics highlight the unfairness in the current system and emphasise the need for change.

The Government has considered the report of the steering committee into the funding of emergency services and is now in a position to progress this matter. The second phase of this process will now begin. The community expects and needs to have the inequity and other flaws in the current arrangements addressed as a matter of urgency. Comprehensive consultation has been occurring and this Government will work with key stakeholders to implement new funding arrangements that are equitable and strategic, enabling emergency services to be delivered and adequately funded to meet the genuine needs of the community.

In relation to proposals, the Government intends to implement a funding system where all property holders who potentially benefit from emergency services make a fair contribution to the ongoing cost. The new funding arrangements will draw upon the knowledge and experience of systems implemented (or soon to be implemented) in other jurisdictions across Australia and will be tailored to meet the special needs of South Australians.

It is proposed to replace the current funding arrangements with a system focused on ensuring fairness in contributions which is underpinned by a strategic risk based framework for allocating resources. This will ensure that all members of the community make a fair contribution to the services they may require and receive the protection they genuinely need. It is intended that all fixed and mobile property holders contribute fairly to a fund established exclusively to meet the ongoing costs of delivering emergency services and that the legislative requirement for local government and the insurance industry to contribute to the cost of emergency services be removed other than that in respect of the property they own.

The funds collected will be dedicated to a Community Emergency Services Fund. This is in recognition of the critical community basis and the focus of emergency services and the benefit the community derives from the provision of these services. The new arrangements for fixed property will take the form of a levy on fixed property made up of two parts: an access fee, as a minimum contribution for all property owners; and a second part based on the capital value of their property, adjusted by weightings related to the area the property is in (area weighting) and its land use (land use weighting). The new arrangements will commence from 1 July 1999.

Simultaneously, the current fire services levy contribution included in insurance premiums for homes and businesses

will be eliminated, providing a major direct saving to those who insure. The weightings will be used to ensure fairness in the levy contributions paid by fixed property owners in terms of the services from which they have the potential to benefit.

In relation to mobile property, all members would be aware that an emergency services levy currently exists on all comprehensive motor vehicle insurance policies. With respect to mobile property, it should be noted that motor vehicle related incidents alone now account for at least 15 per cent, some estimate 30 per cent, of emergency service call outs. Government accepts the advice of the steering committee and other key stakeholders that owners of motor vehicles, trailers, caravans and registered boats, all of whom potentially benefit from a range of emergency services available to them, should make a fair contribution to the costs of those services.

Clearly, on the basis of equity and potential to benefit, a fair contribution should be made by the mobile property sector. Therefore, it is intention of this Government that the mobile property sector continue to make an overall contribution towards the cost of emergency services through a contribution from owners of motor vehicles, trailers, caravans and registered boats through the registration of that property.

Where to from here? The Government does not necessarily accept the amounts recommended by the committee, and the final amount and nature of the levies payable will be determined in the lead up to the implementation next year and reviewed on an ongoing basis to ensure comparative fairness. The committee recommended local government as the preferred collector of the funds. However, the Government remains open on this issue and will have discussions with local government about this and other significant transitional issues. Ongoing investigation and consultation will occur in the lead up to and following the implementation of the new arrangements for 1 July 1999 to ensure that the system remains focused on the key principles: fairness in contribution and the strategic management of resources to protect the community.

The contributions to be made by each property sector will be further analysed over the next year (and on an ongoing basis) to ensure that all sectors and property owners make a fair contribution toward the cost of the services they have the potential to benefit from. The Government believes that everyone in the community has a right to expect access to affordable emergency services. We also believe that everyone has a responsibility to make a reasonable contribution toward the cost of doing so. It is expected that legislation to underpin the scheme will be introduced next week. I table the report.

QUESTION TIME

AAPT CONTRACT

Ms RANKINE (Wright): Will the Minister for Government Enterprises advise whether a part of the expected savings he advised the House about on Tuesday, resulting from engaging AAPT as the Government's telecommunications carrier, will come from restricting outer metropolitan and STD calls from all Government offices, or have MPs' offices been singled out in this regard? On Tuesday the Minister advised the House:

AAPT holds the telecommunications services manager contract with the Government, and in that role the company has helped the State to achieve real savings in our overall telecommunications spending.

He went on to say that AAPT had developed innovative and competitive ways of dealing with the deregulated telecommunications industry of the future. On Monday this week, when I attempted to phone from my office in Golden Grove to an office in Christies Beach, a recorded message from AAPT informed me that my number was not registered on its database. Despite repeated contacts and repeated assurances that it would be fixed, I am still unable to make a call to Christies Beach from my electorate office. Is this an example of the private sector efficiency we constantly hear being extolled by the Minister?

The SPEAKER: Order! The honourable member is starting to comment.

The Hon. M.H. ARMITAGE: I will need to look into that. With respect to the AAPT contract, we have secured some of the cheapest telecommunication rates in Australia.

Members interjecting:

The Hon. M.H. ARMITAGE: Members of the Opposition laugh about all these sorts of things because they do not want South Australia and South Australian industries to do well when the Liberal Party is on this side of the Chamber. But industries are doing particularly well because of this contract. I am informed that one in particular, Hills Industries, has identified a huge saving through this contract. I will look at the matter that the honourable member has identified and bring back a report.

MOTOR VEHICLE TARIFFS

The Hon. R.B. SUCH (Fisher): Will the Premier outline the benefits now flowing to the people of South Australia as a result of the car tariff decision?

The Hon. J.W. OLSEN: As I indicated to the House yesterday in the employment statement, the debate that we took up with the Commonwealth Government in relation to the question of tariffs for the motor vehicle industry and for the textile, clothing and footwear industry were particularly important to the long-term manufacturing base and, therefore, to the employment base of South Australia. It was also critical to further investment by major multinational companies in South Australia, which leads to employment opportunities for South Australians. There is no doubt at all that the tariff decision has helped both Mitsubishi and General Motors in their investment plans.

General Motors' announcement this week that it will invest $1 billion in an export drive and will receive revenue from the export of a product from South Australia into the international marketplace is testament to that policy decision of the Commonwealth Government, under pressure from a range of manufacturers, the South Australian Government, the Victorian Government and the union movement, which backed us in our plea for a reasonable tariff outcome.

General Motors estimates that within five years vehicle exports could account for one-third of Holden's annual vehicle production—and, as I said, $1 billion worth of export revenue from General Motors. With the introduction of the second production line for the world Vectra motor vehicle, some 700 extra jobs will be created at General Motors here in South Australia. That will underpin the manufacturing base, realign the manufacturing base to world's best practice and ensure that we are internationally competitive. The bottom line is that we are creating jobs—and with certainty for those jobs—for people in the manufacturing and motor vehicle industries in South Australia. That is a far cry from what the position was a few years ago, with uncertainty about

the future and with major investment decisions being put on hold pending the right policy settings being put in place.

We look to the Japanese market at the moment and, in particular, some of the uncertainties within that economy. I will seek to have some discussions with Mitsubishi in the course of the next few weeks to ensure that ongoing investment and its plans for further expansion in South Australia are maintained and kept on track. It is important for us to demonstrate to these major manufacturers, and to the board rooms where the investment decisions are made, that the South Australian Government is committed to a sophisticated manufacturing base; that we have some natural assets in this State—such as a work force that has an industrial relations record second to none in Australia, and which has for 40 years outperformed every other State in Australia; that average weekly overtime earnings are an advantage, compared with other States of Australia; and that the cost of living is lower here than other States of Australia. In other words, we have a conducive climate in which to invest to attract employees with an attitude and a skills base that can ensure that these major multinational companies can produce products in this State to access the international marketplace. And it clearly demonstrates that we can mix and match it with any company and country in the world, with the products and the goods and services coming out of this State.

South Australians ought not to cringe and be self-effacing about some of our achievements. All too often we are. The success of General Motors and the work force at Elizabeth is one example—a case example—where, as a State, we ought to with pride laud their achievements and give them ongoing encouragement to enter the marketplace. Who would not feel some pride at seeing a General Motors-Holden's vehicle in Middle Eastern countries during television news services? When one sees our components going to Asia (Korea in particular)—steering wheel columns, air-conditioners, mag wheels and rear view mirrors—and now fully built vehicles going into the marketplace, it underpins the importance of arguing policy settings at a Federal level. It underpins major industry base and sectors in South Australia, and it also underpins the importance for a bipartisan approach—in the past—to ensure that those industries that are important in this State continue to receive bipartisan support, and that we can jointly argue the case for South Australia. Only in that way will we be able to rebuild and refocus this economy so that, as we go into the next millennium, we have a growth economy—and, importantly, a growth economy that gives job certainty and job security to South Australians.

LAKE EYRE

Mr HILL (Kaurna): Given the agreement signed by South Australia in 1997 to establish intergovernmental arrangements for the management of the water resources of Lake Eyre, and the Government's announcement that enabling legislation would be introduced during the first sitting in 1998, will the Minister for the Environment and Heritage explain to the House why the legislation has not been introduced; and what action has the Minister taken to stop Queensland diverting up to 400 000 million litres of water annually from Lake Eyre?

The Hon. D.C. KOTZ: I thank the member for Kaurna for what is a very important question, albeit that he has some of the details a little wrong. At present, we are working to protect and advance the interests of South Australia in relation to this very important issue. As the honourable member would know, a heads of agreement document was signed by the South Australian, Queensland and Commonwealth Ministers in May 1997.

We are totally committed to ensuring that the provisions of these heads of agreement are worked through to develop a legislatively based catchment management regime in order to ensure that the long-term future of Lake Eyre Basin is indeed the objective. In any joint approach to the management of the Lake Eyre Basin between South Australia, Queensland and the Commonwealth, I assure the honourable member that we will not be bullied into accepting anything less than the long-term survival of the basin.

The support for this approach has come from the Lake Eyre Basin Catchment Management Steering Group and peak community and industry bodies such as the Conservation Council of South Australia, the South Australian Farmers Federation and the Chamber of Mines and Energy. The agreement about which the honourable member is talking is not expected to be produced until the end of this year, and it is to be a legislatively based agreement, so the discussions that are necessary to conclude this vital piece of legislation are ongoing. It is arranged between all the stakeholders that I am talking about.

Mr Hill interjecting:

The Hon. D.C. KOTZ: The honourable member is talking about another matter that is quite outside this agreement, and that is a draft management plan which was recently introduced by the Queensland Government and which looked at diverting water from part of the southern basin of Queensland adjacent to our border. That draft management plan is quite different from the agreement about which I am talking and which is legislatively based, inasmuch as every State that is involved in the diversion of water from Queensland will have the opportunity to put its point of view to the Queensland Government.

If the member for Kaurna is as excited as I think he is about the possibility that diversions could affect South Australia, which I welcome, I trust that he will approach his Labor colleagues in Queensland, who at this stage have stated that they will not make any commitment to diversions out of Queensland until the after the election.

EMERGENCY SERVICES FUNDING

Mr VENNING (Schubert): My question is directed to the Minister for Emergency Services and relates to the ministerial statement that he made today. Can the Minister explain to which services the proposed Community Emergency Services Fund will be applied? A few moments ago, the Minister announced the establishment of new funding arrangements for the Community Emergency Services Fund. What emergency service activities will be funded through this fund?

The Hon. I.F. EVANS: I thank the honourable member for his question. I recently visited his electorate to inspect the emergency service agencies there. I know that he has a very strong interest in this matter, and it was through his strong lobbying that an ambulance is now stationed permanently at Tanunda.

The most important thing about the Community Emergency Services Fund is that it will be a dedicated fund. Through the legislation, it is proposed that the fund will be quarantined so that it is totally dedicated to the provision of emergency services throughout the State and cannot be used as a broad-

based taxing measure. It is important to make that point for the record.

As the honourable member well knows, the committee looked at an all-options report and considered all the emergency service agencies. The committee has recommended that the agencies that should be included are the Metropolitan Fire Service, the Country Fire Service, the State Emergency Service, some costs of search and rescue for SAPOL and, for the first time, the Surf Life Saving organisation, as well as volunteer marine rescue.

I am sure that will interest people such as the member for Kaurna, who has many surf lifesaving organisations and clubhouses in his electorate, as well as people in the Whyalla area who are strongly involved in volunteer marine rescue. Those organisations were previously funded by the Department of Recreation and Sport Development, and that is clearly inappropriate. We will be bringing those organisations across so that they will be funded under this fund. The Ambulance Service will not be included in this fund. We have looked at that and decided to leave the Ambulance Service funding as it is. A wide range of services will be funded. The funding will be quarantined so that it cannot be used for anything outside emergency services, and that will be a good thing.

GLENSIDE HOSPITAL

Ms STEVENS (Elizabeth): My question is directed to the Minister for Human Services. Why has the Minister failed to address the concerns of families of patients at Glenside Hospital and others in the community who are alarmed by the Minister's recent public announcement on 6 May that Glenside Hospital will be closed? Families of patients have written to the Opposition expressing fears that, as a result of the Minister's decision to close Glenside, people with chronic mental illness will be left without proper care and support and that the problems of the past where patients have been displaced in streets, boarding houses and hotels will be repeated. Last week the Minister distributed a circular letter to families confirming the closure of Glenside and, although the letter said that families would be consulted, it contained no details of the Government's plans for future patient care.

The Hon. DEAN BROWN: First, the honourable member does not seem to have listened to some of the things I have said publicly on this issue. Glenside Hospital basically provides two services, the first of which is short-term acute care for people with mental illness, particularly covering those areas where the local hospital does not provide such facilities. Such short-term facilities are now provided in community hospitals, such as the Women's and Children's Hospital, the Royal Adelaide Hospital and the Lyell McEwin Hospital. I recently opened the magnificent new facilities at the Queen Elizabeth Hospital, and the former Minister is to be commended for that.

However, I announced on the morning of the mental health summit that, as a result of Cabinet approval, we will be starting work on a new $7.5 million acute facility for short-term stays at the Flinders Medical Centre.

Ms Stevens interjecting:

The Hon. DEAN BROWN: I am coming to the rest of it; just listen. The honourable member asked the question; she should wait for the facts because I have talked publicly about this previously. The honourable member obviously has either ignored that or has tried to make an issue out of the fact that she has forgotten about it—

An honourable member: Or both.

The Hon. DEAN BROWN: Or both. That new facility at Flinders Medical Centre will provide short-term stays for people from the southern half of Adelaide and from rural and remote areas, and that has been urgently needed. I point out that it was the Labor Party which started the process—and quite correctly—of closing down and removing people from the very large old institutions, some of which are now of the order of 150 years old. This Government took up that initiative. The one conclusion that came out of the mental health summit was that the process of deinstitutionalisation should be accelerated, and that is exactly what this Government is doing.

I come now to the issue of long-term care patients and, at the time of making the announcement, I indicated that we would be providing long-term care for mental health patients at the Hillcrest Hospital. As part of that process, I think that certain announcements will be made in the budget this afternoon concerning older people who need long-term care or people with severe disabilities who need long-term care.

We are allocating money for capital works programs in that respect. That is part of the budget but I will not pre-empt that in terms of how much money has been allocated. I do point out that, in addition, other long-term facilities will be required for people with mental illness. That will be provided at Hillcrest, and those who are presently staying long term at Glenside will be relocated to far more suitable and updated accommodation at Hillcrest. So, there is no fear in that regard.

I think I have already signed a letter in reply to those people pointing out exactly those facts. Perhaps they have not yet received the letter, but I am sure I have already done that. I am surprised that the honourable member should raise this matter publicly, because I have already talked about this. Long-term care facilities will be provided at Hillcrest, and that overcomes the fear of the people who have spoken to the honourable member.

EMERGENCY SERVICES FUNDING

Mr MEIER (Goyder): My question is directed to the Minister for Emergency Services, following on from the Minister's earlier statement and the question from the member for Schubert. Can the Minister explain how the proposed new funding arrangements for emergency services will be fairer? For probably more than 20 years, groups such as the Insurance Council of Australia, emergency service agencies and local government have called for a fairer system of funding.

The Hon. I.F. EVANS: The honourable member is quite right in saying that those groups and others have been calling for a fairer system of funding for about 20 years. This is the sixth report on the issue. I have already outlined some of the reasons for trying to introduce a fairer system. One of the main reasons is that currently some 31 per cent of households do not insure and simply do not contribute through their insurance premium to the emergency services levy. If you are insured, there is a good chance that your neighbour is not. We think if your neighbour is getting the same level of emergency services as you are, there is a good reason they should pay an equivalent or a fair amount. We see that as only justified.

Also about 29 per cent of households are under insured and therefore escape paying their fair share of the levies. There are other reasons. In my visits to rural communities, such as that represented by the member for Flinders, people

from Kimba and Cummins made the point that local councils have to fund the emergency services on major highway routes. So, if interstate trucks tip over on major highway routes and cause massive clean-up costs, it is ultimately the ratepayers of those small rural communities who pay the cost of cleaning that up. Those services, in the majority, are funded through local council rates. As a local rural community, they are actually wearing the costs for cleaning up what is ultimately an interstate cost. So, there is unfairness in the system there.

There is also unfairness in that the current insurance premiums are based on crime statistics in relation to contents. A person who lives in a high crime district but low fire district may pay more in a fire levy than someone who lives in a high fire district but low crime district. Clearly that is unfair. This proposal implements a system whereby everyone pays at least an access fee and everyone pays on a fair basis, and that will make it a lot fairer.

Other examples include the State Emergency Services. Some councils do not contribute at all. Mount Barker council is a classic example. It contributes strongly to the CFS but nothing at all to the SES. That is clearly unfair. The CFS has brought to our attention the great inequity between council areas, some providing enormous amounts by way of funding and others not as much, and that system needs to be corrected. This proposal brings in a great deal of fairness to the system. It brings in fairness to the funding, and we see it as a way of bringing in better training and better equipment to the emergency services area.

EDS SERVICE DELIVERY

Mr CONLON (Elder): What action is the Minister for Information Services taking to ensure that EDS delivers a satisfactory service to the South Australian Housing Trust, and have other agencies been experiencing similar problems with service delivery by EDS? The Opposition has been given a copy of an interoffice memo sent electronically yesterday, fortunately for them, to all Housing Trust staff by Mr Greg Black, Chief General Manager, regarding computer downtime and slow response time. The memo states:

> The difficulties in the main rest with EDS who provide the mainframe computing facility and network connection facilities.

The memo continues:

> On behalf of the board who discussed the matter at yesterday's meeting, I express their very strong concern in relation to the level of services being provided by EDS.

The Hon. W.A. MATTHEW: When the contract was established with EDS it was established after protracted, considered, detailed discussion that went through every possible problem that can occur in the area of information technology. As a consequence, the contract provides for a number of measures to be monitored throughout the life of the contract, recognising that when you are dealing with computer systems there can at times be malfunctions with those systems. If the systems are underspecified, they can operate at a slower rate than you would expect. I am not familiar with the example to which the honourable member referred. If the honourable member cares to provide me with a copy of the memo, I will ensure that it is investigated.

I can say that the contract is monitored carefully. Where there have been areas where computer systems are underperforming, as can occur those computer systems are progressively upgraded. The contract provides for all that to occur so that agencies receive an appropriate service to undertake their duties. If the honourable member cares to provide me with the information he has, I will ensure that it is followed through and that he is provided with a full response afterwards.

MURRAY RIVER

Mr LEWIS (Hammond): In view of the statement made in the House yesterday by the Minister for Environment and Heritage regarding the impending closure of the Murray Mouth, does she agree that the reinstatement of the flow of water into the Southern Lagoon of the Coorong at Salt Creek by connecting the extensive network of shallow drains across adjacent areas of the South-East and removing the weir that was artificially constructed in Salt Creek would thereby ensure a constant flow of water through the Coorong and out to sea through the mouth?

The Minister has pointed out that the mouth is at risk of closing as a result of low rainfall and overexploitation of the Murray-Darling catchment. Fishers in my electorate and in electorates adjacent to the estuarine lakes have pointed out the devastating consequences that this will have on fish stocks and on other environmental factors in the vicinity of the estuarine lakes, the Coorong and the mouth if that happens.

The Hon. D.C. KOTZ: The South Australian Government certainly recognises that the Murray Mouth closure is of significant concern to all South Australians. The Murray Mouth itself is a very dynamic system. Since the 1981 reopening, the mouth has actually moved approximately 1.5 kilometres north-west of its current position. Over the past 160 years of recorded history it appears that the mouth has migrated within the extremes of the current position and about 500 metres south-east of the 1981 opening, a total distance of two kilometres. There has been no river flow past the barrages since 17 November 1997. This is a period which at present is approaching some 200 days, and there is no prospect of sufficient flows in the river before at least the end of June.

The weather, as I am sure most members would recognise, has been unkind to us in terms of rainfall. The dry conditions prevailing last year over much of the Murray-Darling Basin and low flows have threatened the closures that we are looking at now. With continued low flows, a significant storm at the wrong time of the tidal cycle could, in fact, close the mouth very quickly. As a consequence, the State Government has taken all action possible to ensure that preparations are in place should the mouth close.

The Murray Mouth Advisory Committee has been re-established to monitor developments and to provide advice on how to keep the channel open and how to best manage the area should it in fact close. The committee identified only two possible options to keep the mouth open, namely, to release water through the barrages (of course, that relies totally upon the rainfall and any flows that we may get through the Murray system), or to increase the tidal movement passing through the mouth by dredging a channel from the mouth areas towards the Coorong. There has also been additional monitoring of water levels and salinity levels, and that has already been implemented. More frequent aerial photography has also been arranged, and that will enable the Government to monitor effectively the other changes as they occur.

At the same time, an issues paper has been prepared by my department for the Murray-Darling Basin Commission, which will conduct a meeting on 2 June in Hahndorf. There will be

a site inspection by the Murray-Darling Basin Commission of the Murray Mouth on the day preceding its meeting. The paper will raise the issue of improved management of the river discharges from the lower lakes through the barrages to assist in keeping the mouth open. The main impact of the mouth's closing will be on the ecology of the Coorong, a RAMSAR wetland of international importance. Again, the Government, with the support of the local fishing community and environmental groups, is closely monitoring any changes.

Finally, in the advent of high flows, there will indeed be several weeks notice that will enable us to prepare and give us ample time to put in place the procedures that we will need to adopt on the other end to start the dredging necessary to open the mouth and continue to keep it open.

FOSTER CARERS

Mr De LAINE (Price): Will the Minister for Human Services inform the House of the system used to screen people who make application to become foster carers for children, in order to ensure that people with police records, psychiatric records or other undesirable histories are unable to be approved for this extremely important and sensitive role?

The Hon. DEAN BROWN: I will need to get the information so that the honourable member is aware of the exact procedure. I can assure him that it is done, because a member of Parliament approached me in the last few days and raised a concern that someone who in fact has been rehabilitated in prison is potentially being excluded from a care role. I can assure the honourable member that it is done; but I will get the exact details for him.

WOMEN IN AGRICULTURE

Mrs PENFOLD (Flinders): Will the Minister for Primary Industries, Natural Resources and Regional Development advise the House what action the State Government has taken to ensure that there is a good representation of South Australians at the Second International Conference for Women in Agriculture?

The Hon. R.G. KERIN: In 1994 in Melbourne the inaugural International Women in Agriculture Conference was held at which 30 countries were represented by 800 women. The conference was very successful in raising the profile of and recognising the role played by women in agriculture. It certainly developed some strong networks that have had ongoing advantages for those who attended. The United States will host the Second International Women in Agriculture Conference in Washington DC from 28 June to 2 July. Guest speakers will include Hilary Clinton and Madeline Albright.

The South Australian Government recognises both the current role and the potential role of rural women and women involved in primary industries. We are endeavouring to increase our usage of what is a very valuable resource. Therefore, it is pleasing to announce that the South Australian Government, through both Primary Industries and the Minister for the Status of Women, is providing assistance for eight South Australian women to attend this conference. I certainly thank the Minister for the Status of Women for her support in this regard. Each delegate will receive at least $2 000 towards the cost of attending the conference, with some receiving more through additional sponsorship from industry associations and rural organisations.

The Hon. Caroline Schaefer, MLC, has agreed to lead the South Australian delegation to this important conference. The South Australian delegates have been selected to reflect a diverse range of industries within our sector, a geographic spread and the variety of roles that women in agriculture play. I am sure that we will be extremely well represented. The delegates will represent industries such as horticulture and wine grape growing, fishing, dairying, cropping and mixed farming, and prime lamb and wool production. I take this opportunity to thank the industry organisations which have provided additional sponsorship to help make this happen and which include South Australian Cooperative Bulk Handling, the Wheat Board, the Australian Barley Board, the Farmers Federation, the Agricultural and Horticultural Training Council, the South Australian Dairy Farmers Association and DairySA. Pleasingly, we had 53 women apply, which indicates the strong involvement of women in primary industries. We are endeavouring to capitalise on that enthusiasm through our support of this delegation.

JJJ RECYCLERS

Mr WRIGHT (Lee): Will the Minister for Human Services say whether he has considered declaring the proposal by JJJ Recyclers for a plant at Royal Park a major development under section 48(2) of the Development Act and, if not, why not? Just before the last State election the Minister for Housing and Urban Development used section 48(2) of the Development Act to declare the Highbury dump a major development and thereby stop it short of a Development Assessment Commission hearing.

The Hon. DEAN BROWN: This does not come under my portfolio but under the Minister for Planning in another place. I will obtain an answer from her and supply it to the honourable member.

WEST BEACH BOAT HARBOR

Mr CONDOUS (Colton): Will the Minister for Government Enterprises inform the House of the support for the parliamentary resolution regarding the West Beach boat launching facility passed unanimously by this House on 11 December 1997?

The Hon. M.H. ARMITAGE: I thank the member for Colton for his continuing interest in the best possible boat launching facility for his electorate. Members will recall that the boat launching facility received the unanimous support of this House on 11 December last year. In speaking to the resolution of the conference of managers, the Leader of the Opposition stated that the Opposition 'wanted to make sure that the project went ahead.'

Mr ATKINSON: Mr Speaker, I rise on a point of order. My point of order is twofold. First, it seems to me that the Minister cannot refer to debates of the same session and, secondly, he is reflecting, albeit favourably in this case, on a decision of the House. It is not for the Minister to canvass the merits of a decision that the House has already taken.

The SPEAKER: Order! If the Minister continues on developing a result of a resolution of the House, his reply could stray towards being out of order. At this stage we have to listen to the reply very carefully.

The Hon. M.H. ARMITAGE: Sir, I reiterate that I will discuss only public comment in relation to the resolution and will make no comment about the resolution itself. Despite the fact that the Leader of the Opposition stated that the Opposi-

tion 'wanted to make sure that the project went ahead', it seems as if members opposite have been working beyond this place to undermine something they supported. This morning the *Advertiser* did South Australia a service by highlighting the ALP links of the protest leaders.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: I have previously brought to the attention of the House the fact that at a number of the protests I have seen on one side of corflute signs, 'No boat harbour' and on the other side of the corflute signs I have seen, 'Vote Stephanie Key for Hanson.' Talking about the member for Hanson—

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: Yesterday the member for Hanson informed the House that she and other members of the Opposition had placed protesters in the gallery, I believe she said. One asks why they did that. I would contend that it is because the Opposition is trying to create the perception amongst the protesters that the ALP supports the protest, despite its support of the parliamentary resolution which supports the project. In this morning's paper the member for Elder denied that there was any collusion to put pressure on the Liberals. If that is the case, one might well ask why the member for Elder attended a protest meeting five months after the parliamentary resolution had been passed. The meeting was held to oppose the boat launching facility. The member for Elder referred to protest organisers, Bridget Bannear, Anthony Psarros and Jim Douglas as people he had known for a long time and for whom he had great respect.

An honourable member interjecting:

The Hon. M.H. ARMITAGE: Comrades in arms. Anthony Psarros informed the meeting that the ALP had walked away from the agreement—and the member for Elder did not disagree. It is important to remember that this very same member for Elder, who did not disagree with the fact that the ALP had walked away from the resolution, was a member of the conference of managers from this House. This same member for Elder was one of the people who brokered the deal on behalf of this House, and less than five months later he is undermining like crazy. The member for Elder on behalf of the Opposition is reported in this morning's *Advertiser* as saying:

> 'We've protested and disagreed. . . but we can't stop it'

The Opposition supports the project in the House but then sets about white-anting the project when in public. It tells South Australia what the Opposition means when it talks about bipartisan support. What it means is that it wants to have a bob each way. In a democratic society all citizens have the right to air their grievance, but what is the grievance? I note that the member for Elder asserted also that they have a right to air their grievance. What is the grievance? The protesters claim that they are opposing the construction of the boat launching facility, but I think their grievance is that the Labor Party is not in Government. Let us look at the sequence of events leading to the construction. Whilst public protests about the proposal started in 1996—

Mr FOLEY: Mr Speaker, I rise on a point of order and draw your attention to Standing Order 98 whereby no debate is allowed by Ministers when answering a question.

The SPEAKER: Order! The Chair is aware of Standing Order 98. The main thrust of Standing Order 98 is very clear, as follows:

> The Minister may reply to the substance of the question and may not debate the matter to which the question refers.

Ministers are given a great deal of latitude to develop their replies but, once one gets into debate, Standing Order 98 will come into play. I caution the Minister that he is getting perilously close to debating the matter and ask him to take that into account.

The Hon. M.H. ARMITAGE: Thank you, Sir. In that case I shall skip a couple of pages of debate and get to the issue.

Members interjecting:

The SPEAKER: Order!

The Hon. M.H. ARMITAGE: I think that the democratic grievance of the protesters is that for the second election in a row the people of South Australia have voted for a Liberal Government, and that support for a Liberal Government—

Members interjecting:

The SPEAKER: Order! The members for Ross Smith and Hart will come to order.

The Hon. M.H. ARMITAGE:—is a rejection of the anti-development politics—

The SPEAKER: And the Deputy Leader.

The Hon. M.H. ARMITAGE:—of the protesters and the ALP which sponsors them.

Members interjecting:

The SPEAKER: Order! There is a deliberate tactic on the left to disrupt the Minister.

Members interjecting:

The SPEAKER: Order! If members want to continue with that, they know the consequences.

The Hon. M.H. ARMITAGE: The saga which is going on about playing the ends against the middle with the Labor Party—

Mr FOLEY: Mr Speaker, I rise on a point or order and again draw your attention to Standing Order 98 in terms of the Minister debating the answer. I would ask that you rule accordingly.

The SPEAKER: I ask the Minister to have Standing Order 98 in mind and start to wind up his reply.

The Hon. M.H. ARMITAGE: Sir, I am winding up; it is the last paragraph.

Members interjecting:

The SPEAKER: Order! I caution the member for Spence.

The Hon. M.H. ARMITAGE: It's going fabulously. You can come along to the opening out there.

Members interjecting:

The SPEAKER: Order! I caution the member for Elder for the second time for deliberately flouting the authority of the Chair.

The Hon. M.H. ARMITAGE: This saga of the ALP playing the ends against the middle in the matter of the West Beach boat launching facility shows that the ALP is trying to maximise good politics whereas the Liberal Party is trying to maximise good government. And they are not the same.

ADELAIDE AIRPORT

Mr KOUTSANTONIS (Peake): When was the Premier first briefed by Ms Christine Gallus, member for Hindmarsh, on her private member's Bill to legislate for the curfew at Adelaide Airport? Has the Premier seen the Bill and does he support it?

The Hon. J.W. OLSEN: I have not been briefed. I have not seen the Bill.

YOUTH SUICIDE

Mr HAMILTON-SMITH (Waite): My question is directed to the Minister for Human Services. Youth suicide is a major problem in western society, and Australia has the unenviable reputation of having the highest youth suicide rate in the world. Will the Minister advise the House of recent initiatives to help combat the problem?

The SPEAKER: Order! Before I call the Minister, I point out that explanations are just that: they are to explain your question and not to give opinion on the question that you are asking. The member did stray into comment before he even got into the explanation.

The Hon. DEAN BROWN: I agree with the honourable member that youth suicide is unacceptably high throughout the western world, and Australia has one of the highest *per capita* youth suicide rates to be found anywhere, so it needs to be taken as a very serious issue and I thank the honourable member for the question. Last year, as a result of an initiative by the former Minister for Health, the Nineteenth Congress of the International Association for Suicide Prevention was held in Adelaide. It was a particularly good international congress and the Minister wanted to make sure that it captured all the suggestions, particularly those relating to how to tackle youth suicide within our community. As a result, he set up what he called the Suicide Prevention Task Force. That task force identified a number of practical actions that needed to be taken.

The first was the development of strategies and guidelines to follow up young people who are most at risk and those who presented themselves to accident and emergency departments in our major hospitals. The second recommendation was that fact sheets be provided on specific issues related to suicide prevention. The third was the establishment of a register of youth suicide prevention programs and funding within South Australia, and also to make sure that there was a strengthening of the links between various Government programs and agencies, particularly to target young people most at risk. Another recommendation was the trialling of programs such as peer support and youth worker training, which would appear to have a significant benefit in tackling youth suicide.

As a result of those recommendations and in conjunction with the recommendations of the summit on mental health, I have established an advisory group on suicide prevention, specifically to target youth suicide within our community. Professor Graham Martin has agreed to chair that group and a number of young people have agreed to work on it, and I expect to be able to name its full membership very shortly. That group will be charged with the responsibility of implementing the action plan already outlined by the task force, and to do so as quickly as possible. I am delighted that this has been brought to the surface and that action is being taken as a result of the mental health summit, and I want to congratulate all those who have played a role so far in bringing this important issue to the notice of the Government and to the community.

The other important issue is that we all have a responsibility in this, because there is a need for all of us to understand the extent to which there is mental illness within the community and how many young people in the community are put under enormous mental stress. General practitioners, people within the education system and those within the family need to be able to recognise the early signs and to make sure they receive urgent support when they show signs of mental illness and stress. If that is done, I believe we can significantly reduce the level of youth suicide within our community.

WATARRU HOMELANDS SCHOOL

Ms BREUER (Giles): My question is directed to the Minister for Education, Children's Services and Training. Why has this Liberal Government continued to expose the students and staff of the school at the Watarru homelands, located in the Anangu Pitjantjatjara lands, to an unsafe teaching and learning environment despite recommendations from the Project Officer of the Asbestos Management Unit of Services SA, in a memo dated 21 August 1997, that asbestos cement sheeting used as wall and floor linings on school buildings 'be removed as soon as practicable'?

I recently visited the Watarru school, which is the furthermost school in my electorate and over 1 800 kilometres from Adelaide. The school had walls lined with black tape to keep in the asbestos. When it rains the school closes because of the amount of rain that comes through. I cite a memo from Bob Temby, Project Officer of the SA Building Maintenance Asbestos Management Unit, who said:

> During August 1997 the Services SA Asbestos Management Unit carried out an inspection of the above premises.

Some of the points that were made were:

1. Building 1—Administration and general teaching.

1.1 Gas cylinder enclosure floor. Compressed asbestos cement sheeting as floor to LP gas cylinders. Recommended action: remove as soon as practicable.

1.2 Room 1—Administration. Walls. Asbestos cement sheeting as wall linings. Recommended action: remove as soon as practicable.

1.3 Room 2—General teaching. Walls. Asbestos cement sheeting as wall linings. Recommended action: remove as soon as practicable.

It is a very small but important school in that area. I have been assured that money has been allocated to replace the school building, the paperwork has been done and it is bureaucratic red tape that is holding up the replacement of that building.

The Hon. M.R. BUCKBY: I am not aware of the details that the honourable member has brought to the Parliament, so I will obtain those details from her and follow that up as soon as possible, because it does sound like an extremely serious situation.

MEMBER FOR HANSON

Mr SCALZI (Hartley): My question is directed to the member for Hanson. Will the honourable member please advise the House whether she was aware that West Beach protesters whom she escorted into the House yesterday were carrying protest banners—

Mr De LAINE: I rise on a point of order, Mr Speaker. This is against the Standing Orders of the House.

The SPEAKER: It is my view that you cannot address a question to a member unless that person has a responsibility for that subject. If the honourable member has some responsibility for that subject, that is fine, but other than that I rule the question out of order.

Mr MEIER: On a further point of order, Mr Speaker, I refer to Standing Order 96(2), which provides that questions may be put to other members but only if such questions relate to any Bill, motion or other public business for which those members, in the opinion of the Speaker, are responsible to the

House. Yesterday the member for Hanson rose to her feet and accepted responsibility for the people who were here as protesters. Therefore, I believe that the question is completely in order.

The SPEAKER: No, I do not uphold that point of order. The member has no responsibility whatsoever to the House for that particular matter. So, bear in mind the fact that the honourable member did apologise for the action of those demonstrators who came into the building.

Members interjecting:

The SPEAKER: Order! The honourable member for Reynell.

WEST BEACH BOAT HARBOR

Ms THOMPSON (Reynell): Will the Minister for Employment advise the House of the definition of a job when used in the context of announcements about job creation that she and other members of the Government make from time to time, and whether a distinction is made between ongoing jobs and those that exist for a short period of maybe a year or so? Yesterday, when the Minister for Government Enterprises was answering questions about the Holdfast Shores West Beach development, he stated that the consultant estimated that the project will support economic activity of 2 300 jobs through the construction phase. But evidence to the Public Works Committee indicates that the construction phase will support approximately 500 jobs per year for each of five years, making a total of 2 300 jobs.

The Hon. J. HALL: This Government is not about the politics of unemployment: it is about policies to create employment for South Australians. On Tuesday night, the Premier outlined a very significant employment statement for South Australia, and in less than six minutes the Treasurer will go into some detail about significant components of the funding.

EUROPEAN WASPS

The Hon. D.C. WOTTON (Heysen): Will the Minister for Local Government inform the House of the Government's latest initiatives in tackling the European wasp problem in South Australia?

The Hon. M.K. BRINDAL: Sir, the Opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. M.K. BRINDAL: The Opposition can make light of this topic, but the rest of South Australia certainly does not, and I wish they were here to listen to the cavalier approach of members opposite to what is a serious social problem in this State. I thank the member for Heysen for his question, because I know that the members for Heysen and Davenport—unlike some of the members opposite—have a very serious problem in their electorates and are very concerned about the development of this problem.

I remind the House that the European wasp was discovered in this State in 1978, and a succession of Governments ever since have tried, unsuccessfully, to grapple with the problem. The European wasp is now endemic in New South Wales, Victoria and Tasmania, with those States leaving responsibility for eradication to the land owners. Not all councils in those States undertake control programs. The wasp is also inexorably moving into Western Australia. There is a major problem in South Australia, with the wasp being endemic in metropolitan Adelaide and adjacent areas, and it is continually moving into new areas of the State, despite control programs over the past few years.

Mr Clarke interjecting:

The SPEAKER: Order! The member for Ross Smith will come to order.

The Hon. M.K. BRINDAL: The member for Ross Smith would do well to think about what he says before he speaks, too. I am trying to do a good, sterling job, not open my mouth—

Mr Clarke interjecting:

The Hon. M.K. BRINDAL: The aim of the programs run from 1984 to 1988 by the previous Labor Government, and from 1994 to the present, has been to control the wasp through eradication. It is increasingly obvious that such a program is destined to failure. Indeed, the Labor Government acknowledged that, because from 1989 to 1993 it trialled the introduction of a parasitic wasp but, unfortunately, that biological control mechanism was not successful.

The Government recognises a serious problem, one that must be shared by land owners, local government and State Government, and to that end it has previously been announced that we will place $200 000 towards a control program. There is also a raft of other initiatives which the Government is undertaking—and I emphasise this—in a joint approach with local government. Within the next few weeks I expect to be able, by way of ministerial statement, to announce full measures for a whole-of-government approach to this problem for the next season.

I expect that program to be an integrated program through the whole of government, through various ministries, and also with the local government sector. But the public will also be expected to share some responsibility in this matter. It is beyond the resources of any single level of government. It is a serious problem and, if members opposite will regard it seriously and help us to address a problem that threatens the tourism industry, perhaps the viticulture industry, and certainly the amenity and lifestyle that South Australians enjoy, perhaps the Opposition can be part of something constructive, instead of its usual carping, whingeing, critical style—

Members interjecting:

The Hon. M.K. BRINDAL: The Leader of the Opposition has called for a wasp levy. I doubt that the Government will be quite as draconian as he suggests we should be.

Members interjecting:

The SPEAKER: Order!

BUDGET PAPERS

The Hon. J.W. OLSEN (Premier): By command, I lay on the table the Budget Statement 1998-99, the Estimates Statement 1998-99, the Portfolio Statements Volumes 1 and 2, 1998-99, the Capital Works Statement 1998-99 and move:

That the papers be printed.

Motion carried.

The Hon. J.W. OLSEN: I also table the Budget at a Glance 1998-99 and the Budget Guide 1998-99.

APPROPRIATION BILL

The Hon. J.W. OLSEN (Premier) obtained leave and introduced a Bill for an Act for the appropriation of money from the Consolidated Account for the year ending 30 June 1999, and for other purposes. Read a first time.

The Hon. J.W. OLSEN: I move:

That this Bill be now read a second time.

The SPEAKER: Does the Premier wish to have leave to continue his remarks?

The Hon. J.W. OLSEN: Yes.

Leave granted.

The SPEAKER: Admit the honourable Treasurer.

The Hon. M.D. RANN: Mr Speaker, the Opposition is more than happy, to assist progress—

The SPEAKER: Is this a point of order?

The Hon. M.D. RANN: Yes.

The SPEAKER: What is the point of order?

The Hon. M.D. RANN:—for the Treasurer to sit in the Premier's seat, if he feels more comfortable there.

The SPEAKER: Order! There is no point of order.

Members interjecting:

The SPEAKER: Order! The House will come to order.

The Treasurer (Hon. R.I. Lucas) was admitted to the Chamber.

The Hon. R.I. LUCAS (Treasurer): Mr Speaker, I thank you for the honour of visiting with you for what will be a brief period, let me assure you.

Members interjecting:

The SPEAKER: Order! The House will come to order.

The Hon. R.I. LUCAS: When elected in 1993, the Liberal Government set as its first term objective, the restoration and rebuilding of State finances. In those last four years, South Australians have witnessed the first stage of a financial rescue operation that is unparalleled in the State's history.

It is now a matter of historical fact that on assuming office, the Government faced the daunting prospect of a budget in which we were spending over $300 million a year more than we were earning, a state mortgage out of control and ballooning towards $9 billion and unfunded superannuation liabilities estimated at $4 billion and growing alarmingly.

The spirit of South Australians was shattered, the lifeblood had been drained from the economy, our standard of services was dropping, and our future prospects were bleak. Clearly, the position was unsustainable.

Four years of Government and community working together has meant the budget is now balanced, our mortgage has been reduced by close to $2 billion and nearly $900 million has been paid off the State's superannuation liability.

Mr Speaker, with this Budget the Government now turns its attention to building on the hard work of the last four years and shaping the social and financial framework that will take our State proudly into the next millennium.

Without wanting to downplay the significant achievements of the last four years, it is clear that a realistic assessment of the future indicates there are significant challenges still ahead. Those challenges demand bold and decisive action by Government. They will not go away. They cannot be dodged or denied.

Mr Speaker, these challenges are:

to create long term jobs to help reduce unacceptably high unemployment levels;

to reduce significantly State debt – so we no longer have to pay $2 million a day in interest payments;

to boost investment in strategic infrastructure, important for economic and community development;

to manage public sector wage pressures in a fair but financially responsible manner; and

to maintain and improve the quality of all our public services but especially education, health and public safety.

These challenges cannot all be met in just one budget. That is why the budget actually sets out a four year financial plan to meet the challenge.

This financial plan heralds two significant changes in Government policy.

Firstly, it implements a new policy mix of revenue increases, expenditure reductions and asset sales to provide the financial foundation for tackling these challenges.

Secondly, agencies will not be required to fully fund wage increases for their staff for four years and funding flexibility is provided for unexpected cost pressures and new policy initiatives approved by Cabinet that will develop during the four year period.

Mr Speaker, it is important to note that the asset sales are an essential part of the policy solution.

Notwithstanding the headway made over the last four years, debt levels are still too high. This must be tackled before South Australia can look forward to an improvement in its credit rating and the improvement in investor confidence that is necessary for real and sustained growth in employment opportunities. Our futures are dependent more than ever on new investment in wealth creating industries.

The asset sales recently announced by the Government represent the only acceptable debt circuit breaker that we have. Without those asset sales this State will have to resign itself to debt levels that – although lower than four years ago – are still high relative to other states.

In an economy like ours, we cannot afford to carry a greater debt burden than the states around us. New South Wales, Queensland, Western Australia and now Victoria all have Triple A credit ratings, while we still languish on a Double A rating.

Where does that leave South Australia? I ask Members to think for a minute about the legacy we will leave our children if we as a Parliament do not seize this opportunity.

Think for a minute about a South Australia in which we have to try a bit harder, run a bit faster – but still lag behind our neighbours – just because we carry this extra burden of debt on our backs. Because we Members hesitated, we vacillated – when history demanded that we be decisive.

Japan Credit Ratings announced only last week that it had upgraded the State to a AA+ rating, and both Moodys and Standard & Poors have indicated their intention to review the current ratings once asset sales are approved to proceed.

We must now take this next step. In some ways this is truly a threshold issue for South Australians. It was Sir Thomas Playford who gave us the Electricity Trust – and it has served this State very proudly. But the days of State-run monopolies, where we could set our own prices, where we could ignore the rest of the world – are over forever.

Selling our power utilities is not a decision that has come easily. But the benefits, in terms of:

slashing debt, and therefore interest costs;

freeing up resources that can be spent on health and eduction; and

minimising the risk to taxpayers of major losses in the new national electricity market are undeniable.

Members must understand that if the sale of ETSA and Optima is stopped then the Government will be forced reluctantly to return to the Parliament in October with a Mini-Budget to provide up to $150 million of further tax increases or expenditure reductions to take effect for the later years of the four year financial plan.

This is not a threat, but simply a statement of financial reality and responsibility.

ECONOMIC CONDITIONS

Economic conditions strengthened in South Australia during 1997-98 boosted by further strong growth in business investment, consumer spending, good crop yields and a modest recovery in housing construction.

Business investment grew by an estimated 10 per cent in 1997-98, on the back of a 23 per cent increase in 1996-97. During 1997, growth in private capital spending was the strongest of all the States – with investment on equipment and non-dwelling construction at high levels.

Strong growth in consumer spending boosted the retail sector through 1997-98 and mining investment has more than tripled in the last year. South Australia is also experiencing high levels of development in viticultural and horticultural industries.

Whilst these economic indicators are very positive for the State, increased activity has not yet flowed into employment growth. As a consequence, the unemployment rate is not showing the improvement that has been evident in other States. The youth unemployment rate in South Australia remains well above the national average – a situation that is not acceptable to the Government.

However, job vacancy levels as reported by both the ABS and the ANZ Bank series have shown strong increases during the year, consistent with a lift in employment during 1998-99.

One further positive economic indicator has been the recent reduction in the level of interstate migration losses. In 1995 the loss from South Australia due to net interstate migration was 7 800 but by 1997 this had dropped sharply to 3 400.

The Asian economic slowdown will have a negative impact on South Australia, but South Australia is not as directly exposed as other states to Asian export markets.

Mr Speaker, the budget papers are based on current estimates of future growth in GSP and employment, which are below estimates for the national economy.

The challenge for Government is to create the economic environment to allow these estimates to be exceeded.

BUDGET HIGHLIGHTS

Mr Speaker, I now turn to the highlights of this budget:

as promised, we are delivering a budget for 1998-99 which balances income and expenditure;

debt continues to fall – with this budget, debt falls to below 20 per cent of Gross State Product compared with 28 per cent in 1992;

our program to extinguish the $4 billion superannuation 'black hole' remains on track;

there is a surplus on the current account of $356 million – sufficient to meet the cost of all social capital in 1998-99;

there is a strong and carefully targeted capital program – up by 8 per cent in real terms to $1 243 million – supporting over 20 000 direct jobs and even more indirect jobs, while at the same time creating essential social and economic infrastructure;

to further stimulate job growth, in the face of unacceptably high levels of unemployment, a package of measures worth $99 million is included in the budget.

Mr Speaker, this budget is firm but fair. It stays firmly on the path of fiscal responsibility embraced by the Government on its election in December 1993. And it is fair in the opportunities it provides to the unemployed and those dependent on government services.

To our own employees, the budget offers the prospect of fair wage increases, but if unions seek and gain settlements beyond what is fair for taxpayers, then we are firm that job trade-offs will be necessary. We cannot afford a cost blowout that would erode the very worthwhile gains that have been made to date.

This is a responsible budget, consolidating the hard work of the past four years and firmly entrenching fiscal responsibility into the heart of Government in this State.

Most importantly, the budget brings the hope of a further dramatic reduction in debt. Just as the sale of the State Bank was the turning point in the mid nineties, the sale of ETSA Corporation and Optima Energy will spark the next phase of this State's fiscal recovery. It will lead us back to Triple A credit rating and with that:

improve investor and business certainty;

free up resources currently devoted to debt servicing for health and education;

reduce the cost of capital to Government; and

reduce the State's vulnerability to adverse movements in interest rates and other external fiscal shocks.

Mr Speaker, following the completion of scoping reviews, the Government is reviewing restructuring and sale options for other Government businesses.

It will commence preparatory work and systems improvements to the Lotteries Commission with a view to a possible sale in the future. Appropriate commercial options for the TAB, including a possible sale, will be developed in consultation with the racing industry and other key stakeholders and future options for the Ports Corporation are also under consideration

Mr Speaker, this budget commences the 'second wave' of public sector reforms foreshadowed by the Government twelve months ago. Of necessity, our first term focused on restoration and repair through downsizing and efficiency reforms in the public sector.

This budget sets the framework for further reform – absolutely essential to our future prosperity and quality of life. This second wave of reform will move our Government agencies to a more competitive and business like approach to serving their customers.

The introduction of accrual accounting will provide the basis for independent assessment of whether Governments are living within their means.

Accrual financial statements reflect the full cost of service provision – including depreciation – and disclose all financial obligations accrued each year – such as superannuation and long service liabilities – even if the cash costs come in future years.

The introduction of accrual accounting has dramatically increased the workload of Treasury officers this year in preparing the budget and I want to acknowledge publicly the hard work of all officers who have worked around the clock on this massive task.

I also thank all Ministers and their staff for their assistance and cooperation in what has been a productive partnership effort to prepare this budget.

REVENUE

Mr Speaker, throughout its first term the Government kept its election commitment not to use increased taxation measures as a means to sustainable budgetary adjustment.

The Government took the view that in order to balance the budget it would do so by reducing expenditure.

Following the effective restoration of a balanced budget in 1997-98 and with our re-election in October last year, the Government has assessed the overall needs and pressures within the community. We asked the Department of Treasury and Finance to review the future outlook, taking into account community needs, external pressures, and known risks and opportunities.

Mr Speaker, the Government faced a position in which State revenues were expected to grow at rates broadly in line with inflation. Outlays on the other hand – particularly in relation to general wages costs, pressures in health and the urgent need to act on the continuing high rates of unemployment – were projected to grow at rates significantly above the rate of inflation.

To assist the Government fund new strategic priorities and meet wages pressures on the outlays side of the budget, without undermining its fiscal and budgetary objectives, it has been necessary to introduce a number of tax measures with this budget.

These measures have been carefully tailored to minimise any dampening effect on economic activity. In total, these measures are estimated to raise $69 million in 1998-99 and $77 million in a full year.

From 1 September 1998, the annual stamp duty payable on a certificate of compulsory third party insurance will be raised from the current fee of $15 to the new figure of $60. Revenue raised from this fee will continue to be paid into the Hospitals Fund and used as a contribution to Government expenditure on public hospitals. This measure is expected to raise an extra $31.6 million in 1998-99 and $38 million in a full year.

The rate of stamp duty payable on all forms of general insurance will be raised from 8 per cent of premiums paid to 11 per cent. This will take rates in South Australia above rates in other jurisdictions except New South Wales.

The new rate will apply to all premiums paid after 1 June 1998 except for premiums invoiced prior to 1 August 1998 for policies of twelve months or less and commencing before 1 September 1998. It will raise an estimated $22.5 million in 1998-99 and $30.0 million in a full year.

Mr Speaker, the Government has also decided to introduce changes to the gaming taxation regime applying to licensed clubs and hotels.

In recognition that clubs operate on a smaller scale and generally apply earnings to recreational and other community activities, the Government has decided to lower each of the marginal rates applying to clubs and community hotels by five percentage points from the 1998-99 year. The annual cost of this tax relief measure is estimated at $2 million.

The Government has also decided to increase the progressivity of the tax structure applying to hotels operating gaming machines so that the top rate will now be 50 per cent. Whilst the largest hotels could face increases in tax payable of up to 10 per cent, hotels with annual net gambling revenue under $399 000 – 50 per cent of all hotels – will be unaffected by the change.

The net impact of changes to gaming machine taxation in licensed clubs and hotels is estimated at $8.2 million in 1998-99 and $8.9 million in a full year.

To achieve greater parity with the hotels, the Government has also decided to replace the existing two-tiered tax structure for Casino gaming machines with a single rate, which is equivalent to the average rate applying to hotels under the new regime.

From 1 July 1999 it is proposed to replace the existing fire services levy on insurance companies with a new broader-based emergency services levy on property holders. The new levy will fund emergency services in South Australia, as well as helping to meet the cost of a new mobile radio network which will provide the police, fire and ambulance services with state of the art communications systems.

This levy will apply to all property holders – fixed and mobile – and will be based on the capital value of property and adjusted for various factors. The new levy will ensure that those people who do not currently contribute, or only contribute partially, will now be required to pay their fair share of the cost of emergency services.

The aged pensioner paying the existing insurance levy will no longer have to subsidise the multi-national company which insures its property interstate and avoids paying a contribution.

The Government has not finally determined the details of this levy – therefore only ballpark estimates for planning purposes have been included in the budget papers. The impact on taxpayers will depend on the extent of reduction in fire insurance premiums for individual property owners.

Given the impending introduction of this levy, the Government has decided to seek the repayment of the $13 million in CFS debt. This action will see a net benefit to the budget of $6.5 million in 1998-99 funded by increased fire insurance premiums.

Mr Speaker, in addition to these taxation measures the Government has released agencies from the CPI limit to increases in fees and charges which has applied for the past four years. Although these fees and charges generally apply on a cost recovery basis, agencies were experiencing cost increases – particularly wages which represent 70 per cent of agency spending – that were well above the rate of inflation. For 1998-99 an index of 4.5 per cent on average has been applied. Public transport fares will rise by 7 per cent on average.

The Government has also introduced a range of revenue compliance measures designed to raise about $36 million in a full year.

It is estimated that $25 million in a full year will be generated by a new system of ensuring payment of fines similar to one introduced recently in Western Australia.
A further $11 million is estimated to be collected in a full year by additional compliance effort by the State Taxation Office in relation to a range of State taxes and investigation of land tax on multiple ownerships. In some cases wealthy individuals have been able to arrange their financial affairs in such a way that loopholes in legislation have been exploited.

The Government acknowledges that these increases will cause financial pain to some families. No government would willingly choose this path if there was a genuine policy alternative.

The simple fact is there is no alternative.
So the Government has tried to make these revenue increases as fair as possible. While most South Australians will share the burden, the more wealthy have been targeted to make an even larger contribution.

For example, the new gaming tax rates, the proportional nature of the emergency service levy, the crackdown on tax minimisation and avoidance, and the introduction of means testing some student transport concessions will ensure that the additional revenue is generated fairly.

Even after introduction of these new taxation measures it is estimated that in 1998-99 State taxation per capita in South Australia will still be the third lowest of all the states and territories. Compared with the national average, taxes fees and fines will still be $130 lower for every man, woman and child in South Australia, even after increases announced in the budget.

COMMONWEALTH/STATE RELATIONS

Mr Speaker, the State's finances have been significantly impacted in recent times by Commonwealth Government policies and a sustained reduction in the level of Commonwealth funding to the States.

This nation now faces a critical turning point in the history of the Federation. The need for major reform of taxing and spending responsibilities is now urgent

In this context the Government has been concerned at Commonwealth policies for the funding of very basic community services such as schools, hospitals and police – all of which are state responsibilities.

Mr Speaker, when the Commonwealth Government assumed office in 1996, all states and territories acknowledged that Labor's structural deficit had to be addressed. All states and territories agreed to help out the Commonwealth through special fiscal contributions. For this State that meant handing back $124 million of its General Purpose grant funding as a contribution to eliminating the national deficit.

I am very pleased to see that this national effort, together with fiscal tightening by the Commonwealth itself, will see it record an estimated fiscal surplus of $2.7 billion in the coming year and building to $14 billion in 3 years time.

This dramatic fiscal turnaround is very good news for all Australians. But the benefits will be rather soured if they are accompanied by such funding shortfalls in basic services provided by states and territories – hospitals in particular – that ordinary Australians can no longer access services when they need them.

At the very least it would seem reasonable that South Australia not have to make its final fiscal contribution of $24 million in 1998-99 – to pay for a black hole which no longer exists.

Let me make this point very clear, Mr Speaker. We are now at a point in the history of the Federation where it is incumbent upon member governments to rise above their own self interest. In recent years an ever growing proportion of the total tax paid by Australians is flowing into Canberra, yet the Commonwealth Government steadfastly refuses to hand back this money for basic community services like hospitals.

It is interesting to note that since 1978-79 Commonwealth own purpose outlays have risen by 57 per cent in real terms, whilst net payments to the States have only risen by 12 per cent.

On behalf of all South Australians, the Government calls on the Commonwealth to use some of its future surpluses to provide additional health funding.

OUTLAYS

Mr Speaker, total outlays will rise by 1.4 per cent in real terms in 1998-99. The real terms increase comprises a slight decrease in current outlays of 0.2 per cent, accompanied by a very substantial lift in capital outlays of 26.7 per cent.

Mr Speaker, while the overall picture is one of continuing restraint on current outlays, some important underlying trends are worth noting.

Interest costs are estimated to fall a further 10 per cent in real terms in 1998-99. This means that outlays other than interest payments are increasing in real terms – a tangible benefit from debt reduction.

This has been a consistent trend now for four years – as a proportion of total current outlays, interest costs have shrunk from 12.6 per cent to 9.1 per cent in four years.

There is also a reduction in payments toward the past superannuation liability in 1998-99 because delays in other projects and expenditures during 1997-98 meant that these payments were able to be brought forward by a year. Importantly though, the budget provides for payments for past superannuation liability in 1998-99 consistent with the Government's policy of elimination of the unfunded liability by 2024.

Mr Speaker, current outlays excluding interest and superannuation payments – a measure of departmental spending on service delivery – grow by 3.8 per cent in real terms in 1998-99. This growth reflects a range of initiatives across the budget including:

increased provision for wage costs across the public service in line with offers recently made;

introduction of a $99 million package of measures designed to stimulate employment growth; and

further strategic service delivery improvements particularly in health, education and police.

Mr Speaker, the Labor Opposition has continually claimed that we have cut back in these important areas. Their dodgy arithmetic proves that they have learnt little during their long sojourn on the benches opposite.

The community deserves to know the facts.

In health, outlays are up 9 per cent in real terms compared with Labor's last budget.

In education, outlays are up 9 per cent in real terms.

And in police, outlays are up 5 per cent in real terms.

The overriding obligation of government is the provision of services – services that are responsive to community needs, that give real value for money and that are high quality.

Recent data published by the Productivity Commission confirm that service delivery reforms introduced by the Government have put the state at the forefront in many areas.

In health

Our public hospitals are the most efficient in the nation – with our costs per patient up to 15 per cent below the average;

our hospitals were ranked in the group of four states and territories with the shortest waiting time;

the level of services provided – as measured by the number of patient separations per thousand population – was the highest of all the states.

In education

Our primary and secondary students enjoy the best pupil/teacher ratios of any State;

primary students ranked third in maths performance of all States in recent tests.

In vocational education and training

Employer satisfaction with our TAFE course content and overall, is the second highest of any state or territory;

student satisfaction with our TAFE courses was also the second highest, and student completion rates are the highest of any state or territory.

In housing:

Tenant satisfaction surveys indicate that the proportion of our public housing tenants who are "very satisfied" was the highest of any state or territory;

administrative costs per dwelling are thirty per cent below the average, the rate of rent recovery is the highest and the rate of return on equity is the highest of the seven states and territories for which that data is available.

In police:

Surveys undertaken by the ABS indicate that South Australians have the highest level of satisfaction with their police of any state or territory.

Mr Speaker, all South Australians can be proud of what has been achieved in quality service delivery over the last four years.

In the lead up to the 1998-99 budget, the Government has rigorously reviewed all programs in order to identify potential efficiencies and savings and to refocus agency spending from low to high priority areas.

As a result, targeted reductions of an ongoing nature off the forward estimates totalling $97 million in 1998-99 increasing to $146 million by 2001-02 will occur. These savings are to be achieved through a combination of revenue measures and expenditure reductions.

It is important to note that whilst there will be reduction against the forward estimates, outlays in the Department of Human Services will be $55 million higher than 1997-98 and in the Department of Education, Training and Employment, $15 million higher than last year.

In education:

A modest program of about 30 school closures or amalgamations will be implemented over the term of this Government – but only after an open consultation process is conducted with the local community, and any capital funds generated through closures will be re-invested in improving school facilities;

there will be a reduction of about 90 – 100 teachers so that impacts on the classroom are minimal;

school support grants and school card payments will be maintained at existing levels for three years;

means testing for high income families to be introduced from January 2000 will mean some students will lose public transport concessions.

In the Justice portfolio, savings of $7 million in 1998-99 and beyond will result from deferral of the Prisons 2010 Program and the planned Mobilong Prison expansion.

The South Australian Tourism Commission has decided to close its interstate offices in order to realise savings for redirection to high priority tourism initiatives and Arts SA is to achieve savings through outsourcing of facilities management and rationalisation of corporate services within the various arts authorities

Finally, Mr Speaker, all portfolios are achieving significant savings as a result of portfolio changes implemented by the Government in October 1997 – particularly in corporate services.

In the employment area, the Government has reviewed existing programs in consultation with the Premier's Partnership for Jobs, and has developed a strategic package of jobs initiatives worth $99 million over the next four years.

These initiatives will provide for 4 600 traineeships over the next three years including:

2 400 State Government traineeship positions;

1 500 trainees in small businesses; and

600 additional graduates within the public sector.

Funding will also be provided to expand the Community at Work Scheme and other new and innovative employment programs.

The budget provides a $33m boost to mental health and increased funding for the Crime Prevention Strategy – $2.4m in 1998-99 and a total of $6.5 million over the next 3 years.

An extra $2.5m has been allocated to National Parks in 1998-99 as part of the Parks Agenda program, bringing the total additional funding provided to this initiative over the past 2 years to $7.5 million.

The Government is providing $10m over 4 years to fund exploration initiatives principally on the Gawler Craton and Musgrave Block – confirming the Government's continuing commitment to growth of the mining industry.

To support further promotion of the State and growth in the tourism industry, there will be a doubling of spending on domestic marketing, taking spending from $4.3m to more than $9m in 1998-99.

For the environment, there is a doubling of funding to $6.8 million for Natural Heritage Trust projects such as Bushcare, Coast Care and nature conservation. This brings total Natural Heritage Trust spending in 1998-99 to $53 million, of which $25 million is from the budget.

Additional funding for the emergency services will provide for 32 new ambulances and 28 new MFS and CFS appliances. Work commences on a new state of the art mobile communications network for the emergency services.

COMMUNITY INFRASTRUCTURE

Mr Speaker, the 1998-99 budget provides for a gross capital works program totalling $1 243 million, including private sector funded infrastructure projects of the order of $80 million. This represents an increase of about $124 million in the program reflecting the impact of new infrastructure spending decisions and funding commitments on existing projects carried forward.

The program continues the emphasis on building economic and social infrastructure, further stimulating economic recovery and growth, and creating jobs for South Australians.

The building and construction industry will again benefit significantly from the increased major works – supporting over 20 000 jobs.

Major projects in the 1998-99 capital works program include:

$84 million for capital works in schools, preschools and child care centres, including a further $12.5 million for the successful 'Back to School' program and a further $15 million for DECStech2001, the major 5 year information technology plan in schools;

$112 million for capital works in the health sector including $2.9 million to commence the construction of a new 50 bed mental health facility at Flinders Medical Centre, $22 million on strategic Metropolitan Hospital redevelopments at the Royal Adelaide, the Queen Elizabeth, Lyell McEwin and other sites; and $8 million for major country facilities including Port Lincoln, Kangaroo Island and the South Coast;

completion by the South Australian Housing Trust of 110 new dwellings and upgrading a further 945 dwellings, $10 million for major regeneration projects and housing assistance grants of $34 million to the South Australian Community Housing Association;

$100 million allocated for the Darwin/Alice Springs railway project that is a major national infrastructure initiative. An amount of $25 million is to be expended in 1998-99;

$55 million to upgrade the Adelaide Convention Centre and provide 8000 square metres of flexible column free exhibition space, with $6 million planned to be expended in 1998-99;

$10 million to upgrade the tourism infrastructure on Kangaroo Island with a significant commitment to upgrade the major arterial roadways, with $2 million to be expended in 1998-99;

$19 million for the Adelaide Festival Centre Master Plan with $6 million planned to be expended in 1998-99 coinciding with the Centre's 25th Anniversary year;

a further $28 million for the Southern Expressway;

a $4 million contribution to a conservation and biodiversity initiative under the Natural Heritage Trust, and further investment of $7 million in the State's parks focused on conservation and protection of natural assets and the development of its tourism and recreational opportunities; and

$14 million toward construction of a second secure centre for young offenders at a total estimated cost of $24 million.

Mr Speaker, significant private sector construction projects are expected to continue or commence during 1998-99 including a private hospital located on the Flinders Medical Centre campus and a private hospital co-located with Modbury Hospital, and integration and upgrade of the terminals at Adelaide Airport.

PUBLIC SECTOR EMPLOYMENT

The Government's ongoing budget strategy no longer requires specific reductions in the number of public sector employees and consequently the budget contains no specific workforce targets.

However, the Government will continue to pursue improvements in efficiency and effectiveness of service delivery in order to ensure high quality, value for money public services. This will entail competitive tendering and contracting of traditional public service functions and exiting non core businesses to minimise financial risk.

The fact that there has been a major reduction in the number of portfolios has also meant there is scope for rationalisation and a small reduction in public service numbers.

These measures may result in some transfer of employment from the public to the private sector as a result of contracting out and sale of government businesses. The Government has announced the continuation of its no retrenchment policy and therefore, any reductions will be through attrition or voluntary separation.

Agency estimates indicate there might be a reduction of less than 1 per cent – or about 550 full time equivalent employees – in non commercial sector agencies in the coming twelve months.

SUMMARY

Mr Speaker – this budget is part of a four year financial plan designed to achieve:

balanced budgets;

reasonable wage increases for employees; and

the delivery of quality public services to South Australians.

However, this budget also includes some tough decisions that we know will attract some opposition.

There are some people in the community, and in the Parliament, who believe in the magic pudding approach to managing a budget.

They oppose tax and revenue increases;

oppose expenditure reductions; and

oppose asset sales.

And yet, at the same time, they support 12 – 15 per cent wage demands from union leaders and still claim they can balance the budget and reduce the state's debt.

Mr Speaker, there isn't a business-person running a business budget who believes that is possible.

And there isn't a parent running a household budget who believes that is possible.

We issue a challenge to these magic pudding believers.

If you oppose asset sales, revenue increases and expenditure reductions, what is your policy alternative?

Mr Speaker, I suspect this challenge will be met with deafening silence.

Mr Speaker, this budget is balanced – both in an accounting sense, but also importantly in the sense of balancing social and financial obligations.

The days of governments in South Australia spending recklessly beyond their means are now gone. Our State must pay its way.

This budget – this four year financial plan – delivers on that objective, as well as providing the Government's clear vision for the future of our community and our State.

I commend the Budget to the House.

The Hon. J.W. OLSEN (Premier): I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the Bill to operate retrospectively to 1 July 1997. Until the Bill is passed, expenditure is financed from appropriation authority provided by the *Supply Act*.

Clause 3: Interpretation

This clause provides relevant definitions.

Clause 4: Issue and application of money

This clause provides for the issue and application of the sums shown in the schedule to the Bill.

Subsection (2) makes it clear that appropriation authority provided by the *Supply Act* is superseded by this Bill.

Clause 5: Application of money if functions, etc., of agency are transferred

This clause is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

Clause 6: Expenditure from Hospitals Fund

This clause provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

Clause 7: Appropriation, etc., in addition to other appropriations, etc.

This clause makes it clear that appropriation authority provided by this Bill is additional to authority provided in others Acts of Parliament, except, of course, in the *Supply Act*.

Clause 8: Overdraft limit

This sets of a limit of $50 million on the amount which the Government may borrow by way of overdraft in 1997-98.

The Hon. M.D. RANN secured the adjournment of the debate.

STAMP DUTIES (MISCELLANEOUS) AMENDMENT BILL

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training) obtained leave and

introduced a Bill for an Act to amend the Stamp Duties Act 1923. Read a first time.

The Hon. M.R. BUCKBY: 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.

An annual stamp duty fee has been levied since 1968 on certificates of third party insurance lodged with the Registrar of Motor Vehicles when a motor vehicle is registered for the first time or an existing registration is renewed. The fee currently stands at $15. Revenue raised from the fee is paid into the Hospitals Fund and is used as a contribution to the Government's expenditure on public hospitals.

The fee is to increase to $60 as from 1 September 1998. The proceeds will continue to be paid into the Hospitals Fund.

This measure is expected to raise an extra $31.6 million in 1998-99 and $38.0 million in a full year.

In South Australia, general insurance business has attracted stamp duty at a rate of 8 per cent since 1984. General insurance includes house and contents cover, motor vehicle insurance and workers' compensation; it does not encompass life insurance which attracts a lower rate of stamp duty under separate provisions of the Stamp Duties Act.

The duty rate for general insurance varies across States and Territories. In Victoria and the Australian Capital Territory 10 per cent duty is levied on all forms of general insurance and in New South Wales a rate of 11.5 per cent applies to insurance other than motor vehicle comprehensive, third party and workers' compensation. The rate of duty on non-motor vehicle related general insurance is 8 per cent in other jurisdictions apart from Queensland where a rate of 8.5 per cent applies.

The stamp duty rate on all forms of general insurance in South Australia will increase from 8 per cent to 11 per cent of premiums paid after 1 June 1998, except for premiums invoiced prior to 1 August 1998 for policies of 12 months or less commencing before 1 September 1998.

This measure is expected to raise $22.5 million in 1998-99 and $30.0 million in a full year.

Since November 1995, an exemption from stamp duty has been available on the transfer of heavy vehicle registrations from the Federal Registration Scheme to the State administered National Registration Scheme. It is proposed to remove this exemption following evidence that it is being abused.

The exemption was originally introduced as part of a joint initiative between Commonwealth, State and Territory Governments, under the auspices of the National Road Transport Commission, to achieve uniform national road transport laws. The exemption was intended to encourage transfers of heavy vehicles to the State administered Registration Scheme in the expectation that the Federal Registration Scheme would close down by June 1998. Closure of the scheme will not now occur until all aspects of the National Road Transport Reform Program are in place, which is not expected before June 2001.

Experience has shown that some owners of heavy vehicles are obtaining the benefit of the exemption by registering under the Federal Registration Scheme and, within a short space of time, transferring the registration to the State scheme. The potential revenue loss from this abuse of the exemption is estimated to be of the order of $1.3 million per annum.

It is proposed to repeal the exemption from stamp duty for the transfer of heavy vehicles from the Federal Registration Scheme to the State administered National Registration Scheme. New South Wales, Victoria, Queensland and Western Australia have also taken action to ensure that this avoidance no longer occurs.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for the commencement of the measures.

Clause 3: Amendment of Sched. 2

Clause 3*(a)* provides for an increase from 8 per cent to 11 per cent in the stamp duty rate on monthly returns for general insurance business.

Clause 3*(b)* provides for the removal of the exemption from stamp duty on applications for the transfer of heavy vehicle registration from the Federal Registration Scheme to the State administered National Registration Scheme.

Clause 3*(c)* provides for an increase in stamp duty payable on applications to register a motor vehicle or to transfer the registration of a motor vehicle, from $4 per quarter to $15 per quarter, and from $15 per 12 months to $60 per 12 months.

Clause 4: Transitional provision

Clause 4(1) provides that the new rate of duty on general insurance does not apply to insurance premiums received or charged in account before 1 June 1998, or to insurance premiums received or charged in account before 1 August 1998 relating to policies to be in force for 12 months or less commencing before 1 September 1998.

Clause 4(2) provides that applications relating to heavy vehicles lodged before 1 September 1998 will be exempt from stamp duty as before.

Clause 4(3) provides that the new rates of duty payable on applications to register a motor vehicle or to transfer the registration of a motor vehicle will not apply to applications where the term of registration is to take effect before 1 September 1998.

Ms HURLEY secured the adjournment of the debate.

GAMING MACHINES (GAMING TAX) AMENDMENT BILL

The Hon. M.R. BUCKBY (Minister for Education, Children's Services and Training) obtained leave and introduced a Bill for an Act to amend the Gaming Machines Act 1992. Read a first time.

The Hon. M.R. BUCKBY: 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.

Currently, gaming machine licensees are subject to a 3 tier tax structure with marginal rates of tax ranging from 35 per cent to 45 per cent. This structure has applied since 1 July 1997 and was automatically triggered as a result of tax revenue being $11.5 million lower than the industry guarantee regarding the level of revenue that would be yielded from the progressive NGR tax structure applying in 1996-97.

In addition a 0.5 per cent surcharge is imposed on each of the percentage tax rates to recover the 1996-97 revenue shortfall. The surcharge will remain in place on all venues until the shortfall has been recovered which is expected to take up to six years.

The current taxation regime applies to all licensed hotels and clubs operating gaming machines in South Australia.

This Bill seeks to amend the tax structure to provide a differential tax regime for clubs and community hotels vis-à-vis other licensed venues.

All other Australian jurisdictions, with the exception of Tasmania where all gaming machines are owned by a single operator, provide a lower tax structure for the clubs sector vis-à-vis hotels operating gaming machines.

The Government recognises that clubs are unable to compete successfully with hotels because, by and large, clubs operate on a smaller scale and reinvest their funds into the community for recreational and other purposes. The Government has decided to provide tax relief to licensed clubs operating gaming machines in South Australia.

Community hotels have ownership structures and profit distributions comparable to clubs and as such will also be provided with the benefit of the tax relief. There are currently 9 community hotels that operate gaming machines in South Australia, all of which are in regional areas.

Any other non-profit organisation that becomes the holder of a gaming machine licence will also be entitled to the benefit of the tax concession.

Effective from the 1998-99 financial year, clubs and community hotels will receive a five percentage point reduction in each marginal tax rate compared with the current tax structure. This provides an aggregate 13 per cent tax concession across the clubs and community hotels sector with the smallest venues receiving a 14.3 per cent tax reduction.

This concession is provided at an annual revenue cost of approximately $2.0 million.

The Government has also decided to increase the progressivity of taxation on hotels operating gaming machines. Effective from the

1998-99 financial year the middle marginal tax rate will increase by 3.5 per cent—from 40 per cent to 43.5 per cent—and the top marginal tax rate will increase by 5 per cent—from 45 per cent to 50 per cent.

The smallest 50 per cent of hotels (those in the lowest tax bracket) remain unaffected while larger venues are subject to an increase in the level of tax payable ranging up to 10 per cent. The increase in tax will yield an additional $10.9 million in a full year.

The proposed amendments apply to gaming machine activity from the 1998-99 financial year. Gaming machine licensees will pay tax at the revised rates commencing in August 1998 in relation to activity in July 1998.

The net result of changes to gaming machine taxation in licensed clubs and hotels is estimated at $8.2 million in 1998-99 and $8.9 million in a full year.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of section 72A—Tax system operable from beginning of 1996-1997 financial year

Clause 2 provides for a new tax structure to apply from the beginning of the 1998-1999 financial year and each successive year. There will be two different tax rates—one for non-profit organisations (mainly being clubs and community hotels) and the other to hotels run on a normal business basis. Tax rates for clubs and community hotels are decreased and the top two tax rates for other hotels are increased. The surcharge of 0.5 per cent (imposed in the 1997-1998 financial year to recoup the 1996-1997 shortfall) will apply to the new tax rates.

Ms HURLEY secured the adjournment of the debate.

SEA-CARRIAGE DOCUMENTS BILL

Received from the Legislative Council and read a first time.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): 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 modernises South Australian law concerning commercial shipping to bring it into line with modern legal and commercial practices and to recognise technological advances in the shipping industry. The Bill is based on a proposal agreed to by the Commonwealth and all States and Territories to adopt uniform legislation dealing with bills of lading and other maritime transport documents.

A bill of lading is a document issued by the master of a ship—who is the carrier of the goods—to the shipper of the goods. The bill of lading specifies the name of the master, the port and destination of the ship, the goods, the consignee and the rate of freight. The bill of lading fulfils the following functions:

(1) it is a receipt for the goods shipped, issued by the carrier to the shipper;
(2) it contains the terms of, or is evidence of, the contract of carriage between the carrier and the shipper; and
(3) it is a document of title to the goods shipped and, as such, is a negotiable instrument.

At common law, the buyer of goods—being either the consignee or endorsee of the bill of lading—is not a party to the contract of carriage between the carrier and the shipper. Therefore, at common law, the buyer cannot sue the carrier for breach of contract if the goods are damaged or destroyed in the course of shipment. Inequitable and anomalous situations result.

Last Century, legislation was enacted in all States and Territories to overcome the commercial difficulties created by the common law. This legislation is based on an 1855 British Act, and provides that every consignee or endorsee of a bill of lading to whom property in the goods passes upon, or by reason of, consignment or endorsement of the bill of lading, has the same rights and is subject to the same liabilities in respect of those goods as if the contract contained in the bill of lading had been made with that person. In South Australia, this provision is currently contained in Section 14 of the *Mercantile Law Act 1936.*

However, since the introduction of this provision, legal, commercial and technological conditions have substantially altered and practices in the shipping industry have changed. As a result, there now exist a number of circumstances where there is no link between the transfer of property in the goods and consignment or endorsement of the bill of lading to the buyer. As a result, many buyers now do not acquire the rights and protection envisaged by Section 14 of the *Mercantile Law Act* and the bills of lading legislation of the other States and Territories.

By way of example, bulk cargoes, which were largely unknown last century, have become increasingly commonplace in the carriage of goods by sea, particularly in nations like Australia where bulk commodity exports play a significant role in export trade. Where a consignee or endorsee of a bill of lading has only purchased a portion of the bulk cargo, title does not pass to the buyer until the cargo has been distributed. Therefore, where the cargo is lost or damaged in transit, the buyer cannot sue for breach of contract under the current legislation.

The speed of modern vessels often results in delivery of goods to the buyer prior to the buyer's receipt of the bill of lading. Property in the goods therefore passes to the buyer prior to, and independently of, the transfer of the bill of lading. Again, if the goods are damaged or destroyed in transit, the buyer cannot sue the carrier for breach of contract under current bills of lading legislation.

In addition, commercial practices have changed. Non-transferable shipping documents, in particular sea waybills and ship's delivery orders, have become increasingly popular in commercial shipping, instead of bills of lading. A sea waybill fulfils the functions of a bill of lading, but is not a document of title. A ship's delivery order directs the shipowner to deliver goods to the person named in the order and is not a document of title. These documents are not recognised by the current legislation.

Finally, modern technology such as electronic data interchange has made electronic shipping documents possible. Current legislation recognises only paper documents.

As a result, in 1992, the Maritime Law Association of Australia and New Zealand asked the Commonwealth Attorney-General and the Minister for Transport and Communications, to review Australian bills of lading legislation and expressed concern as to the suitability of current legislation to modern conditions, particularly with respect to anomalies in limitations on title to sue.

The Commonwealth Attorney-General's Department sought comments from all relevant State and Territory Ministers and interested industry and professional organisations, resulting in the preparation of a model Sea Carriage Documents Bill which was approved by the Standing Committee of Attorneys-General.

The *Sea Carriage Documents Bill 1998* is based on the model legislation and modernises current bills of lading legislation by:

(1) allowing the transfer of contractual rights and liabilities from the shipper to the lawful holder of the bill of lading, irrespective of whether property in the goods has passed by reason of transfer of the bill of lading, so as to accommodate changes in the legal and commercial environment;
(2) extending the application of the legislation beyond bills of lading to include sea waybills and ship's delivery orders, which are becoming increasingly common in commercial shipping;
(3) extending the benefit of the legislation to include documents in electronic form to recognise technological advances being made by industry in this area;
(4) improving the evidentiary status of bills of lading.

The effect of the proposed legislation is that the buyer of goods under either a bill of lading, sea waybill or a ship's delivery order will be able to sue—and be sued—directly on the contract of carriage. This applies to documents in both paper and electronic form.

The proposed legislation has a number of advantages. It removes the inequitable and arbitrary distinctions created by the current law, which arose with the development of modern practices and technology. It brings South Australian legislation into line with reforms taken in other Australian and overseas jurisdictions, including major trading nations such as the United Kingdom, France, Germany, Holland, Sweden, Greece and America and a number of Australia's trading partners, including New Zealand, Japan, the People's Republic of China, Indonesia, Thailand and Taiwan. It improves the legal environment for Australia's international traders, ensuring that persons carrying on business in South Australia involving goods shipped by sea are no longer disadvantaged by outmoded legislation.

Clearly, in the area of commercial shipping, it is common sense to have a degree of uniformity between jurisdictions. The proposed legislation is based upon agreements reached at the national level between all the relevant jurisdictions in Australia. To date, the legislation as been passed by the Parliaments of Queensland, Western Australia, Tasmania and the Northern Territory.

I commend the Bill to the House.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Application

This clause provides that the legislation applies to sea-carriage documents issued on or after the date on which the legislation comes into operation, indicating that the legislation does not apply retrospectively.

Clause 4: Interpretation

This clause contains interpretative provisions.

Clause 5: Electronic and computerised sea-carriage documents

This clause provides for the bill's application to electronic and computerised sea-carriage documents if that is contemplated by the relevant contract of carriage.

Clause 6: Application where goods have ceased to exist, or cannot be identified

This clause provides for the bill's application to sea-carriage documents where the goods have ceased to exist (for example where the vessel sinks) or cannot be identified (for example unascertained goods that form part of a bulk cargo).

PART 2

RIGHTS UNDER CONTRACTS OF CARRIAGE

Clause 7: Transfer of rights

This clause represents the fundamental provision in the Act. Subclauses (1) and (2) provide that a person who was not a party to the original contract of carriage is vested with all rights under the contract by virtue of having a lawful entitlement to receive the goods under the sea-carriage document. These subclauses represent a qualification to the common law doctrine of privity of contract (which provides that only original parties to a contract have rights of suit under it). It replaces a similar qualification in the *Mercantile Law Act 1936* but expands the application of the qualification, to sea waybills and ships delivery orders.

Subclause (3) provides that, in relation to a ship's delivery order (being a document issued in association with a contract of carriage) the rights to be transferred are subject to the terms of the particular order, and are only in relation to the goods to which the particular order relates (and not in relation to other goods under the contract).

Subclause (4) provides that the lawful holder of a bill of lading which has ceased to be a transferable document may sue the carrier providing he or she became the holder of the bill under arrangements made before the bill ceased to be a document of title. This subclause protects the position of third parties who, for example, take the bill of lading as security.

Subclause (5) provides that a person who has rights of suit, but has not suffered any or all of the loss may exercise the rights of suit for the benefit of the person who has suffered loss. Thus, for example, a person whose rights have been extinguished by virtue of the legislation, may yet recover any loss suffered.

Subclause (6) provides that the relevant contract of carriage under which a transfer occurs under subclause (1) includes any variation of which the transferee has notice at the time of the transfer.

Clause 8: Extinguishment of previous rights

This clause provides that where rights are transferred under clause 7, any rights vested in a previous transferee are extinguished, and in the case of a bill of lading, any rights vested in an original party to the contract of carriage are also extinguished.

PART 3

LIABILITIES UNDER CONTRACTS OF CARRIAGE

Clause 9: Transfer of liabilities

This clause provides for the point in time at which liabilities are transferred. It provides that where rights in the contract of carriage are transferred and the transferee takes or demands delivery of the goods or otherwise seeks to enforce the contract, the transferee becomes subject to any contractual liabilities as if he or she had been a party to the contract.

Clause 10: Liability of original parties

This clause provides that the transfer of liabilities under clause 9 is without to prejudice any original party's liability under the contract of carriage.

PART 4

EVIDENCE

Clause 11: Shipment under bills of lading

This clause sets out the evidentiary status of the bill of lading. Subclause (2) provides that a bill of lading to which the section applies is *prima facie* evidence in favour of the shipper against the carrier, of the shipment of the goods or of the receipt of the goods for shipment.

Subclause (3) provides that a bill of lading to which the section applies is conclusive evidence in favour of the lawful holder of the bill against the carrier, of representations made in the bill of lading that the goods have been shipped or received for shipment.

SCHEDULE

Consequential Amendment

The Schedule provides for the repeal of sections 14 and 15 of the *Mercantile Law Act 1936*.

Ms HURLEY secured the adjournment of the debate.

CRIMES AT SEA BILL

Received from the Legislative Council and read a first time.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I move:

That this Bill be now read a second time.

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

Leave granted.

The Bill is part of a scheme which will simplify the application of the criminal law in waters surrounding Australia. The scheme was developed by the Special Committee of Solicitors-General and endorsed by the Standing Committee of Attorneys-General.

Jurisdiction over crimes committed at sea was, until the early 1980s, an obscure area of law. Beginning in 1979 complementary Commonwealth and State legislation was enacted designed to apportion responsibility for crimes committed in offshore areas between the Commonwealth and States. The criminal laws of the State were extended to crimes committed at sea with which the State is connected in one of a number of specified ways. The South Australian statute is the *Crimes (Offences at Sea) Act 1980*.

The 1979 scheme presents several difficulties. The legislation of the Commonwealth, the States and the Northern Territory takes differing approaches to the issue. Within individual Acts are gaps and differences which are not found in other Acts. This adds an element of complexity to what is itself a relatively complex scheme. The imposition of State criminal law upon conduct by reference to the destination of the vessel and the State in which the vessel was registered has proved awkward. The scheme contemplates the possibility that a State authority investigating a crime at sea that was an offence against the law of another State would be bound to follow the investigative procedures of that other State.

The existing state of the law is confusing and difficult to comprehend. It is in this context that the Solicitors-General proposed that a clearer and simpler scheme should be devised.

Under the scheme agreed to by the Standing Committee of Attorneys-General the Commonwealth and the States will enact Acts containing an identical schedule that constitutes the scheme for the extraterritorial application of State criminal laws in the sea surrounding Australia (the adjacent area). The adjacent area extends 200 nautical miles from the baseline of the State or to the outer limit of the continental shelf (whichever is the greatest distance).

The criminal law of the State is to apply of its own force to a distance of 12 nautical miles from the baseline of the State. Beyond 12 nautical miles the criminal law of the State is applied with the force of a Commonwealth law. The boundaries and baselines of the States and the boundaries to the adjacent areas are described in the map and descriptive material contained in part 6 of the schedule. The scheme does not apply to State and Commonwealth laws excluded by regulation from the ambit of the scheme. This is to cater for presently operating schemes relating to subjects such as fisheries.

The authority that is investigating an offence investigates it according to its own procedure. For example, Victorian police investigating an offence that under the scheme is an offence under South Australian law will investigate it according to Victorian procedure. Where a State offence and a Commonwealth offence operating of its own force are being investigated together the investigating authority will, as at present, have to follows the procedural requirements which are the more stringent.

The Commonwealth Act will apply the criminal law of the Jervis Bay Territory to certain criminal acts which occur outside the adjacent area. Jervis Bay Territory law will apply on Australian ships, to Australian citizens on foreign ships who are not members of the crew and on a foreign ship that first lands in Australia after the commission of an offence. The Commonwealth Act will also make special provision for the application of criminal laws in the Australian-Indonesian Zone of Co-operation.

Clause 7 of the schedule provides that the Commonwealth Attorney-General must consent to a prosecution of an offence committed on a foreign ship that is registered in a foreign country where the offence could be prosecuted in the country of registration. This requirement is necessary to ensure that any prosecution does not involve a breach of Australia's international obligations. Before granting approval the Commonwealth Attorney-General must be satisfied that the government of the foreign country consented to the prosecution in Australia.

Under the scheme Commonwealth proceedings will be run according to the law of the Commonwealth and State proceedings will be run according to the law in which the proceedings were commenced. In the example given above the South Australian offence would be tried in a Victorian court according to Victorian law.

Responsibility for the administration and enforcement of the law relating to crimes at sea is to be set out in an intergovernmental agreement. The agreement will also empower State authorities to perform functions and exercise powers in the investigation of offences as provided for in the legislation. This is provided for in clause 3 of the preamble and Part 3 of the schedule.

The agreement will provide that the arrival State, that is the State in which an Australian ship arrives after an offence has been committee, has primary responsibility for investigating and prosecuting an offence. In general terms a State will have primary responsibility for investigating and prosecuting crimes committed in its adjacent waters out to the 200 nautical mile limit. The agreement will provide that where more than one jurisdiction is empowered to prosecute offences those jurisdictions should consult to determine the jurisdiction most convenient for prosecution. It will also provide that jurisdictions should, where practicable, provide assistance to one another in the investigation of offences arising under the scheme.

The intergovernmental agreement will be entered into by Attorneys-General once the legislation is enacted in all jurisdictions. Clause 6 requires the Minister to have the inter governmental agreement published in the *Gazette*.

The South Australia Police rarely encounter crimes at sea (apart from *Harbors and Navigation Act* type of offences). When they do encounter crimes at sea they are faced with logistical problems and legal uncertainties. The policing of offences at sea will continue to be difficult operationally and logistically but this measure will eliminate the legal uncertainties.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Definitions

This clause defines certain terms used in the measure.

Clause 4: Ratification of cooperative scheme

This clause ratifies the scheme set out in the schedule.

Clause 5: Classification of offences

This clause provides a uniform basis for the classification of offences under the scheme.

Clause 6: Publication of intergovernmental agreement

The intergovernmental agreement (and any amendments) must be published in the *Gazette*.

*Clause 7: Regulations*This clause provides for the making of regulations for carrying out, or giving effect to, the Act.

Clause 8: Repeal of Crimes (Offences at Sea) Act 1980

This clause repeals the current *Crimes (Offences at Sea) Act*.

SCHEDULE

The Cooperative Scheme

The details of the cooperative scheme are set out in the schedule.

Part 1 of the schedule defines various terms used in the co-operative scheme.

Part 2 of the schedule provides for the application of the substantive criminal laws of the State in the adjacent area (defined in Part 6 of the schedule). The laws of criminal investigation, procedure and evidence will apply as follows:

- the law of the Commonwealth applies to investigations, procedures and acts (other than judicial proceedings) by authorities of the Commonwealth;
- the law of a State applies to investigations, procedures and acts (other than judicial proceedings) by authorities of the State operating within the area of administrative responsibility for the relevant State;
- in a Commonwealth judicial proceeding the law of the Commonwealth applies and in a State judicial proceeding the law of the State in which the proceeding was commenced applies (subject to the Constitution).

This Part also provides an evidentiary presumption in relation to the location of an offence (ie. whether it occurred in the adjacent area, inner adjacent area, or outer adjacent area for a particular State).

Part 3 deals with the intergovernmental agreement. Basically this provides for the making of an agreement providing for the division of responsibility for administering and enforcing the law relating to maritime offences. A charge of a maritime offence must not be brought in a court contrary to the intergovernmental agreement. If a charge is brought in contravention of the agreement, the court will, on application by the Commonwealth Attorney-General or a participating State Minister, permanently stay the proceedings. The court is not, however, obliged to inquire into compliance with the agreement and non-compliance does not affect its jurisdiction.

Part 4 of the schedule—

- outlines circumstances (involving foreign ships) in which the written consent of the Commonwealth Attorney-General is required before the prosecution of a maritime offence;
- provides that the scheme does not exclude the extra-territorial operation of State law to the extent that such law is capable of operating extra-territorially consistently with the scheme;
- provides that the regulations may exclude State and Commonwealth laws from the scheme;
- it is also provided that the scheme does not apply to the Australia-Indonesia Zone of Cooperation (which is defined under Commonwealth law).

Part 5 provides that the Commonwealth *Acts Interpretation Act 1901* applies to the scheme and provides for the making of regulations for the purposes of the scheme.

Part 6 of the schedule defines the adjacent areas.

Mr ATKINSON secured the adjournment of the debate.

ADJOURNMENT

At 4.1 p.m. the House adjourned until Tuesday 2 June at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 26 May 1998

QUESTIONS ON NOTICE

PARKS AGENDA

32. **Mr HILL:**

1. What was the total cost of producing, publishing and distributing the three glossy publications released in July 1997 to promote the Government's 'Parks Agenda'?

2. What was the cost of the public functions held to 'launch' these publications?

3. How many copies of the 'Parks Agenda' publications were distributed by mail and what are the names and addresses of all organisations and individuals who were forwarded a copy?

The Hon. D.C. KOTZ: This is an amended reply, as the first reply presented to Cabinet and printed in *Hansard* on 17 February 1998 contained incorrect figures supplied by the Department.

1. The total cost of producing, publishing and distributing the three publications (together forming the Parks Agenda Package) released in June/July 1997 was $20 229.24 (see Attachment 1). 2 000 packages were produced.

The exact distribution cost of the Parks Agenda Packages is unable to be supplied as this was integrated corporately by the department. An approximate distribution cost of $3 382, calculated at $2 postage per item for a total of 1 691 packages, which has been included in the total cost above.

2. The Parks Agenda was officially launched at the Parks & Wildlife Festival, Belair National Park, on June 9 1997. The cost of this launch totalled $2 220 (see Attachment 2). It must be noted, however, that the Parks & Wildlife Festival is an annual event, designed as a fun day in the park for the general community, attracting over 5000 people, and the Parks Agenda launch was simply incorporated into the day's events.

The Parks Agenda was subsequently launched to a corporate audience at a function held at Ayers House on June 1997. The cost of this event was $4 650.85 (see Attachment 3).

The total cost of the public functions held to launch the Parks Agenda and the related publications was $6 870.85.

3. 1 691 copies of the Parks Agenda Package were distributed by mail. Individuals' names and organisations have been supplied (see Attachment 4). Recipients' addresses have been withheld for reasons of privacy.

The package was distributed to individuals within the following groups:

- ANZECC
- Environment Australia
- Consultative Committees
- Friends of Parks Inc
- Local Councils
- House of Assembly
- Local Government Association
- Legislative Council
- South Australian Tourism Commission
- Conservation Councils
- Native Vegetation Council
- South Australian Development Council
- Wilderness Advisory Committee

Packages were also distributed to:

- South Australian Senators
- Members of Parliament
- All public and independent schools in South Australia
- Departmental Chief Executives

COBBLER'S CREEK

34. **Ms RANKINE:**

1. Why did police intervene in an industrial dispute and demand that officials from the Building Trades Federation leave the Cobbler's Creek recreation reserve on 16 October 1997?

2. Is it the policy of the Government to use police to intervene in industrial disputes?

The Hon. I.F. EVANS: The police have advised:

1. That they have a responsibility to attend incidents involving community protests and industrial disputes in order to prevent a breach of the peace, protect life and property and preserve public order. Police are instructed not to become involved in the incident except to prevent a breach of the peace, protect life and property and preserve public order by the following means:

- Maintaining strict impartiality
- Informing the parties of their peace keeping role
- Refraining from intervention or preventative action unless specific breaches of the law are committed
- Maintain fairness, integrity and impartiality.

There are a number of High Court and Supreme Court Judgments which give direction to police that they have a responsibility to uphold the law and an obligation to stand by to prevent a breach of the peace when a person or company is going about their lawful business.

This was a protest by the community against Vodafone erecting a communication tower, and they were using non-union labour at that location.

When union officials from the Building Trades Federation arrived at the site there were no demands placed on them initially to leave. As there were no union members working on the site the incident cannot be properly described as an industrial dispute.

However, when police believed there was an imminent breach of the peace, they requested the union officials to leave the area. They complied with this request and were escorted by police to an area about 50 metres from the work site to ensure a safe working environment.

2. The Government did not request the police to intervene in this issue.

ELECTORAL ACT

42. **Mr ATKINSON:** Why was Form 8 in the Schedule of the Principal Regulations under the Electoral Act amended in December 1997?

The Hon. M.H. ARMITAGE: Form 8 in the Schedule of the Regulations under the Electoral Act 1985 was amended in December 1997 because it was inconsistent with the provisions of the Expiation of Offences Act 1996.

Form 8 contains the notice which is sent to electors who have apparently failed to vote. The form invited persons who did not vote to pay an expiation fee. However, the effect of section 85 of the Electoral Act 1985 (failure to vote) and the Expiation of Offences Act is that offences under section 85 cannot be expiated, other than in accordance with the provisions of the Expiation of Offences Act. The invitation to pay the expiation fee in the old Form 8 was inconsistent with the provisions of the Expiation of Offences Act and could not be used.

The new Form 8 does not contain any reference to an expiation fee. Expiation notices will be sent to those persons who did not provide a valid and sufficient reason for failing to vote and those who did not respond to the notice.

RETAIL AND COMMERCIAL LEASES ACT

43. **Mr ATKINSON:** What are the reasons for the exemptions granted by Regulation under section 20C (2)(d) of the Retail and Commercial Leases Act, in December 1997?

The Hon. M.H. ARMITAGE: Since November 1996, intensive industry consultation with respect to the renewal of retail shop leases in shopping centres and other amendments to the Retail Shop Leases Act has been occurring in South Australia.

In the course of those consultations and negotiations it was agreed by all parties that there should be new provisions relating to the renewal of shopping centre leases. These provisions are contained in the Retail and Commercial Leases Act, Part 4A, Division 3.

Due to the wide nature of the definition of "retail shop" in the Act, office-type accommodation is caught within the definition. The definition of retail shopping centre includes in a cluster of premises in which there are at least five 'retail shops' (other features must also be present).

It was considered by the industry parties that the new provisions should only apply to those premises commonly regarded as retail shops in retail shopping centres, and that the appropriate way to exclude those parts of a shopping centre which are office accommodation was by way of regulation. Of particular concern were the 'office towers' associated with some retail shopping centres.

Accordingly, a provision was included in the Retail Shop Leases Amendment Act to allow for the exclusion, by regulation, of leases of certain classes from the division dealing with renewal of shopping centre leases.

Several applications were received requesting exclusion from the ambit of Part 4A, Division 3, of the Act. The regulations provide an exemption for those office towers which are only office accommodation or those parts of buildings, where there are some shops and some offices, which are office accommodation only.

Elizabeth City Centre—At that shopping centre there are four discrete buildings which form part of the shopping centre. Each of these buildings are office accommodation.

The Myer Centre, Adelaide—In that centre there are Shell House, Goldsbrough House and Terrace Towers. Exemption applies only for those levels of the buildings which are used exclusively as offices.

Aon House, 63 Pirie Street—This is an office building with ground floor only containing retail shops.

Wyatt House, 115 Grenfell Street—This is an office building with ground floor retail shops

North Adelaide Village—1st floor is office premises only, ground floor is shopping arcade.

Southern Cross Arcade—1st floor is office accommodation only, ground floor is shopping arcade.

Citi Centre Building—This is an office tower with shopping arcade on ground and on some of the 1st floor.

The regulations under the Retail and Commercial Leases Act exclude the 'office' components of the retail shopping centres described above from the ambit of Part 4A, Division 3 of the Retail and Commercial Leases Act, which deals with the renewal of shopping centre leases. All other parts of the Act continue to apply to those leases.

WORKCOVER

44. **Mr ATKINSON:** Are insurance companies managing WorkCover claims using in-house rehabilitation consultants, or consultants with whom they have exclusive dealing arrangements, to the exclusion of other registered rehabilitation consultants and if so, does the Minister propose to regulate so that independent rehabilitation consultants have an equal chance of obtaining work, especially if they have obtained a referral from the treating doctor?

The Hon. M.H. ARMITAGE: This question has been asked previously by the same honorable member, Mr Atkinson on the 6 November 1996 of the then Minister for Industrial Affairs. The response to the member at the time was:

> Claims agents have sole responsibility for establishing and approving rehabilitation programs and rehabilitation and return to work plans in accordance with section 26 of the Workers Rehabilitation and Compensation Act 1986. Agents may take into account any recommendations of other parties such as the treating doctor, however they are not bound by those recommendations.
>
> Providers delivering rehabilitation and return to work services must be approved by WorkCover Corporation in accordance with section 32 (8) of the Workers Rehabilitation and Compensation Act 1986. However, I am also aware that Claims Agents can appoint Rehabilitation Advisers in accordance with section 28A of the Act. Rehabilitation Advisers are employed by Claims Agents and have the authority to carry out a range of rehabilitation tasks on behalf of the Agent, for the purpose of ensuring an injured worker is rehabilitated. This is consistent with WorkCover's previous practice, as the Corporation appointed Rehabilitation Advisers from the commencement of the Scheme in 1987, until outsourcing in August, 1995.
>
> Claims Agents are accountable to WorkCover for the management of claims, including the provision of rehabilitation services, and their performance is monitored by the Corporation.

Since the above response was provided, the WorkCover Corporation has continued to monitor both Claims Agent and rehabilitation provider performance. The WorkCover Corporation has identified that Agents do engage preferred providers and are encouraged to do so based on demonstrated performance in achieving return to work outcomes. Currently no preferred provider has greater than 62% of an individual Agents' market share.

The WorkCover Corporation has commenced providing agents with comparative data on provider achievement of return to work outcomes, to support them in their selection of providers.

TAB STAFF

47. **Mr ATKINSON:**

1. Are all TAB agency staff women?

2. Why is the proportion of women employed in TAB agencies so high?

3. Is the TAB an equal-opportunity employer?

The Hon. M.H. ARMITAGE:

1. No. TAB employs the following number of males and females within the agency network:

	Female	Male	Total
On-Course	51	10	61
Off-Course	277	2	279

2. Historically, TAB's business hours and the length of shifts were attractive and convenient to females.

TAB has a large number of long serving agency staff who were recruited in an era when the available 'casual staff pool' was primarily comprised of females.

TAB also has a low staff turnover in the agency network which contributes to the male/female mix (average service length being 16 years).

3. TAB is an equal opportunity employer, appointing and promoting on merit alone.

SEWERAGE SCHEME

48. **Mr ATKINSON:** Is there a timetable for sewering all of Dry Creek, Wingfield, Gillman, Port Adelaide and Outer Harbor and, if there is, what is it?

The Hon. M.H. ARMITAGE: There are no current proposals for any Government funded sewerage schemes to serve the unsewered areas in Dry Creek, Wingfield, Gillman, Port Adelaide and Outer Harbor.

However, a sewer main can be extended when a land division application is received from a developer. Under current policy, a land developer is required to provide mains water and sewerage to all new allotments being created in these areas as a condition of SA Water's approval of the land division.

Consequently, the provision of infrastructure, such as sewerage, will proceed progressively as land development applications are lodged to meet the requirement for fully serviced land. For instance, SA Water has recently constructed two sewage pumping stations in the Wingfield area as a result of recent land development activities. This infrastructure is also capable of serving other properties in the area that can be developed.

In addition, SA Water is prepared to consider requests for extensions of sewer main to existing allotments on receipt of applications from property owners.

When a sewer main is extended, the owners of all properties that can be drained are required to contribute towards the cost of the work by the payment of a Standard Sewer Contribution (SSC). The current SSC is $3 775 for each holding served. This amount is escalated when the property is zoned industrial/commercial and is greater than 1200 square metres in area. A rebate of $1 500 is granted when the property being sewered is already served by an existing wastewater disposal system, eg septic tank.

Any approval to extend a sewer main would be subject to the following criteria being met:

- the number of holdings developed, plus one, when divided by the total number of holdings served, must be greater than 50 per cent ;
- the maximum financial outlay for an extension must not exceed two and a half times the total amount received from the payment of SSC;
- extensions of sewer main are limited to a maximum length of 100 metres per applicant, unless approved otherwise by the appropriate delegated Manager;
- funds are available to carry out the work.

SA Water will continue to strive to provide sewerage services in these areas, subject to a satisfactory commercial return being received by the Corporation.

COPLEY, Mr V.

49. **Mr ATKINSON:** On what basis were the admissions to Police of Mr Victorio Copley to breaking into Marney Pearce's home regarded as involuntary by the Director of Public Prosecutions?

The Hon. M.H. ARMITAGE: An assessment was made by the Committal Unit that the confession was unlikely to be admitted into evidence.

RESIDENTIAL TENANCIES ACT

51. **Mr ATKINSON:** How many applications have been made under new section 90 of the Residential Tenancies Act since it was proclaimed and what was the outcome in each case?

The Hon. M.H. ARMITAGE: The Residential Tenancies Tribunal has received approximately 406 applications for vacant possession under section 90 of the Residential Tenancies Act 1995, approximately 42 from landlords and 364 from interested parties since it was proclaimed.

The Residential Tenancies Tribunal is an independent judicial body which determines each matter on the evidence presented to the Tribunal. The Tribunal has the power only to terminate a residential tenancy and make an order for the possession of the premises or not to terminate the residential tenancy.

No data is kept on the outcome of these hearings.

In order to provide a finite response to this question, it would be necessary to examine the files on each of the 406 applications. I have not requested this as the resources required to examine each of these files would be extensive.

PRIVATE HEALTH INSURANCE

55. **Ms STEVENS:**

1. How many persons dropped out of private health insurance cover in South Australia in each of the years from 1994 to 1997?

2. How many persons retained private health insurance cover in each of these years?

3. What was the additional cost to the public health system attributable to the falling number of people with private health insurance cover in each of the years and how has that cost been calculated?

The Hon. DEAN BROWN:

1. Private health insurance data is provided by the Private Health Insurance Administration Council (PHIAC). South Australia-specific data was not recorded until December 1994. Prior to that date, South Australian and Northern Territory data were combined. Accurate SA specific data by calendar year is therefore available only from 1995.

Calendar Year	Number of Persons Dropping out of Private Health Insurance
Jan.-Dec. 1994	-30 000*
Jan.-Dec. 1995	-20 000
Jan.-Dec. 1996	-9 000
Jan.-Dec. 1997	-20 000

*1994 figure is an estimate only, due to combined SA and NT data from PHIAC.

2. Persons retaining private health insurance cover

31/12/94	528 000
31/3/95	518 000
30/6/95	506 000
30/9/95	499 000
31/12/95	508 000
31/3/96	503 000
30/6/96	504 000
30/9/96	502 000
31/12/96	499 000
31/3/97	492 000
30/6/97	485 000
30/9/97	488 000
31/12/97	479 000

3. Within the context of the current Medicare Agreements, the Commonwealth and States/Territories agreed that a review of the additional cost to the public health system attributable to the falling number of people with private health insurance would be triggered each time there was a national private health insurance membership drop of 2 per cent or more.

Three reviews have been triggered. They covered the periods June 1993 to September 1994; September 1994 to September 1995; and October 1995 to June 1997. Further costs to December 1997 have also been extrapolated. Based on these calculations, the cost to the South Australian public health system from June 1993 to December 1997 has been calculated to be $45.5 million (based on an average cost methodology).

Calculations are based on an agreed Commonwealth and States/Territories formula. This formula is based on applying results of a SA utilisation matching study of falling private health insurance membership and resulting changes in public/private patient mix in public hospitals.

SERBIAN COMMUNITY

56. **Mr ATKINSON:**

1. Will the Minister regard the claims of the Serbian Community to a full-time interpreter and translator in the Office of Multicultural and International Affairs (OMIA) and a bilingual welfare worker in the Department of Family and Community Services as a high priority in the Government's budget deliberations and, if not, why not?

2. Are these claims within the scope of the review of OMIA?

The Hon. J.W. OLSEN:

1. The Office of Multicultural and International Affairs provides interpreting and translating services to government, private agencies and individuals in the metropolitan and country areas of South Australia, as well as to interstate customers through the Interpreting and Translating Centre (ITC). These services are provided on a user pays principle 24 hours a day, seven days a week in more than 80 languages.

Although in the past two-three years there has been an increase in the demand for the Serbian language in both interpreting and translating, this demand does not justify the appointment of a full-time Serbian interpreter/translator. Services in the Serbian language will continue to be provided through a pool of casual interpreters and/or translators.

The Department of Family and Community Services currently has a casual Community Support Worker, Coober Pedy District Centre, who speaks Croatian fluently and Serbian and Slovenian well; a Social Worker, Enfield District Centre, who speaks Croatian well; and an Administrative Officer, Citi Centre, who speaks Croatian and Serbian fluently.

These employees are not used as full-time interpreters or translators. They are called upon if required by an office, to enable initial communication to occur. An interpreter/translator service is then contacted.

2. The claims of the Serbian community to a full-time interpreter/translator in the Office of Multicultural and International Affairs are not within the scope of the review of OMIA.

FIREARMS ACT

57. **Mr ATKINSON:** Is the Government considering changes to the Firearms Act in line with the Firearms Act Amendment Bill now before the Victorian Parliament?

The Hon. I.F. EVANS: The Government is currently monitoring the proposed amendments to the firearms legislation now before the Victorian Parliament. The Government is also mindful of the need to maintain standards of uniformity in the firearms legislation through Australia in accordance with the Australasian Police Minister's Council resolutions.

As the Minister for Police, I shall be liaising with my counterparts interstate in an effort to maintain uniformity in relation to the key resolutions.

DUBLIN DUMP

60. **Mr HILL:**

1. What action has the Minister taken in response to correspondence to the then Minister for Housing and Urban Development on 6 August 1997 and to the Minister for Urban Planning on 17 November 1997 from the Wakefield Regional Council offering to work with waste companies to expand the existing licensed waste landfill to that of a major facility?

2. Will the Minister request the Environment Protection Authority to investigate the offer made by the Wakefield Regional Council and the suitability of the site for an expanded landfill before granting any licence for the establishment of a landfill at Dublin?

The Hon. D.C. KOTZ:

1. The Environment Protection Agency (EPA) has been aware of a proposal by the Wakefield Regional Council to expand the operation of its licensed landfill site near Lochiel to that of a major facility and that it has approached a number of waste companies. The EPA advises that this particular site was developed as a small scale landfill but would need detailed environmental assessment due to potential difficulties with management of surface water if it was to

be expanded to a major facility. As with other potential sites, an Environmental Impact Statement would need to be prepared.

2. Section (11)(4) of the Environment Protection Act does not allow the Minister to direct the Environment Protection Authority in relation to the performance of its functions under Part 6 of the Act which relate to environmental authorisations.

62. **Mr HILL:**

1. Why has the Government approved plans for the Dublin dump which is to have 83 cells each 100 metres square excavated to a depth of 2 metres into the water table, with leachate held in the cell in clay liners, which is in direct conflict with the 'Interim Criteria for Major Landfills' issued by the Environment Protection Authority in October 1997?

The Hon. D.C. KOTZ: Leachate will not be 'held' in the cells as suggested by the honourable member. Rather it is to be intercepted at the liner and continuously removed from within the cell. By placing the clay lined cells below the level of the saline watertable and incorporating leachate removal from within the cells, an inwards hydraulic gradient will be developed to prevent the escape of contaminants. This system has the potential to provide a greater degree of groundwater protection than previous landfill designs which relied on attenuation (or immobilisation) of contaminants in the clay liner and underlying soils to protect the groundwater from contamination. The specific details relating to the depth of excavation, the liner construction and the groundwater and leachate management systems will be dealt with in the EPA licensing process.

'Interim Criteria for major landfills' a discussion paper, was in fact released for consideration in October 1997. The final documentation of the IWS Northern Balefill proposal had been submitted some five months prior to the release of the consultation draft paper.

63. **Mr HILL:**

1. Can the Minister explain why the Dublin Dump Assessment Report says 'It has been ascertained that animal health—see Assessment Report Section 3.9.2—is not at risk'. when the Report does not include such a section and nowhere in the report is there any reference to the risks faced by livestock industries?

2. Is the Minister aware of the concern of the South Australia Farmers Federation about the risk of the transfer of diseases to livestock production units from the proposed dump and if so, what action has the Minister taken?

The Hon. R.G. KERIN:

1. It is not correct that the report does not include a section dealing with the animal health issue. I draw the honourable member's attention to Section 4.2.2 in the report titled 'Potential Risk of Disease Transmission'. In this section there is reference to the risks faced by livestock industries. The key conclusion is that the risks are acceptably low and no greater for the proposed landfill than existing agricultural, animal and poultry keeping activities. This is an issue which is clearly recognised by the regulatory body concerned, the Adelaide Plains Animal and Plant Control Board.

2. I have not received any correspondence from SAFF. I understand that SAFF is satisfied with the thoroughness of the assessments undertaken to ensure protection of animal health status and the valuable livestock and meat exports that flow from it.

64. **Mr HILL:** Can the Minister guarantee that there will no adverse affect on the two beef cattle feedlots, a live sheep export feedlot, several piggeries and two broiler chicken farms from the Government's decision to approve a rubbish dump in their vicinity covering 300 hectares at Dublin and has the Minister obtained an assurance from the Australian Quarantine Inspection Service that the dump will have no affect on the status of the feedlots?

The Hon. R.G. KERIN: An adverse affects assessment for livestock enterprises in the vicinity of the proposed land fill dump at Dublin has been carried out by animal health experts from Primary Industries and Resources SA with regard to animal disease transmission. Their advice is that the risks of animal disease transmission from the dump to livestock and poultry are very small and do not warrant a suspension of the dump proposal.

I am informed that the Environmental Assessment Impact Branch of the Department of Transport and Urban Planning obtained an assurance from AQIS that the dump proposal would not violate export orders and therefore trade will not be put at risk as a result of this development. Furthermore consultations with the Nassar Feedlot operators, whom export live sheep, have confirmed that there is no risk to their business by the manner in which the land fill is to be managed.

GREENHOUSE GASES

65. **Mr HILL:**

1. Does the Minister support the Federal Government's submission to the Kyoto Environment Conference that an acceptable reduction in greenhouse gases is in fact an increase in such gases by 18 per cent over 1990 levels?

2. What is the State's strategy to reduce greenhouse gases?

The Hon. D.C. KOTZ:

1. Australia agreed at the Conference to an increase of 8 per cent over 1990 levels through the inclusion of land use change in its calculations. It should be noted that the 18 per cent did not reflect Australia's 'target' for the Kyoto Conference—such a target, if one existed, was never stated.

2. South Australia has continued to improve air quality and will continue to work closely with the Commonwealth and other States and Territories in the details of the implementation of the Prime Minister's package of measures to reduce greenhouse gases.

CONSERVATION RESERVES

66. **Mr HILL:**

1. How much was spent on each Conservation Park, National Park, Conservation Reserve, Wilderness Protection Area, Game Reserve, Recreation Park and Regional Reserve in the Year 1996-97?

2. What amount has been budgeted for the year 1997-98 for each of these areas?

The Hon. D.C. KOTZ: The South Australian reserve system has 314 dedicated parcels of land totalling 21 million hectares. The resources allocated to the management of these reserves are not specifically allocated to each individual reserve but are allocated by the outputs required to achieve the strategic objectives of the Government.

HOSPITALS, TELEVISION RENTALS

69. **Mr ATKINSON:** Why does the charge for hiring a bedside television vary between metropolitan hospitals?

The Hon. DEAN BROWN: The provision of bedside televisions is essentially a private arrangement for public hospitals and not core business. Each hospital makes its own arrangements to enable patients to hire a television and these arrangements vary from hospital to hospital. Contracts have been negotiated with commercial hiring firms, or with not-for-profit organisations. No hospital operates its own hiring business, and therefore the terms and conditions, including charges, will not be the same across the system.

TRAINEES, REGIONAL

71. **Mr McEWEN:** What are the names and locations of the employers of the 'more than 500 trainees under the age of 22' employed in regional areas as part of the Government's strategy to create jobs for the young?

The Hon. J.W. OLSEN: The Government's engagement of 500 trainees under 22 years of age in regional areas of South Australia in this financial year is scheduled to be completed by 30 April, 1998.

At the date of the question asked, traineeship placements had been negotiated with the following employers, although the trainees had not commenced by then in all cases. In a number of the locations listed, more than one trainee has been engaged or will be engaged by 30 April 1998.

Arts SA

Barmera, Birdwood, Renmark, Whyalla.

Department of Administrative and information Services (including Optima Energy and SA Water)

Berri, Crystal Brook, Leigh Creek, Mount Gambier, Murray Bridge, Nuriootpa, Port Lincoln, Renmark.

Department of Education, Training and Employment

Allendale East, Balaklava, Berri, Birdwood, Booleroo Centre, Bordertown, Browns Well, Cambrai, Clare, Coober Pedy, Cummins, Eudunda, Frances, Freeling, Gawler, Gladstone, Greenock, Jamestown, Jervois, Kadina, Kapunda, Karoonda, Karkoo, Karkultaby, Keith, Kimba, Kingscote, Kingston, Kingston on Murray, Kybybolite, Lock, Loxton, Lucindale, Maitland, Mallala, Mannum, Meadows, Melrose, Millicent, Moonta, Mount Barker, Mount Gambier, Murray Bridge, Nairne, Naracoorte, Nuriootpa, Orroroo, Palmer, Penola, Peterborough, Pinnaroo, Port Vincent, Poonindie, Port Augusta, Port Lincoln, Port Pirie, Quorn, Renmark, Robe, Roseworthy, Roxby Downs,

Strathalbyn, Streaky Bay, Swan Reach, Victor Harbor, Waikerie, Wallaroo, Wangary, Whyalla, Winkie, Wudinna, Yalata, Yorketown, Yankalilla.

Department of Environment, Heritage and Aboriginal Affairs

Barossa, Beachport, Berri, Deep Creek, Kadina, Kangaroo Island, Mambray Creek, Mount Gambier, Marion Bay, Murray Bridge, Naracoorte, Nuriootpa, Port Augusta, Port Lincoln, Wilpena Pound.

Department of Human Services

Berri, Ceduna, Clare, Gawler, Gladstone, Kadina, Kangaroo Island, Hawker, Lameroo, Laura, Loxton, Meningie, Mount Barker, Mount Gambier, Mount Pleasant, Murray Bridge, Naracoorte, Peterborough, Port Augusta, Port Lincoln, Port Pirie, Quorn, Renmark, Strathalbyn, Streaky Bay, Tailem Bend, Wudinna, Whyalla, Yorketown.

Department of Industry, Trade and Tourism

Kangaroo Island, McLaren Vale

Department of Justice

Ceduna, Port Augusta, Whyalla, Kadina, Port Pirie, Mount Gambier, Tanunda.

Department of Primary Industries and Resources South Australia

Loxton, Murray Bridge, Streaky Bay, Minnipa, Port Lincoln, Wudinna, Mount Gambier, Roseworthy.

Department of Transport

Birdwood, Murray Bridge, Port Lincoln, Lameroo, Naracoorte, Strathalbyn, Millicent, Port Augusta.

Electorate Offices

Kapunda, Port Pirie, Whyalla, Port Lincoln, Victor Harbor.

South Australian National Football League

Berri, Port Augusta, Naracoorte, Port Lincoln.

South Australia Rural Communities Office

One trainee working across regions.

WASTE MANAGEMENT

74. **Mr HILL:**

1. What action has been taken to develop the strategic plan for waste management infrastructure required by the 1996 Integrated Waste Management Strategy for Metropolitan Adelaide?

2. Has the infrastructure plan identified a strategy for new landfill sites to service metropolitan Adelaide and, if so, how many new sites will be required by 2015?

3. What research has been undertaken to identify locations for new dumps that meet both environmental and planning criteria?

4. Has the EPA consulted Local Government on options for new dump sites and, if so, how many locations have been identified by Local Government for consideration?

5. Has the EPA investigated proposals by the Yorke Regional Development Board to develop an integrated waste system to treat all of South Australia's waste?

The Hon. D.C. KOTZ:

1. A Waste Management Infrastructure Steering Committee was established in December 1996 to assist in the preparation of the Strategic Plan for Waste Management Infrastructure.

The Committee is chaired by a senior officer from the Department of Transport and Urban Planning. Initiatives which have been considered by the committee include:

(a) Preparation of a draft 'Registration of Interest' to seek information on potential landfill sites.

(b) Initiation of negotiations between the State and Local Government in relation to the future of the Adelaide City Council (Wingfield) landfill.

(c) Draft Interim Criteria for Major Solid Waste Landfills have been prepared and released through the Environment Protection Agency for public comment.

(d) A review of planning controls that apply to major landfills has been undertaken.

2. The Waste Infrastructure Steering Committee has approached the issue of new landfill sites from the need to develop suitable planning and environmental criteria rather than specifying sites. The number of new sites required is low. At least two additional sites with the current capacity of Wingfield to receive waste would service Adelaide's needs, providing both competition and economies of scale.

3. This question has been answered under Question 1.

4. As indicated in Questions I and II, a draft Registration of Interest has been prepared, but deferred pending consideration of existing proposals.

5. Members of the Environment Protection Authority and staff of the Environment Protection Agency have on a number of occasions in recent years attended briefings arranged by Mr Garry King of Scantech MCI, including presentations by Dr Paul Olivier of ESR in relation to its integrated waste system. EPA staff asked to be kept informed of progress of research and development work being undertaken by on behalf of ESR in Australia and overseas, and in particular the progress of the Texas Industries (TXI) plant in Dallas Texas. At this stage, there is no indication that all elements of the system are applicable to South Australian waste streams. It is highly likely that should waste processing of this type be carried out, it would have to be sited within the metropolitan area.

WORKERS COMPENSATION TRIBUNAL

75. **Mrs GERAGHTY:** How many Workers Compensation Tribunal Conciliators and Arbitrators were previously employed by WorkCover or have been previously employed by WorkCover insurance agents?

The Hon. M.H. ARMITAGE: I advise that of the current Conciliators and Arbitrators, nine have previously been employed by either WorkCover Corporation or a WorkCover Claims Agent. Of the nine, eight have been employed by WorkCover Corporation with one of those also having been employed by an Agent. One other was employed by an Agent but has not previously been employed by WorkCover Corporation.

WORKCOVER

76. **Mrs GERAGHTY:**

1. How many WorkCover clients have died whilst on WorkCover since 1987 and how many deaths in each of the years 1987 to 1998 were a result of suicide?

2. How many WorkCover client spouses or children are in dispute with WorkCover following the death of the client, what is the spouse or children's entitlement following the death of a client and how many such disputes are related to the WorkCover client's having committed suicide?

The Hon. M.H. ARMITAGE: The WorkCover Corporation has examined its records in order to answer these questions. However, the information available to WorkCover in relation to suicides is not necessarily accurate or complete, as it is based solely on information provided to WorkCover Corporation or the claims agent by other parties with an interest in a particular claim. Accurate information cannot be provided, as the WorkCover Corporation does not investigate or make findings in relation to the cause of death.

It should also be noted that the information provided below relates only to workers employed by WorkCover registered employers and does not include those employed by Exempt Employers (Self Insurers).

Question 1

With the above qualifications, WorkCover Corporation is able to advise that its records show that since 1987, 115 workers have died while having a current entitlement to workers compensation. However, this does not indicate how many of those died as a result of their injury as opposed to other unrelated causes such as motor vehicle accidents, etc.

Accurate information cannot be provided in relation to deaths as a result of suicide for the reasons given above.

Question 2

WorkCover records show that there are 15 current disputes on claims where the worker has died and that only one of those relates to a case of reported worker suicide.

Where a worker dies as a result of a compensable disability, the worker's spouse and/or dependent children are entitled to compensation in the form of:

- lump sum payment for non-economic loss;
- payment of funeral expenses up to a prescribed amount; and
- weekly payments.

The amount of the payments will be determined according to factors set out in the Act, including whether or not the spouse was cohabiting with the worker on the date of the worker's death, the degree to which the spouse was dependent on the worker and, in the case of dependent children, whether or not they are orphaned as a result of the worker's death.

The detailed entitlements are set out in section 44 of the Workers Rehabilitation and Compensation Act.

77. **Mrs GERAGHTY:**

1. What percentage of WorkCover cases were settled within 12 months, 2 years, 3 years, 4 years, 5 to 10 years and how many were settled for each of the years 1988 through to 1998?

2. How many cases more than 10 years old are still current and of those, how many are in dispute?

The Hon. M.H. ARMITAGE:

1. Settled within 12 months—of the 17 150 injuries in the last six months of 1996, the number that were active 12 months later was 1 406, implying that 91.8 per cent had been settled within 12 months.

Settled within two years—of the 18 350 injuries in the last six months of 1995, the number that were active two years later was 836, implying that 95.4 per cent had been settled within two years.

Settled within three years—of the 20 300 injuries in the last six months of 1994, the number that were active three years later was 498, implying that 97.5 per cent had been settled within three years.

Settled within four years—of the 20 675 injuries in the last six months of 1993, the number that were active four years later was 315, implying that 98.5 per cent had been settled within four years.

Settled within five to 10 years—only injuries that occurred in the first five months of the scheme can be examined as to their number of settlements between five and 10 years after they were injured. For injuries that occurred in October 1987 to February 1988, 283 were active five years later and approximately 50 were active ten years later. Therefore, 233 of the cases were settled between five and 10 years (or 1.2 per cent of the 18 960 original number of injuries for these five months).

To answer the question 'how many cases were settled in each of the years 1988 through to 1998' WorkCover Corporation has identified the number of cases closed in each year. There have been periods of intensive claim closures ('backlogs') over the years which distort these numbers somewhat (ie at times many claims were inactive but not coded as 'closed' on the computer system until some time later).

Year of Closure	Number Closed*
1988	26 594 (9 199 in November 1988)
1989	27 169
1990	71 031 (3 110 in March 1990 and 10 999 in Sept 1990 and 20 798 in Oct 1990
1991	37 586 (9 592 in Sept 1991)
1992	40 928 (8 583 in Oct 1992)
1993	39 396 (6 318 in Feb 1993)
1994	44 251 (11 252 in Feb 1994)
1995	45 680 (10 214 in June 1995)
1996	54 749 (8 769 in Feb 1996)
1997	37 423
1998 to date	9 234

2. Only injuries that occurred in the first five months of the scheme can now be more than 10 years old, ie injuries in October 1987 to February 1988.

In February 1998 there were approximately 50 claims from workers injured in these months who were paid some form of compensation.

Without searching individual case files it is not possible to identify how many claims over 10 years old are 'in dispute'. However, 18 of the 50 claims had some form of legal expenses paid in February 1998, implying some form of current activity. However, that may simply relate to legal advice in relation to redemption offers.

WIRRINA MARINA

79. **Mr HILL:**

1. How many water samples were taken by the EPA during the construction of the Wirrina boat harbour and from what locations?

2. Were the samples taken each day during the construction and, if not, why not?

3. Who paid for the sampling and what was the total cost?

4. Has any short or long term change in water quality been detected?

The Hon. D.C. KOTZ:

1. No water samples were taken by the Environment Protection Agency (EPA) during the construction of the Wirrina boat harbour.

Wirrina Marina, (built by MBfI Resorts P/L) was subject to an authorisation under the Environment Protection Act 1993 (the Act) (EPA 2479). Conditions included the requirement for the proponents to undertake the necessary monitoring of water quality from their Earthworks Drainage. In line with all other monitoring of this type, the monitoring program was subject to an independent verification to ensure that the sampling procedures were adequate to show compliance with the Environment Protection (Marine) Policy 1994.

Sampling was undertaken on nine occasions during the harbour construction and analysed for levels of suspended solids.

The sample location was at the point where the discharge left the final pondage. The sample location should not be confused with the point of discharge which is at the property boundary, some hundreds of metres to sea from the sample location.

2. Samples were not taken each day during the construction. It is in fact extremely rare that daily sampling is ever requested. A sampling regime was in place in response to visual monitoring or turbidity levels. Sampling was also conducted as construction activities dictated. In accordance with established practice there was the requirement to ensure sufficient sampling to ensure effective ponding. Certainly without the benefit of the great distance to the property boundary a greater sampling regime may have been required.

The property boundary for the project extends to some distance to sea, and it is at the property boundary that the proponents must meet the water quality criteria for their discharge, (in this case the sampling location), not at its point of entry into the sea.

3. All sampling was paid for by the proponents. The cost of sampling is not known by the EPA.

4. The turbidity caused by the placement of the marina walls (not subject to EPA control), dissipated soon after construction ended. No long term change in water quality has been noted.

WILDERNESS AREAS

81. **Mr HILL:**

1. How many nominations have been received for wilderness areas since the proclamation of the Wilderness Protection Act?

2. What areas have been nominated and by whom and what is the current status of each nomination?

3. How many of the nominations have been successful?

The Hon. D.C. KOTZ:

1. Twelve public requests have been received for the assessment of nine areas of South Australia.

2. The Committee has received requests from members of the public to assess the following areas:

Area	Nominated by	Current status
1) Lincoln National Park	1) The Wilderness Society 2) Coroner Allen King	Report under consideration
2) Yellabinna area (Yellabinna Regional Reserve, Pureba and Yumbarra Conservation Parks)	The Wilderness Society	Report under consideration
3) Hincks Conservation Park	The Wilderness Society	Report under consideration
4) Hambidge Conservation Park	The Wilderness Society	Report under consideration
5) Coongie Lakes region	1) The Wilderness Society 2) Ms Jo Hill	Assessment in progress
6) Billiatt Conservation Park	1) Mallee Consultative Committee 2) The Wilderness Society	Assessment in progress
7) Mawson Plateau (north Flinders Ranges)	Mr Adrian Heard	Not yet assessed
8) Gammon Ranges	Mr Adrian Heard	Not yet assessed
9) Head of Bight	The Wilderness Society	Not yet assessed

3. In 1993, more than 70 000 hectares were proclaimed on Kangaroo Island in five wilderness protection areas as a result of the Wilderness Advisory Committee's routine investigation of the State.

A decision is yet to be made on further proclamations which may result from public nominations.

NATIVE VEGETATION

82. **Mr HILL:**

1. What is the actual or estimated area of illegal clearance of native vegetation that has occurred in each of the years 1994 to 1997?

2. Who is responsible for initiating prosecutions and with what resources have prosecutions been secured?

3. How many prosecutions have been commenced for illegal clearance in each of the years 1994 to 1997?

The Hon. D.C. KOTZ:

1. Where prosecutions have been undertaken the total area cleared since 1994 is 721 hectares, broken down as follows:

1994-95	311 ha	1996-97	67 ha
1995-96	237 ha	1997-98	106 ha to date

2. The initiation of proceedings follows set guidelines best described thus:

The breach report is investigated by departmental staff and reported to the Prosecution Officer, Resource Protection, who adjudicates on that report.

If he is satisfied that a prosecution is warranted and could be successful he passes the report to the Native Vegetation Council for their information. That council can make recommendations as to initiating District Court proceedings, but does not interfere with any decisions made regarding Magistrate's Court action. District Court action may include 'make good' or 'cease activity' orders.

The report is then handed to the Crown Solicitors Office for further action. That office makes recommendations as to the conduct of the case, and takes instructions from the Prosecution Officer. The complaint is laid in the name of the Prosecution Officer.

The department supplies all the resources necessary to conduct the investigation and subsequent prosecution utilising staff from the Resource Protection and Native Vegetation Conservation areas.

3. A total of 22 prosecutions have been launched since 1994, annual numbers are:

1996-97	7
1997-98	4.

CATTLE BRANDING

83. **Mr ATKINSON:** Does the Government regard the practice of fire face branding as a breach of Section 13 of the Prevention of Cruelty to Animals Act and, if not, why not?

The Hon. R.G. KERIN: The Government does not consider fire face branding to constitute an offence under Section 13 of the Prevention of Cruelty to Animals Act—although the practice is almost never performed in this State. If a person branded an animal in such a way that it suffered unreasonable or unnecessary pain, there may be an offence, regardless of whether that brand were on the face or the body. I am advised that most south eastern cattle farmers are adopting ear tags in preference to either fire or freeze brands. In the northern regions, fire branding is commonly practiced on the body but not on the face. Very occasionally, face branded animals are presented at the Gepps Cross saleyards but it is likely that these have been purchased interstate for sale or slaughter here.

WEST BEACH BOAT HARBOR

86. **Mr ATKINSON:** Does the City of Charles Sturt have an entitlement to compensation in cash or kind should the West Beach boat ramp, groyne and boat harbour denude Henley Beach, Grange, Tennyson, West Lakes Shore and Semaphore Park of beach sand?

The Hon. G.A. INGERSON: The Minister for Government Enterprises has provided the following reply. No. The issue of compensation to the Council does not arise.

The commitment of the Government is to ensure the effective management of sand in association with the construction of the West Beach (Barcoo Road) boat ramp. This obligation is:

(a) to maintain the navigability of any entrance or access channel associated with any such boating facility; and

(b) to protect or, if necessary, restore the coast on account of the obstruction of coastal processes due to the construction of any such boating facility; and

(c) to ensure that the enjoyment of the coast by the public generally is not materially diminished due to the construction of any such boating facility.

The Government will meet its commitment by ensuring that sand is effectively bypassed around the boat ramp structure. Sand bypassing schemes are not new. They operate all over the world. We have been moving sand up and down our metropolitan coastline for many years.

There is no doubt the Government can effectively meet the commitment at West Beach.

A sand management group has been set up to monitor beaches between Pier Street, Glenelg and Rockingham Street, West Beach, north of the West Beach Surf Lifesaving Club and approximately 1.5 kilometres north of the Barcoo Road boat launching facility.

The sand management group will do its work in public. Its membership includes representatives from:

- Coast Protection Board
- Department of Transport and Urban Planning
- City of Holdfast Bay
- City of West Torrens
- City of Charles Sturt

The area has been divided into seven distinct cells to monitor beach sand volumes. The sand management group has beach profiles that date back to 1990 and show the quantity of beach sand over an extended period.

The sand management group will decide how much sand has to be transported around the Patawalonga Mouth and the boat launching facility to maintain or improve the beaches.

Littoral drift of sand, the natural northward movement of sand along our coast, will not be impeded.

HERITAGE EXPENDITURE

87. **Mr LEWIS:**

1. How much money is it proposed will be spent in 1997-98 and what is the estimated expenditure for the next financial year, on heritage items in the area of the City Council of Adelaide and what are the costs of public education and heritage issues separate from costs associated with obtaining and maintaining collections, as well as separate from costs associated with listing and preserving buildings and other structures?

2. In the same categories in Part I above, what were the costs in the City Councils of Port Adelaide and Enfield and mow the amalgamated council of the City of Port Adelaide Enfield in each of the past five years?

3. In each of the instances in part 1 and 2 above, what were the amounts spent in 1984-85 and 1985-86?

The Hon. D.C. KOTZ:

1. Proposed expenditure within the Environment and Heritage portfolio in 1997-98 in the City of Adelaide:

Heritage places	$10 000
Public Education	$0
Heritage Issues	Not available

Estimated expenditure within the Environment and Heritage portfolio in 1998-99 in the City of Adelaide is not yet available. The State Heritage Branch of the Department for Environment, Heritage and Aboriginal Affairs and the Adelaide City Council jointly manage and fund a publications program. These publications are not, however, limited to the city boundaries. Funding for this program is not included in the responses below.

2. Expenditure within the environment and heritage portfolio in the City of Port Adelaide and the City of Enfield in each of the past five years:

Port Adelaide:

	1993-94	1994-95	1995-96	1996-97	1997-98
Heritage Places	$0	$0	$2500	$0	$2500
Public Education	$0	$0	$0	$0	$0
Heritage Issues	$3366	$4119	$4503	$8005	$6864

Enfield: No heritage funding provided prior to amalgamation.

3. Expenditure within the Environment and Heritage portfolio in 1984-85 and 1985-86:

City of Adelaide:

1984-85:	Not available	
1985-86:	Heritage Places	$32 316
	Public Education	$0
	Heritage Issues	Not available

City of Port Adelaide:

1984-85	Not available	
1985-86	Heritage Places	$7 500
	Public Education	$0
	Heritage Issues	Not available

City of Enfield:

1984-85	Not available	
1985-86	Heritage Places	$0
	Public Education	$0
	Heritage Issues	Not available

SA WATER

88. **Mr LEWIS:**

1. For each of the towns Lameroo, Pinnaroo and Geranium, what was the sent-out cost in total; per kilolitre and per capita (using estimated population data from whatever authoritative source Local Government uses) of providing reticulated potable water supply for each of the years 1995-96 and 1996-97 and—

(a) what was the total, and per kilolitre dollar value and percentage component of such costs for the electricity costs for pumping;

(b) what was the dollar value cost of staffing the service in each town (to the nearest $1 000);

(c) what was the dollar value in each instance of the actual cost of materials used in maintenance and repairs (to the nearest $100); and

(d) what dollar value (total and per kilolitre) was for depreciation and obsolescence?

2. Was any allocation made to a sinking fund for depreciation and obsolescence referred to in part I and if not, why not and if so, how much is in that fund?

3. How much have the residents/ratepayers been charged per kilolitre for their water if they have used 'excess'?

4. What has been the total revenue derived from rates and charges paid by landholders/users for the reticulation of water in each of the towns and each of the years referred to in part 1?

5. In the same circumstances in Murray Bridge of reticulated potable water systems to the consumers on both sides of the river, what is the answer to each of the foregoing parts?

The Hon. M.H. ARMITAGE:

1. SA Water records financial information at the district level. Lameroo, Pinnaroo and Geranium are included in SA Water's Coonalpyn District operations. The district includes other towns such as Meningie and Tintinara and countrylands water supplies.

In 1995-96, the cost of operating the Coonalpyn district was $324 600. In 1996-97 the cost was $299 700. Interest and depreciation are not included in these figures.

The location of the district is identified in the map provided for the honourable member.

The cost per capita does not accurately reflect the unit costs of SA Water operations as not all members in the population have a water supply, Accordingly, the number of services has been used as a base to determine a measurable cost.

The cost per service in the Coonalpyn district is $684 for 1995-96 and $688 for 1996-97.

The cost per kilolitre for 1995-96 was $1.41 per kilolitre and $1.45 per kilolitre for 1996-97, including interest and depreciation.

(a) The total cost of electricity for the Coonalpyn district was $18 800 for 1995-96 and $20 700 for 1996-97 which represented 1.11 per cent and 1.22 per cent of the total district costs respectively. The cost per kilolitre was $0.02 for 1995-96 and $0.02 for 1996-97.

(b) The labour cost of the district was $153 000 for 1995-96 and $136 000 for 1996-97.

(c) The cost of materials used in maintenance was $39 700 for 1995-96 and $29 900 for 1996-97. Other indirect costs amounted to $113 300 for 1995-96 and $113 700 for 1996-97.

(d) Interest and Depreciation amounted to $1 367 676 for 1995-96 and $1 401 308 for 1996-97. The high costs are attributed to a section of the Tailem Bend/Keith Pipeline.

2. An allocation of $1 367 676 for 1995-96 and $1 401 308 for 1996-97 was made for interest and depreciation. No specific allocation is made to a sinking fund to represent the equivalent depreciation charges or obsolescence charges that are calculated by SA Water, because the charges are of a non-cash nature. Having spent the capital funds in prior financial periods to undertake the initial investments, money is not then taken from current cash allocations to re-invest into a sinking fund.

No additional cost allocation is made for Corporate overheads.

3. Water charges for 1995-96 and 1996-97 are as per the table below:

	1995-96		1996-97	
Price of Water	Residential	Commercial		Residen-
tial	Commercial			
up to 136kL	20 c/kL	88 c/kL	22 c/kL	89 c/kL
137-500kL	88 c/kL	above	89 c/kL	above
>500 kL	90 c/kL	allowance	91 c/kL	allowance

4. The total revenue derived from rates and charges in the Coonalpyn district was $413 909 for 1995-96 and $441 025 for 1996-97.

5.(1) Financial data for the Murray Bridge District covers the water supply which serves the township and the nearby country lands.

In 1995-96, the cost of operating Murray Bridge district was $876 508. In 1996-97, the cost was $853 159. Interest and depreciation are not included.

The location of the district is identified in the map provided for the honourable member.

The cost per capita does not accurately reflect the unit costs of SA Water operations as not all members in the population have a water supply. Accordingly, the number of services has been used as a base to determine a measurable cost.

The cost per service in the Murray Bridge district was $241 for 1995-96 and $239 for 1996-97.

The cost per kilolitre for 1995-96 was 74 cents per kilolitre and 62 cents per kilolitre for 1996-97 due to higher water sales. This figure includes interest and depreciation.

(a) The total cost of electricity for the Murray Bridge district was $92 948 for 1995-96 and $91 499 for 1996-97 which represented 6.4 per cent and 6.4 per cent of the total operating budget respectively.

The cost per kilolitre was $0.05 for 1995-96 and $0.04 for 1996-97.

(b) The labour cost of the district was $446 000 for 1995-96 and $359 000 for 1996-97.

(c) The cost of materials used in maintenance was $141 600 for 1995-96 and $154 300 for 1996-97. Other indirect costs amounted to $196 300 for 1995-96 and $248 400 for 1996-97.

(d) Interest and Depreciation amounted to $570 742 for 1995-96 and $584 777 for 1996-97.

5.(2) An allocation of $570 742 for 1995-96 and $584 777 for 1996-97 was made for interest and depreciation. No specific allocation is made to a sinking fund to represent the equivalent depreciation charges or obsolescence charges that are calculated by SA Water, because the charges are of a non-cash nature. Having spent the capital funds in prior financial periods to undertake the initial investments, money is not then taken from current cash allocations to re-invest into a sinking fund.

No additional cost allocation is made for Corporate overheads.

5.(3) Water charges for the 1995-96 and 1996-97 are as per the table below:

	1995-96		1996-97	
Price of Water	Residential	Commercial		Residen-
tial	Commercial			
up to 136kL	20 c/kL	88 c/kL	22 c/kL	89 c/kL
137-500kL	88 c/kL	above	89 c/kL	above
>500 kL	90 c/kL	allowance	91 c/kL	allowance

5.(4) The total revenue derived from rates and charges in the Murray Bridge district was $2 182 759 for 1995-96 and $2 425 990 for 1996-97.

TRIMMER PARADE

89. **Mr WRIGHT:** Why has the Government refused to install a median opening on Trimmer Parade adjacent to Green View Drive, Seaton?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following advice.

Wide medians along arterial roads are installed to ensure smoother and safer traffic flows. They are designed to separate opposing traffic flows and minimise conflict between right turning vehicles and traffic proceeding straight ahead. Wide medians also provide a safe refuge in the centre of the road which enables

pedestrians to concentrate on crossing through one stream of traffic at a time.

Requests for median openings are assessed using Transport SA's 'Policy for the Provision of Openings in Medians'. This policy enables requests for median openings to be assessed in a consistent and equitable manner.

This particular location has been assessed using this policy. However, a median opening is not warranted as there are two reasonable alternative access routes available. The first is at the median opening approximately 150 metres west of Green View Drive where motorists are able to perform a u-turn movement from a protected position within the 4.5 metre raised median. The second is approximately 200 metres east of Green View Drive and via White Sands Drive where a sheltered right turn lane is provided. Motorists turning right out of White Sands Drive are also able to store safely in the centre of Trimmer Parade, allowing them to cross one direction of traffic at a time. These alternative routes allow for safe entry to and exit from Green View Drive.

In addition, the proposed new development to be built west of Green View Drive will not have a significant impact upon the already low level of traffic activity at the White Sands Drive junction. Available accident records for the period since January 1993 indicate that only one rear end collision has occurred at this site and, as such, the provision of a median opening is difficult to justify on road safety grounds. In cases where it can be demonstrated that a median opening will overcome an existing accident problem they are provided.

From a traffic engineering perspective, Transport SA considers that all traffic movements are safely catered for and, as such, the costs of any new opening cannot be justified ahead of other more important works throughout the transport system. However, if the City of Charles Sturt wish to fund an opening for other reasons, Transport SA would raise no objection.

HENDON PRIMARY SCHOOL

90. **Mr WRIGHT:** Why has the Government failed to sell the disused block of land on the south-eastern corner of Hendon Primary School?

The Hon. M.R. BUCKBY: On 1 June 1997 the former Minister for Education and Children's Services approved the sale of a portion of land attached to Hendon Primary School which is not currently used by the school.

On 16 June 1997 officers from the Department of Environment, Heritage and Aboriginal Affairs (formerly the Department of Environment and Natural Resources) were requested to make arrangements to dispose of the portion of land in question.

As part of the process of the disposal of the land, a site evaluation occurred which identified the key issues of:

- The existence of underground services running through the land which will have to be relocated for the land to be sold, including water main, telephone, stormwater and ETSA.
- The need for a site contamination report due to the mounds of soil placed on the site and the past use of the site by the aircraft industry.

Action has been taken to clean up the site to ensure the safety of staff and students and improve the appearance of the site. Discussions are continuing with Hendon Primary School regarding the sale of the site.

NORTH PARADE

91. **Mr WRIGHT:** Will the Government install an island break on North Parade, Hendon between Anne Street, Hendon and the existing pedestrian crossing?

The Hon. DEAN BROWN: The median opening was installed on 7 April 1998.

LITTER STRATEGY

92. **Mr HILL:** What action will the Minister take in response to the resolution of the 1997 Annual Forum of Friends of Parks Inc., 'That this forum urges that a 5¢ refundable charge be placed on all plastic milk and drink containers that are nor (sic) exempt from the 5¢ refundable charge, and a charge be placed on all plastic shopping bags?

The Hon. D.C. KOTZ: The Government has a 'Litter Strategy' in place and is resolved to achieving (by July 1999) a 25 per cent reduction in the incidence of litter, for containers not presently covered by container deposit legislation (Beverage Provisions of the Environment Protection Act). Beverage fillers failing to meet this target will be obliged to comply with the deposit provisions of the legislation. A 'Litter Committee' working party comprised predominantly of industry representatives has been established to oversee implementation of the strategy.

SCHOOL COMPUTERS

93. **Ms WHITE:** What is the ratio of computers used for curriculum purposes to students in each Government school?

The Hon. M.R. BUCKBY: Previous sampling of schools has shown that, prior to the DECS*tech* Project, computer to student ratios have varied from approximately 1 to 8 in some secondary schools, to 1 to 20 in junior primary schools. In addition the age, condition and specification of machines have varied dramatically.

The Government's $75 million DECS*tech* 2001 Project includes a funding subsidy provision to assist schools to purchase or rent computers for curriculum or administration use. The first year of the scheme, ending term one 1998, has provided funding to assist schools to update old equipment and move towards the 1 computer to 5 student ratio objective.

The scheme has been an outstanding success. Of the 10 700 subsidy entitlements for all schools, 9 700 quality desk top computers were purchased for curriculum use. Entitlements that have not been taken up have been held over for those schools to order against in the next phase of the scheme.

The department is currently developing the 1998 subsidy scheme arrangements.

SCHOOL BREAKFAST PROGRAMS

94. **Ms WHITE:** How many primary schools offer breakfast programs for their students, how are they funded and approximately how many children take advantage of them?

The Hon. M.R. BUCKBY: The Department of Education Training and Employment does not keep statistics on school breakfast programs offered by individual schools.

Breakfast programs operating in schools are generally funded by a community group and are operated as part of the school's normal program to sensitively support children at risk. There are several organisations which provide funding to schools to assist in the provision of breakfast and lunch. For example, The Save The Children Fund Incorporated has been funding breakfast/nutrition programs in schools on a reimbursement basis since 1992, and currently there are six schools involved.

SCHOOL GRANTS

95. **Ms WHITE:**

1. What formula was used to calculate grants to individual schools from the $5 million allocated under the Computers Plus scheme?

2. What changes have been made to the DECStech Scheme to allow schools to purchase from local suppliers and does equipment purchased locally now attract a subsidy?

3. What is the combined value of grants under the Computers Plus scheme for schools in each House of Assembly electorate?

4. How many service 'contracts' have been let to support school computer systems and what are the names and addresses of the service agents?

The Hon. M.R. BUCKBY:

1. The calculation of cash grants to schools was based on a formula which has three components:

- a base grant of $2 200 per school site
- a per capita grant of $15 per full-time equivalent enrolment at the August 1997 census
- an additional per capita grant of $13 per school card holder at the August 1997 census

2. No changes have been made to the DECS*tech* scheme in regard to allowing schools to purchase from local suppliers. Schools have always been able to purchase computers and peripherals for curriculum use from their supplier of choice, however by doing so, they forego access to the subsidy scheme for computers.

The 1997 subsidy scheme has now closed, and a range of options is being considered for the next round of subsidies. A computer subsidy scheme will continue in some form over the remainder of the DECS*tech* 2001 Project.

Computers Plus is a separate initiative from the DECS*tech* 2001 Project. This year the Government made an additional commitment of $10.6 million to technology in schools with the Computers Plus

program. Cash grants worth $5 million were distributed to schools in March 1998 under this program, and schools are free to spend this money in any way which best supports their technology programs. My media release dated 24 February 1998 states that 'schools will have great flexibility in how they use the grants, and should they choose, the opportunity exists to purchase their computer goods from local businesses'.

3. I present the following table in answer to the question. These figures include grants to support centres and re-allocations to schools which received increased enrolments due to nearby school closures:

Electorate	Combined value of grants
Adelaide	$66 812.66
Bragg	$77 974.54
Bright	$95 676.65
Chaffey	$156 432.50
Coles	$97 812.97
Colton	$69 253.21
Davenport	$92 093.38
Elder	$41 711.36
Elizabeth	$107 983.21
Finniss	$133 552.48
Fisher	$151 378.68
Flinders	$169 035.25
Florey	$107 782.83
Frome	$162 057.51
Giles	$165 807.22
Gordon	$145 931.38
Goyder	$155 089.85
Hammond	$145 486.79
Hanson	$43 825.83
Hart	$79 707.32
Hartley	$48 115.56
Heysen	$88 183.41
Kaurna	$122 162.62
Kavel	$109 626.41
Lee	$51 027.50
Light	$108 372.19
MacKillop	$170 992.93
Mawson	$119 710.54
Mitchell	$83 475.10
Morphett	$55 064.71
Napier	$185 794.90
Newland	$78 483.40
Norwood	$68 286.31
Peake	$71 960.37
Playford	$118 403.76
Price	$99 517.82
Ramsay	$147 291.70
Reynell	$101 400.96
Ross Smith	$88 293.60
Schubert	$137 300.58
Spence	$58 040.00
Stuart	$171 641.06
Taylor	$111 983.73
Torrens	$60 323.69
Unley	$49 328.55
Waite	$97 246.50
Wright	$114 730.69

4. No service contracts have been let by the Department to support school computer systems.

Computers purchased through the DECS*tech* Foundation, whether for curriculum or administration use, have a three year on-site warranty included in their purchase price.

In the case of Intel machines, the consortium of companies which has the contract for supplying computers purchased or rented through the DECS*tech* scheme also has the responsibility to provide service throughout the State.

The consortium members are:

Lodin	Microbits	Protech Australia
209-217 Wakefield	35 Magill	121 Gilbert
Street, Adelaide	Road, Adelaide	Street, Adelaide
SA 5000	SA 5069	SA 5000

The consortium has negotiated its own conditions with its service provider, FBA Computer Technology Services, 300 Glen Osmond Road, Fullarton.

Country service centres are located at Ardrossan, Balaklava, Bordertown, Clare, Mount Gambier, Murray Bridge, Naracoorte, Port Augusta, Port Lincoln, Port Pirie, Renmark and Whyalla.

Apple machines purchased through the DECS*tech* Foundation are supplied by approved Apple agents from the general Government Information Technology contract. A three-year on-site state-wide service warranty is included in the purchase price. Warranty service for Apple computers is provided by seven service providers:

CPM&S
46 Fullarton Road
Norwood 5067

AWA/Off-Sys/Broken Hill
66 Chloride Street
Broken Hill 2880

AWA/LCC Business
Equipment, 92 Washington
Street, Port Lincoln 5606

AWA
315 Glen Osmond Road
Glenunga 5064

Exchange Printers
9 James Street
Mount Gambier 5290

AWA/Green Triangle Electronics
61 Commercial Street East
Mount Gambier 5290

Whyalla Computer Centre
49 Playford Avenue
Whyalla 5600

The procedure followed by schools in the first instance is to ring the IT Help Desk, where all warranty or service issues are logged, assessed and referred for further action if necessary.

The Help Desk personnel will give advice and refer the caller to a service agent if the problem is likely to be covered by warranty. Schools will be charged by service providers for work which is done outside warranty.

No corporate information is available regarding service contracts which individual schools might negotiate with service agents.

INTERNATIONAL STUDENTS

96. **Ms WHITE:**

1. How many students have enrolled in Government schools in 1998 under the International Student Program?

2. What are the annual fees payable by international students?

3. What is the budget for marketing programs to overseas students and what marketing programs are in place?

4. What was the outcome of the DECS involvement in programmes supported by the Federal budget for a feasibility study to establish a school in Malaysia and bilateral initiatives with South Africa?

The Hon. M.R. BUCKBY:

1. At the commencement of term 1 1998, 162 fee-paying students were enrolled in the South Australian Government Schools International Student Program.

2. The current annual tuition fee for fee-paying international students enrolled in Years 8-12 and Intensive Secondary English courses is $6 800.

3. The International Student Program is a self-funding program. In the financial year 1997-98, $214 500 (16.7 per cent of total income) was allocated to fund a broad range of marketing programs and activities, although some savings are expected on actual expenditure.

A South Australian Government Schools International Student Program Marketing Plan which provides a framework for the implementation of marketing strategies and specific recruitment plans that reflect up-to-date information about the markets is prepared annually.

Marketing strategies for 1998 include:

- marketing activities through participation in educational exhibitions and seminars in target countries
- liaison with carefully selected educational agents
- organisation and implementation of familiarisation tours for educational agents, teachers and other relevant business personnel from overseas
- use of culturally appropriate promotion materials
- increasing application of information technology to promote the program.

4. In 1994 the Commonwealth Department of Education, Employment and Training provided funds to SAGRIC and the then Department for Education and Children's Services, to carry out a feasibility study and provide a report on the establishment of a school in Malaysia.

The resulting report considered that the establishment of an Australian school in Malaysia would complement other South Australian education activities in the international market. Five options were explored but because of the difficulty in identifying Malaysian investment or capital, the best option was considered to be the development of a South Australian curriculum within a school owned by Malaysian interests. Negotiations with Malaysian contacts

failed to find an interested party and the project was not pursued further.

An investigation has been unable to find reference to Commonwealth funds provided to the Department for Education and Children's Services for a bilateral initiative with South Africa.

COMMONWEALTH GRANTS

97. **Ms WHITE:**

1. How are adjustments to Commonwealth grants for education calculated under the Federal Government's Enrolment Benchmark Adjustment Scheme?

2. Does the calculation take into account increases in student numbers in government schools when adjusting funding for increased numbers of students attending private schools?

The Hon. M.R. BUCKBY:

1&2. Since the Enrolment Benchmark Adjustment (EBA) was introduced by the Commonwealth in 1996 there has been considerable public debate on its implementation, and representations by States and Territories at the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) and other forums seeking to abolish or review the mechanism in order to minimise the impact on public education systems. In May 1997, the State Government introduced a new policy which provided for planning and registration requirements to control the establishment and expansion of non-government schools. The State Government has also been successful in gaining important concessions to the implementation of the EBA which have significantly reduced the financial impact.

The Commonwealth's rationale for the EBA is that States/Territories will make savings equivalent to 50 per cent of the average cost of educating a student in a government school when there is a drift in enrolments from government to non-government schools.

The formula used for the calculation of the EBA does not directly take into account any increases in government school enrolments. The drift is measured as the percentage change between government and non-government enrolments compared to the 1996 school year, which is used as the benchmark.

The EBA is applied to any absolute drop in government school enrolments and an increase in the proportion of students enrolling in non-government schools, using the attached formula. It is also possible that overall enrolments in government schools could increase but enrolments in non-government schools increase by a greater rate, in which case the EBA would still apply. This introduces the concept of 'notional' savings by the state, that is, potential future costs avoided due to more students attending non-government schools.

The formula used to calculate the EBA is as follows:

· per cent drift in enrolments from government to non-government schools	X	Total 1996 school enrolments	=	Notional shift in enrolments to non-government sector
· Notional shift in enrolments to non-government sector	Less Buffer (500 enrolments or 0.5% of shift in enrolments)	X	50% of the adjusted average cost per government student	= $EBA

The State Government is committed to ensuring that public schools will not be penalised as a consequence of the Commonwealth's EBA policy in circumstances when there is no decline in the numbers of government school students. The Government will continue to search for ways to minimise the impact of the EBA and fund the shortfall in Commonwealth funding through efficiencies achieved in the State Budget.

SCHOOL ENROLEMENTS

98. **Ms WHITE:** How many children were enrolled at the beginning of 1998 in Government primary and secondary schools and how do these figures compare with 1997?

The Hon. M.R. BUCKBY: Detailed enrolment data is collected from all government schools on the fourth Friday in Term 1 which this year was on the 20 February. Preliminary results from this census show the following information which is given in full-time equivalents, that is, the number of full-time students plus the full-time equivalent of part-time students.

Primary enrolments:
1997 112 185
1998 111 221
resulting in a decrease of 964

Secondary enrolments:
1997 63 647
1998 64 601
resulting in an increase of 954

Total enrolments:
1997 175 832
1998 175 822
resulting in a decrease of 10

PORT STANVAC

104. **Mr HILL:**

1. Why did the Environment Protection Authority not stop last years sand dredging off Port Stanvac as soon as problems were noted?

2. What damage has been caused as a result?

3. Will the Government provide compensation to the local community and local businesses for the damage caused?

The Hon. D.C. KOTZ:

1. Increased turbidity occurred in conjunction with high winds, almost at the end of the dredging program. The rough conditions, as is normally the case, resulted in turbid conditions along most of the Metropolitan coast. It was a number of days before it became apparent that the dredging activities of the Coastal Management Branch were adding to turbidity. The Coastal Management Branch were directed to provide advice on how to modify the dredging process to minimise turbidity. The dredging ceased the day after the reply was received.

2. Flinders University were engaged by the EPA to determine the extent of any damage to the reef. Although their final report is as yet not complete, a preliminary response indicated that 'No indications of negative effects of the sediment were seen'.

3. In view of the answer to 2 above, question 3 is not relevant.

BOTANIC GARDENS

105. **Mr HILL:**

1. What is the budget for each of the gardens managed by the Botanic Gardens Board?

2. What was the actual expenditure, including labour and capital works costs, on each garden in each of the years 1994-95 to 1996-97?

3. On how many days was each garden open to the public in each of the years 1994-95 to 1996-97, and what are the normal opening hours for each garden?

4. How many visitors did each garden attract in each of the years 1994-95 to 1996-97?

5. What reports have been prepared since 1993 regarding future options for the Beechwood garden, who prepared the reports, what did they recommend and what action did the Botanic Gardens Board and the Government take in response to the reports?

The Hon. D.C. KOTZ:

1. Budget	1997-98
Adelaide Botanic Garden and Botanic Park	1927140
Mt Lofty Botanic Garden (Hills Gardens from 1996-97)	2236010
Wittunga Botanic Garden	(see Hills Gardens)
Beechwood	(see Hills Gardens)

2. Expenditure	1994-95	1995-96	1996-97
Adelaide Botanic Garden and Botanic Park (includes Hackney Development where appropriate)	2198572	1807792	2109296
Mt Lofty Botanic Garden (Hills Gardens from 1996-97)	911319	782906	994339
Wittunga Botanic Garden	317468	327969	(see Hills Gardens)
Beechwood	69419	71389	(see Hills Gardens)

3. Days open to public	1994-95	1995-96	1996-97	1997-98
Adelaide Botanic Garden and Botanic Park	365	365	365	365
Mt Lofty Botanic Garden	365	365	365	365
Wittunga Botanic Garden	365	365	365	365
Beechwood	60	54	25	54

Opening hours

Adelaide Botanic Garden is open to the public at 8.00 am on weekdays, Saturday, Sunday and public holidays. Closing time vary depending on the season 5 p.m. Winter; 5.30 p.m. autumn; 6.00—6.30 p.m. spring and 7 p.m. during summer.

Mt Lofty Botanic Garden is open to the public weekday 8.30 a.m. to 4 p.m.; weekends and public holidays 10 a.m. to 5 p.m.

Wittunga Botanic Garden is open to the public weekdays 9 a.m. to 4 p.m.; weekends 10 a.m. to 5 p.m.

Beechwood Heritage Garden is open two seasons per year in spring and autumn, weekdays and Sundays 10 a.m. to 4 p.m.; closed on Saturdays.

4. Visitor numbers 1994-95 1995-96 1996-97

I am advised that this information is contained within past annual reports, which the honourable member has access to via the Parliamentary Library.

5. Reports on Beechwood

In April 1995 a report by Mr Robert Glenn, at the request of the then Chief Executive, Department of Environment and Natural Resources: recommendation to sell Beechwood as a non-core business asset. The board of the Botanic Gardens supported and recommended to the Minister the sale of Beechwood. A Government decision was taken not to sell the garden.

In July 1996 a report by Mr Paul White, Friends of Beechwood, at the request of the then Minister for Environment and Natural Resources recommended the operation of Beechwood on a commercial basis. The board of the Botanic Gardens prepared a business plan for the garden at the request of the Minister, but this was not accepted by the House owner as contrary to the spirit of the Indenture Agreement with the board.

COONGIE WETLANDS

106. **Mr HILL:**

1. On what date did the South Australian Government receive notice from the Commonwealth Government of approval of funds to develop a management plan for the Ramsar-listed Coongie wetlands?

2. What progress has been made on the development of the Ramsar management plan and when did this work commence?

3. On what date did the Government appoint a full-time Ranger to the Innamincka Regional Reserve?

4. What were the contents of the Government's report to the Sixth Conference of the Contracting Parties to the Ramsar Convention on Wetlands of International Importance in March 1996 in relation to the management of the Coongie wetlands?

5. Was the development of the Coongie Wetlands Ramsar Management Plan delayed until the Government had secured the agreement of the Federal Government not to proceed with the World Heritage Listing of the Lake Eyre region?

6. Did the Government, at the behest of pastoralists in the region, request that the Commonwealth investigate changing the boundaries of the Ramsar boundaries of the Coongie wetlands?

7. Is there a nomination pursuant to the Wilderness Protection Act 1992 for the Coongie Wetlands and if so when was it received and what progress has been made on its assessment?

8. Does the Government consider that the Innamincka Regional Reserve Review should proceed in light of the grant of major development approvals in the Coongie Lakes Control Zone?

The Hon. D.C. KOTZ:

1. The contract with the Commonwealth Government was signed on 17 February 1995.

2. A project officer who commenced in March 1997 has been working on the development of a plan of management, and progress to date has included the development of four issue papers by special interest groups with discussions being held with Aboriginal interests. A draft framework for the plan has been developed.

3. A full-time Ranger from National Parks and Wildlife has been stationed at Innamincka since March 1995.

4. The following comments have been extracted from the report to the Commonwealth on 6 March 1996:

Coongie Lakes

Designated:	June 1987
Area:	1 980 000 ha
Status:	70 per cent contained in Innamincka Regional Reserve under the South Australian National Parks and Wildlife Act 1972, the balance under Pastoral Leases.

Comments:

Recent debate over the proposed Lake Eyre World Heritage Area has led to heightened community concerns and a commitment by the South Australian Government to undertake surveys and investigations which include the Cooper Creek floodplain and the Coongie Lakes Ramsar site.

The management planning process involving community participation for the complete Ramsar site will commence in 1995-96. The process will link to concurrent community initiatives towards total catchment management in the Cooper-Diamantina Basin.

Wetlands which were inundated in the flood flows in 1990 have gradually dried out. Apart from the permanent waterholes on the Cooper Creek and the semi-permanent Coongie Lakes, receding waters became increasingly saline as part of the natural drying cycle in this episodic river and ephemeral wetland system. Lack of river flows from Queensland during the severe drought conditions in eastern Australia allowed the Coongie Lakes to dry out for three months in 1994. However, local rains in January and flood flows in February watered the floodouts and filled the Coongie Lakes system. The wetland is now in the wet phase.

This site consists of a large section of the Cooper Creek floodplain, including the Coongie Lakes overflow system. Seventy percent of the site is included in the Innamincka Regional Reserve. This is a multiple use category of reserve which allows for pastoralism, tourism and mining in parallel with nature and heritage conservation. A plan of management for the Regional Reserve has been prepared and adopted. It includes provision for conservation of key riverfront and riparian zones.

The balance of the site is Crown Land subject to Pastoral Lease. All leases are currently undergoing scientific assessment of grazing impacts and land capability in order to establish appropriate stocking rates and land management practices.

5. No.

6. No, a boundary change request was not made at the behest of Pastoralists.

7. The Wilderness Advisory Committee has received two requests from members of the public to assess the wilderness quality of the Coongie Lakes region, viz the Wilderness Society in March 1993 and Ms Jo Hill in April 1997.

The Wilderness Advisory Committee plans to inspect the area in the near future as part of its assessment of wilderness within the Channel Country Biogeographic Region.

8. Yes. There is a clear legislative requirement under Section 34A of the *National Parks and Wildlife Act 1972* for the Government to prepare a report at intervals of not more than ten years for each regional reserve constituted under the Act.

ENDANGERED SPECIES

107. **Mr HILL:** What plans, strategies, resources and budgets exist within the department to ensure the protection and survival of each of the following endangered or threatened species: Calyptorhynchus banksii graptogyne, Calyptorhynchus lathami halmaturinus, Geopsittacus occidentalis, Neophema chrysogaster, Stipiturus malachurus intermedius, Tiliqua adelaidensis, Lathamus discolor, Xanthomyza phrygia, Dasycercus hillieri, Notoructes typhlops, Sminthopsis aitkeni, Sminthopsis psammophila, Agrostis limitanea, Caladenia audasii, Caladenia macroclavia, Caladenia xantholeuca, Haloragis eyreana, Pterostylis sp. Halbury, Pterostylis sp. Hale, Senecio behrianus, Stemodia haegii, Acacia cretacea, Acacia whibleyana, Caladenia argocalla, Caladenia behrii, Caladenia gladiolata, Caladenia xanthochila, Dodonaea subgandulifera, Euphrasia collina ssp. osbornii, Olearia microdisca, Phebalium equestre, Prostanthera eurybioides, Pterostylis arenisola, Pterostylis despectans.

The Hon. D.C. KOTZ: Through the Australian and New Zealand Environment and Conservation Council (ANZECC), each

State and Territory has contributed to ongoing review of the status of Australia's indigenous species of flora and fauna, and to the focussed management of these species identified as in serious danger of extinction. This has been undertaken in line with an Australian National Strategy for the Conservation of Endangered Species and Ecological Communities, endorsed by the South Australian Government on 18 May 1993.

The focus on recovery of threatened species within South Australia is coordinated by the Biodiversity Branch within the Department for Environment, Heritage and Aboriginal Affairs. Two senior scientific staff allocate 80 per cent and 20 per cent of their time to this work with a focus on planning and effective implementation of recovery plans. They also provide the main points of contact with Commonwealth and interstate agencies and manage Commonwealth Endangered Species Program grants. A further senior scientific officer and a technical officer in the Plant Conservation Biology Unit at Black Hill allocate 80 per cent and 50 per cent of their time specifically to threatened plant research and recovery.

Further, in recognition of the Commonwealth's Endangered Species Program contribution to South Australia through the Natural Heritage Trust, this Liberal Government last year allocated $300 000 per annum in matching funds to this program.

KENNEDY, Ms A.

108. **Mr CLARKE:** Is Ms Alex Kennedy, either personally or through any consultancy, engaged by the Government in any capacity and, if so, what are the details including the terms of engagement?

The Hon. J.W. OLSEN: Ms Alex Kennedy is not engaged by the Government.

TUNA FARMS, KANGAROO ISLAND

113. **Mr HILL:**

1. What research is being conducted by the Environment Protection Authority into plans to establish tuna farms in waters around Kangaroo Island?

2. Will an Environmental Impact Statement be prepared for the proposed developments and, if not, why not?

The Hon. D.C. KOTZ:

1. The Environmental Protection Agency is not conducting research into plans to establish tuna farms around Kangaroo Island.

2. The propagation or rearing of finfish in marine waters is not a prescribed activity of environmental significance under the Environment Protection Act 1993.