HOUSE OF ASSEMBLY

Wednesday 4 December 2002

The SPEAKER (Hon. I.P. Lewis) took the chair at 2 p.m. and read prayers.

ASSENT TO BILLS

Her Excellency the Governor, by message, assented to the following bills:

Constitution (Ministerial Offices) Amendment,

Law Reform (Delay in Resolution of Personal Injury Claims),

Legislation Revision and Publication,

Ombudsman (Honesty and Accountability in Government) Amendment,

Stamp Duties (Gaming Machine Surcharge) Amendment,

Statutes Amendment (Attorney-General's Portfolio),

Statutes Amendment (Corporations—Financial Services Reform),

Statutes Amendment (Stamp Duties and Other Measures),

Statutes Amendment (Transport Portfolio).

WIND POWER

A petition signed by 1 096 residents of South Australia, requesting that the house take whatever action is needed to approve and encourage the Myponga wind farm project for the benefit of the people of the southern region and the state, was presented by the Hon. J.W. Weatherill.

Petition received.

QUESTION ON NOTICE

The SPEAKER: I direct that the written answer to the following question on the *Notice Paper*, as detailed in the schedule that I now table, be distributed and printed in *Hansard*: No. 27.

MEDIA MONITORING UNIT

In reply to **Hon. D.C. KOTZ** (Estimates Committee B, 1 August).

The Hon. J.W. WEATHERILL: The Media Monitoring Unit (MMU) was first established by the former Liberal government in the premier's office to provide a comprehensive range of media monitoring and transcription services only to the then premier and ministers.

This government continued to operate the MMU which was transferred to my responsibility as of 1 July 2002.

As previously mentioned in Estimates Committee, the media monitoring unit has been the subject of a review that has now been completed.

The services provided by the MMU during the previous government will be maintained, but now it also provides media monitoring services to all South Australian members of parliament free of charge.

Services offered to Members of Parliament include:

Subject-based radio news/talkback précis, emailed three times a day Mon.-Fri., covering periods:

- Précis 1: 6 a.m.-9 a.m.—summary of live monitored news and talkback, plus additional scanned morning news and talk-back items
- Précis 2: 9 a.m.-1 p.m.—summary of live monitored news and talkback, plus previous night's scanned 6 p.m.-midnight talkback (on Monday includes Fri., Sat. and Sun. nights' talk-back)
- Précis 3: 1 p.m.-6 p.m.—summary of live monitored news and talkback

ELECTRICITY, RETAIL COMPETITION

In reply to **Hon W.A. MATTHEW** (Estimates Committee A, 6 August).

The Hon P.F. CONLON: The commencement of full retail competition impacts upon a number of complex computer systems required for processing customer transfers, for meter reading and for dispatching of information to NEMMCO and other retailers. ETSA Utilities has advised that whilst it is working towards preparing these systems as a matter of urgency, they will not be ready for 1 January 2003. ETSA Utilities has confirmed however that it remains strongly committed to ensuring a market start on that date.

Accordingly, ETSA Utilities is developing a number of interim arrangements to be utilised until all computer-based systems become operational.

Officers from the Department of Treasury and Finance as well as the Essential Services Commission are working closely with AGL, ETSA Utilities and NEMMCO on the development of the interim solution. TXU and Origin Energy are also involved in these discussions and have been consulted throughout the process. I am advised that the interim solution will consist of a combination of automated and manual systems which will understandably have more finite capabilities than the fully automated systems but will allow for an orderly transfer process.

The aim of these discussions is to ensure the government and regulator are satisfied with the interim solution and to mitigate the impact on customers or the entry of potential new retailers into the market.

I assure you however that this does not in any way alter the government's commitment to a 1 January 2003 start date.

CRIME PREVENTION

In reply to **Hon. R.G. KERIN** (17 October).

The Hon. M.J. ATKINSON: The funding allocated for the local crime prevention program for 2002-2003 is $600 000. To assess the most effective way this funding can be used, a review process was agreed between the state government and the Local Government Association (LGA) on 23 July, 2002. The terms of reference for the review were agreed, and the review commenced on 17 September, 2002.

In the meantime, from late July to early September, 2002, it was agreed with the LGA that the crime prevention unit meet separately with councils funded through the program. The purpose of these meetings was to ensure councils were provided with up to date information on the current processes, and to discuss ways to assist programs continue while the review was undertaken. The meetings included discussion of the following matters:

- The establishment of the agreed LGA/state government review of crime prevention funding, which emerged from the meeting between the president of the LGA and the Attorney-General on 23 July, 2002.
- Assist programs to continue until 31 December, 2002 while the review process was undertaken. This included discussions on current commitments for each program, and the amount of funds remaining to each program from 2001-2002. It was identified that any further funding required to support each area's commitments would need to be sourced from the $600 000 available for 2002-2003, as it was reaffirmed that $600 000 was the total amount available for the program for 2002-03.
- The remaining funds from the $600 000 would be required to underpin the development of the future directions from the LGA/state government review, which was due to report eight weeks from its commencement.

In view of the timing of these separate meetings with councils, no advice was given, or could be given, about the future directions for the local crime prevention program. It was clearly stated to all areas that the state government had committed to the review, and would await the outcome of this process.

An interim report from the review was presented to both the president of the LGA and the Attorney-General in late October, 2002, and that Report is now being considered.

HOSPITALS, CEDUNA

In reply to **Mrs PENFOLD** (23 October).

The Hon. L. STEVENS: In November 2000 the Ceduna District Health Services Board (the board) commissioned a review of its obstetric service by Dr Brian Pridmore, director of obstetrics and

gynaecology, the Queen Elizabeth Hospital, in response to concerns about the safety of the service.

This review indicated that the safety of obstetric patients in Ceduna was questionable due to the fact that there was only one resident general practitioner with appropriate skills in addition to the low number of available midwives. The board therefore suspended this service in December 2000.

Since that time considerable work has been invested in establishing a sustainable medical practice with the skills required to meet the needs of the community. The board has now established and manages the Ceduna family medical practice. This initiative has been developed in partnership with the University of Adelaide. The practice currently employs two doctors, with negotiations underway to secure a third doctor later this year. In conjunction with the medical officer from Ceduna Koonibba Aboriginal Health Service, Ceduna now has two medical staff who possess the necessary skills to maintain an appropriate obstetric service and an associated anaesthetic service.

During the period of suspension, the Department of Human Services (DHS) approved the use of the patient assisted transport scheme for people in Ceduna who have to travel to a larger centre for confinement, even though the referral is not to a specialist obstetrician. This helps to defray the additional costs that families have to meet.

The current difficulty now surrounds the availability of midwives. Ceduna currently has only three part-time practising midwives on the staff. One of these lives at Penong, some 70 km out of Ceduna and is therefore not available to be called upon after hours. With this level of staff it is impossible for the hospital to offer a full obstetric service.

It is anticipated that there may be five or six cases per year where it is determined early in the pregnancy, on medical grounds, that a planned caesarean will be required for delivery. This is a decision made by the doctor, based on the history and medical status of the patient. This service does not constitute an offer to the community to elect to have their baby locally by caesarean section.

The issues involved in recruiting midwives to Ceduna can be summarised as follows.

- Ceduna is remote from Adelaide (850km);
- There are limited opportunities for employment of partners;
- The anticipated birth rate is sixty to eighty per annum, meaning that the rate of exposure to deliveries per midwife is low. Career midwives would not be enticed in terms of volume of experience;
- Career advancement in terms of higher classification is limited;
- Remuneration is currently no better than can be gained in any other public hospital in the state;
- State-wide shortages mean that employment opportunities exist in metropolitan or larger rural centres with greater exposure to deliveries and the same rates of pay.

The Ceduna District Health Services' Ceduna Hospital, with the support of the Eyre Regional Health Service (ERHS), is investigating alternative models of service provision.

Whilst these alternatives are being explored the hospital is continuing to try and recruit midwives in the normal fashion but, given the issues mentioned above, any success is likely to be opportunistic and related to partners of teachers, police or other people moving to the area.

On 7 November 2002 a workshop was held to explore and access a restricted model of midwifery care for Ceduna and the surrounding community. Outcomes of the meeting included:

- midwifery practices to be provided according to the SA maternal and neonatal services guidelines 2000;
- the service to cater for the expected twenty 'low risk' deliveries each year that will occur in the area.

Aboriginal community health workers, hospital staff, domiciliary care workers, community health staff, local general practitioners, the ERHS and the board agree on the model of care. A steering group has been established to support the implementation and evaluation of the proposal. Support will be provided by the ERHS and DHS.

Pregnant women in the community will have access to antenatal and postnatal care from a shared care model that will be provided by the midwives, local general practitioners and Aboriginal health workers. Antenatal and postnatal clinics will be provided locally at the established different service centres.

Patients accepted into the midwifery care service at Ceduna will be assessed as being 'low risk' as per the designated criteria that has been established through consultation with the multidisciplinary team. 'high risk' women will be transferred to a health centre with more appropriate facilities, as is the practice now.

The issue of emergency admissions of women in labour has been addressed through criteria and practice protocols within the proposal. A midwife and a general practitioner will be in attendance at all deliveries.

Staff working within the midwifery service will be employed according to appropriate award conditions. An agreement has been established with the ERHS to compliment the wages costs with a contribution of funds.

The steering group will have an action plan for the implementation and evaluation of the service by the end of November 2002, and preliminary discussion has indicated that the service will be available for the community by approximately April 2003.

It has been ascertained that the success of the implementation will be reliant upon a comprehensive marketing campaign that will reinforce the constraints of the service and the possible benefits to the community. The ERHS has agreed to support this specific component of the plan with funds.

PAPERS TABLED

The following papers were laid on the table:

By the Speaker—

Pursuant to Section 131 of the Local Government Act 1999 the following reports of Local Councils—
- Berri Barmera Council—Report 2001-02
- City of Mitcham—Report 2001-02
- City of West Torrens—Report 2001-02
- District Council of Coorong—Report 2001-02
- District Council of Le Hunte—Report 2001-02
- District Council of Renmark Paringa—Report 2001-02
- District Council of Streaky Bay—Report 2001-02
- District Council of Tatiara—Report 2001-02

By the Treasurer (Hon. K.O. Foley)—

Police Superannuation Board—Report 2001-02

By the Attorney-General (Hon. M.J. Atkinson)—

Regulations under the following Acts—
- Legal Practitioners—Fees
- Wrongs Act—Personal Injury Liability

By the Minister for Consumer Affairs (Hon. M.J. Atkinson)—

Regulations under the following Acts—
- Liquor Licensing—
  - Oakbank School Exemption
  - Dry Areas Glenelg, Brighton, Seacliff
- Trade Measurement—Temperature Compensation

By the Minister for Environment and Conservation (Hon. J.D. Hill)—

- Correctional Services Advisory Council—Report 2001-02

By the Minister Assisting the Premier in the Arts (Hon. J.D. Hill)—

- Carrick Hill Trust—Report 2001-02
- History Trust of South Australia—Report 2001-02
- Windmill Performing Arts Company—Report 2001-02

By the Minister for Social Justice (Hon. S.W. Key)—

- Supported Residential Facilities Advisory Committee, Activities of the—Report for the Period July 2001—December 2001

By the Minister for Tourism (Hon. J.D. Lomax-Smith)—

- Ministerial Statement—South Australian Sheep Advisory Group
- South Australian Sheep Advisory Group—Report 2001-02

By the Minister for Employment, Training and Further Education (Hon. J.D. Lomax-Smith)—

- Education Adelaide—Report 2001-02

By the Minister for Gambling (Hon. J.W. Weatherill)—

- Authorised Betting Operations Act Review—Report

By the Minister for Local Government (Hon. R.J. McEwen)—

Local Government Grants Commission—Report 2001-02
Local Council By-Laws—
Kingston District Council—
No. 1—Permits and Penalties
No. 2—Moveable Signs
No. 3—Local Government Land
No. 4—Roads
No. 5—Dogs.

INFORMATION AND COMMUNICATION TECHNOLOGY

The Hon. K.O. FOLEY (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: I rise to inform the house of the status of the review into the provision of Information and Communication Technology (ICT) services to government into the future. As members would be aware, some seven years ago the previous (Liberal) government outsourced the management of its information technology services to EDS. The value of this nine year contract was estimated to be in the range of $550 million to $600 million. Seven years on, we have recognised that government requirements in the area of information and communication technology have changed. This is due partly to the way that modern governments operate and also to the way that people and businesses wish to interact with governments and to access services.

With the current contract with EDS due to expire on 5 June 2005, the government has recently approved a review of the full range of existing information and communication technology service arrangements for the South Australian government. This review will lead to the government offering to the marketplace, in mid 2003, the opportunity to provide a range of ICT services in a number of open and competitive tendering processes. The total value of the ICT services on offer will be almost $1 billion over a five year period. This will include a number of ICT services currently managed by the Department of Administrative and Information Services under whole of government contracts.

I wish to make it clear that the government has no intention of merely re-signing its existing contract with EDS or any other current ICT service provider, for that matter. We intend to conduct a highly competitive process designed to ensure value for money and the delivery of world-class ICT services to government.

The current EDS contract contains important state economic development criteria aimed at growing the local IT industry in this state. The government acknowledges that this has been an important factor in positioning South Australia as a recognised centre for world-class ICT services and products, and it will pursue appropriate economic development arrangements with future service providers.

The first stage of the review has highlighted the need to seek information and communication services appropriate to the government's requirements over the next few years rather than to simply renegotiate services as described under the existing contracts. Although the contract arrangements, and indeed the technologies themselves, are complex, the goal for government remains simple: we seek to provide the best standard of services to the people of this state at the best value for taxpayers.

The process will be conducted openly with a high degree of probity and integrity in line with the government's commitment to achieving better government for South Australians through the principles of openness, participation and accountability.

In conclusion, I would like to take this opportunity to encourage all information and communication service providers—local, national and international—to participate in the competition for these extremely important opportunities.

Members interjecting:

The Hon. K.O. FOLEY: Talk to me about the EDS contract any day.

Members interjecting:

The SPEAKER: Order! I call the honourable Minister for Government Enterprises.

The Hon. K.O. Foley interjecting:

The SPEAKER: Order! The Deputy Premier has completed his statement. If he wishes to speak to members opposite, he is liberty to cross the floor, acknowledge the chair, sit beside them and discuss it in a civil manner.

The Hon. W.A. Matthew interjecting:

The SPEAKER: And that includes the member for Bright. If he wishes to speak to the Deputy Premier, he, too, may cross the floor, acknowledge the chair, and sit next to the Deputy Premier and have a conversation which does not interrupt the proceedings of the chamber. The Minister for Government Enterprises.

EYRE PENINSULA WATER RESTRICTIONS

The Hon. P.F. CONLON (Minister for Government Enterprises): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.F. CONLON: I wish to advise the house of the imposition of water restrictions on the Eyre Peninsula, effective from midnight tomorrow night. As the house will remember, the government announced a three pronged approach to the water issue on the Eyre Peninsula, involving a commitment to build a desalination plant to treat water from the Tod Reservoir, increasing reliance on re-use water and the development of a water conservation program.

Water conservation has been a high profile issue on Eyre Peninsula for many years. Unfortunately, despite some very successful and notable efforts, water consumption on Eyre Peninsula for the period from July to October, at 2 675 megalitres, was the highest on record and, whereas consumption slowed slightly in November, it continues to be well above target. I am advised that the increase in water use appears to be in the rural sector and that PIRSA, SA Water, and the Department of Water, Land and Biodiversity Conservation are working to determine the reasons for this increase.

In the meantime, in order to avoid over-extraction of the groundwater basins, it has become necessary to introduce restrictions. These restrictions are designed to ensure that non-essential water use is kept to a minimum. For domestic users, the restrictions affect the watering of lawns and gardens, filling of pools, spas and ponds, and the washing of vehicles, windows and paved areas. Other restrictions apply to rural use, including irrigation, commercial use, and the watering of public parks and sports grounds.

The restrictions will remain in force until consumption returns to target levels. The government is committed to the management of Eyre Peninsula's water resources, and this is seen as a necessary step to ensure the long-term sustainability of the ground water basins. For people seeking additional information on the restrictions, SA Water has set up a hotline

number 1800 130 952. In addition, the restrictions will be widely advertised through the media, including the placement of advertisements on radio and in the *Port Lincoln Times*, the *West Coast Sentinel* and the *Eyre Peninsula Tribune*.

HOSPITALS, INFECTION

The Hon. L. STEVENS (Minister for Health): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L. STEVENS: I table the report of the Review of Infection Control in South Australian Metropolitan Hospitals. This inquiry was undertaken in response to incidents of hospital acquired infections that occurred from late last year at the Royal Adelaide Hospital, the Women's and Children's Hospital and the Queen Elizabeth Hospital. These incidents, which led to a compromise in patient care, raised an understandable public concern about the safety of their hospitals. The investigation was led by Dr Peter Brennan and was conducted by a team of interstate experts.

The report found that, in the main, public confidence in our hospitals could be assured. However, it was also clear that there was room for improvement. The report has provided a range of recommendations to increase the safety of service provision, and it provides for additional vigilance. The Department of Human Services is now consulting public and private sector hospitals on the recommendations, and I expect to receive the outcome of that consultation within the next few weeks, together with an implementation plan. The implementation plan will then drive service improvements that will ensure greater safety from hospital acquired infections in our hospitals.

SCHOOLS, GLENELG NORTH

The Hon. P.L. WHITE (Minister for Education and Children's Services): I seek leave to make a brief ministerial statement.

Leave granted.

The Hon. P.L. WHITE: On 19 November 2002, the member for Morphett asked me during question time whether plans were being investigated to build a new primary school and a new secondary school in Glenelg North. I can confirm my answer to the house, and I can now provide the further information that I undertook to obtain. The department has advised that it has no knowledge of, or information about, a proposal to build a government school in the Glenelg North area or to acquire land to build a school in the area. The Non-government Schools Secretariat has advised that there is a submission for the establishment of a new non-government school in the Grange area, but there have been no requests for approval for a new school in the Glenelg North area.

SHEEP ADVISORY GROUP

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I lay on the table a copy of a ministerial statement relating to the South Australian Sheep Advisory Group made in the other place.

LEGISLATIVE REVIEW COMMITTEE

Mr HANNA (Mitchell): I bring up the 17th report of the committee.

Report received and read.

Mr HANNA (Mitchell): I bring up the 18th report of the committee.

Report received.

QUESTION TIME

DROUGHT

The Hon. R.G. KERIN (Leader of the Opposition): Mr Speaker, with your forbearance, I wish the new Minister for Trade and Regional Development, Minister for Local Government and Minister Assisting the Minister for Federal/State Relations all the best in the considerable tasks ahead of him.

My question is directed to the Premier. Given in September the Premier claimed he was fast-tracking the exceptional circumstances assessment process, will he advise the house why it took until today for the federal government to receive the South Australian applications? A new system providing farmers with immediate access to financial assistance, while drought applications are assessed, was introduced by the federal government in September this year. In September, the Premier advised the federal minister as follows:

> My government is accelerating the assessment of eligibility for exceptional circumstances support. . . I request that you consider these applications as a matter of urgency.

It is now December and the federal government has only just today received an application from the South Australian government. South Australian farmers affected by drought have been forced to wait more than two months to access a share—

The SPEAKER: Order! As much as that may be interesting, it is opinion and unnecessary in explanation of the meaning of the question. The Premier.

The Hon. M.D. RANN (Premier): I am very pleased that the Leader of the Opposition has asked this question, but I also take this opportunity to welcome to Executive Council, cabinet and the front bench of this parliament the new Minister for Trade and Regional Development, Minister for Local Government and Minister Assisting the Minister for Federal/State Relations. The Leader of the Opposition should be aware, as a former minister for primary industries, of the circumstances that we face. I strongly advise members opposite—

Members interjecting:

The Hon. M.D. RANN: No, you just listen. I strongly advise members opposite to get on the phone and talk to the South Australian Farmers Federation about what happened during our tour of various areas of the state, including Karoonda, the Mallee, the North East Pastoral District, the Central North, and places such as Carrieton and Orroroo. As a state government, we acted incredibly quickly to approve $5 million of state funding for assistance for drought relief. Unlike our opponents, we went out and asked the South Australian Farmers Federation to assist us in that. We acted with resolve and quickly, and have been applauded by the South Australian Farmers Federation. I invite the Leader of the Opposition to check on the records for the public statements that were made about what we did in terms of our assistance.

But the reason that I wrote to the Prime Minister—and I can inform the house that I will be meeting with the Prime Minister in Canberra tomorrow night and on Friday—is that I have asked, as the Leader of the Opposition well knows, for

the issue of federal drought relief to be put on the agenda of the coming Council for Australian Governments, or Premiers' Conference. I did so for this reason. The fact is that it is like negotiating Hampton Court maze for us in South Australia or anywhere else in Australia to get certainty of receiving funds.

So, officers, who used to report to the Leader of the Opposition and for whom he has the highest regard, because he told me during the time of the assessment of the drought, have been basically applying to try to make sure that farmers in South Australia qualify. They could have sent off a fax. I wrote to the minister, and I have also written to the Prime Minister. The officers making the assessment could have just sent off a fax, and that would have apparently pleased the opposition. However, it would not have meant that farmers in this state could possibly have qualified for exceptional circumstances assistance. That is why I have asked—and I have made this quite apparent publicly as well as to the opposition—for a complete streamlining of the procedures and processes to qualify for exceptional circumstances assistance. I will now ensure that members are educated about what is going on.

Two applications have been forwarded to the commonwealth Minister for Agriculture, Fisheries and Forests (the Hon. Warren Truss, MP) for assessment on the declaration of exceptional circumstances. The areas sought for declaration are: the central north-east pastoral region, comprising the Northern Flinders Ranges and north-east pastoral soil conservation districts, parts of the eastern districts, Central Flinders Ranges and Marree soil conservation districts; secondly, the Murray Mallee region, comprising the hundreds of Bowhill, Vincent, Wilson, McPherson, Hooper, Mamon Jubuk, Molineaux, Auld, Billiatt, Kingsford, Peebinga, Pinnaroo, Parilla, Bews, Cotton and part of Price.

Pastoralists in the Central North-East of South Australia have suffered a series of adverse events, including flood, ineffective rainfall patterns, locust and grasshopper plagues, and now severe drought. Farmers in the Murray Mallee of South Australia have suffered from severe frost damage to crops in 2000 and 2001 followed by the drought of this year. In both cases it is considered that the exceptional circumstances criteria have been met and the commonwealth minister has been urged to give speedy deliberation of the applications so that these farmers and graziers may receive additional urgently required support.

In South Australia we have attempted to adhere to the national drought policy of 1992 and avoid confusing farmers through drought or other forms of declaration. However, to ensure that South Australian farmers and graziers are not discriminated against through a recent change in the commonwealth requirements in applying for exceptional circumstances, the government has formally endorsed the areas proposed in the applications to be in drought for the purposes of exceptional circumstances. We have done this on the predication that such a declaration does not infer any other commitment to this state nor will be used in any other manner than in meeting the commonwealth's requirements.

In submitting the application for commonwealth consideration, we have also advised minister Truss of the substantial assistance package to drought affected farmers in this state that I announced on 12 October 2002. While much of South Australia has had quite reasonable seasonal conditions leading up to this drought, farmers in the two areas proposed for declaration have had one or more adverse years and were not in a position to prepare for the severe conditions of 2002 through their normal risk management processes. Senior officers from Primary Industries and Resources are due to meet their federal counterparts tomorrow in Canberra to progress negotiations concerning South Australia's two exceptional circumstances applications.

We also wish to advise members that, following a request from the community services committee of the South Australian Farmers Federation and the South Australian Association of Rural Counselling Services, we have approved a one-month extension to allow the state's farmers and graziers to apply for individual support grants under the state government's drought assistance package. The closing date for applications for individual business support is now 28 February 2003.

So, tomorrow night I will be meeting with the Prime Minister, John Howard, and will be asking him to make it easier for farmers to ensure that they get federal drought assistance. That is what we have done in South Australia. We very quickly and speedily provided $5 million worth of assistance and have been applauded by the South Australian Farmers Federation for the speed and resolve with which we have acted. However, we have made it very clear now for some time, including in my submissions to the federal government, that we believe that exceptional circumstances provisions under the federal drought conditions are far too onerous and make it very hard for exceptional circumstances provisions to apply.

I wanted it placed firmly on the agenda of the coming premiers conference. I wanted it listed as a keynote issue at the coming Council of Australian Governments. Unfortunately, I have been advised by the Prime Minister that it can be considered only in terms of other business. Well, I have support from the other premiers, and I intend to raise exceptional circumstances at the premiers conference. I will be asking the Prime Minister of Australia to treat this drought as an utmost national priority because we are facing a national crisis across the country.

However, the Leader of the Opposition, who is so interested that he is involved in other discussions, would be aware that farmers in the north-east pastoral districts talked about non-successive years of drought. Farmers in the Mallee talked about the conditions that they had in terms of frost and other conditions in successive years. So, did the Leader of the Opposition, when minister in charge of agriculture, apply for exceptional circumstances for these farmers, and what was the result?

PREMIER'S COUNCIL FOR WOMEN

Ms RANKINE (Wright): My question is directed to the Premier. What arrangements have been put in place to appoint the Premier's Council for Women?

Members interjecting:

The Hon. M.D. RANN (Premier): I am happy for the shadow minister to be consulted—we can give her briefings if that would be helpful to her and if it is an area of interest to her.

An honourable member interjecting:

The Hon. M.D. RANN: That's right. She is making her run, I know: profile, profile, profile. Yesterday, I was pleased to announce that 14 outstanding women from all walks of life have been appointed to a new Premier's Council for Women. Before the state election—

Members interjecting:

The Hon. M.D. RANN: Took us long enough? Members opposite should look at the difference between Labor's front bench and their front bench when it comes to women's representation. There is absolutely no comparison. We have four senior cabinet ministers. How many senior women cabinet ministers did the Leader of the Opposition have when he was premier?

Mr Koutsantonis: He sacked the one he had.

The Hon. M.D. RANN: I am told that he apparently sacked one that he had. Is that right? I cannot believe that.

The SPEAKER: Order! The Premier knows that it is answer time for him, not question time.

The Hon. M.D. RANN: Apparently Diana Laidlaw went freely. Before the state election, I announced that I wanted a council for women to focus purely on issues facing South Australian women. As a government we recognise that the best way to adequately match government programs and services with women's needs is to give women the lead in making decisions that directly impact upon their lives.

I am delighted that such a representative group of talented and committed women have accepted my invitation to be members of the council, which will report directly to me and to the Minister for the Status of Women. This, of course, is not an elitist body but one grounded in commonsense that will ensure that a wide range of women's issues receive the attention they deserve. I expect the council to provide leadership to the work of the Office for the Status of Women, to ensure that the government receives expert policy advice to drive a positive agenda for South Australian women.

The council will also play an important role in measuring the progress being made in our legislative and other achievements. Administrative and project support to the council will be provided by the Office for the Status of Women. All the women invited to be part of this council have an excellent understanding of current issues facing women.

An honourable member interjecting:

The Hon. M.D. RANN: Whose mother?

An honourable member: Tom's mum.

The Hon. M.D. RANN: Members were selected because of their intimate knowledge of issues related to Aboriginal women, cultural diversity, domestic violence, disability, ageing, education, business, regional and rural affairs and health. The council will be chaired by Dr Ingrid Day, the senior lecturer in communications and media at the University of South Australia. Dr Day's main professional interests are in online education and media and communication studies, and she is the mother of two teenage children.

The deputy chair is Susie Roux, who is a tutor, teacher, former gallery director, philosopher and former consultant to the arts sector. Susie has a long association with involvement in the arts sector. She recently completed an MA in philosophy of science—which we often talk about together—and will commence a PhD in the philosophy of science in 2003.

Members interjecting:

The Hon. M.D. RANN: I am quite happy to give a dissertation on transgenic homogeneity and areas where it may or may not be justiciable at a future date. Other members of the council are Dr Pamela Ryan, Managing Director, Issues Deliberation Australia; Judith Cross, Chief Executive, Relationships Australia; Patricia Waria-Read, former chair of the Aboriginal Women's Statewide Advisory Council; Lisa Huong-Nguyen, Supply Chain Manager for the Food Industry Centre for Innovation Business and Manufacturing; Janet Giles, the first woman secretary of the United Trades and Labor Council; Belinda Bocson, Media Adviser, South Australian Museum, a former champion swimmer and someone with a keen interest palaeontology; Dr Daniella Costa, Senior Medical Practitioner, Women's Health Statewide; Danielle Grant, small business owner, elite netball player and captain of the now defunct Ravens netball team; Deborah Thiele, farmer and grazier, who would be well known to most members opposite; Barbara Garret, President, SA Council for Social Services; Maggie Beer, restaurateur, food writer and producer; and Sue Lamshed, State Manager of Telstra Corporate Affairs.

Let us just summarise: there are four senior women on Labor's front bench. I challenge, in a positive and bipartisan way, the Leader of the Opposition to promote the member for Bragg to the front bench of the opposition so that both sides can show commitment to women.

DROUGHT RELIEF

The Hon. R.G. KERIN (Leader of the Opposition): Will the Treasurer assure the house that funding required for drought relief will not be sourced from the remaining reduced PIRSA budget? On Friday last week, when the primary industries minister announced that 40 jobs would be cut from the Department of Primary Industries and the South Australian Research and Development Institute, he also admitted that more jobs might be lost in order to fund the drought assistance package.

The Hon. K.O. FOLEY (Treasurer): As I have said repeatedly in this house, when we came to office we were met with a significant financial mess that we had to clean up. That required urgent, swift action from the government to arrest the significant financial errors that the former government had made. What we had to do was institute budget cuts in excess of 3 per cent across government outlays in order to meet the significant deficits that we were left with. I did not like to do that and I did not want to do that. However, because we are a financially responsible government, we had to do it. And the job is not over: I have made no secret of that.

The first budget of the Labor government was the first instalment in putting this state back on track as far as fiscal outcomes are concerned. We will be a government of the highest fiscal standard that this state has seen for decades. The Department of Primary Industries did have to provide a contribution to the savings task of government. The President of the Farmers Federation—and I am only going from memory, so I can be corrected if I am wrong—made very positive comments about the first Labor government's budget. From memory and to paraphrase what he said, the President of the Farmers Federation said that it was a good budget. When the primary industries minister and the Premier came to me as Treasurer and said, 'We have a severe problem in this state with drought: we need to act,' I said, 'Premier, I will do whatever I can as Treasurer to support your efforts to ensure that we provide the level of assistance to the farming community.' And without a blink, without hesitation, without concern, I rose to the occasion to support the Premier and the primary industries minister, and we provided from the contingency within government up to $5 million for our farming community in this state. We responded swiftly; we responded compassionately; and we did what any responsible government in this state would do. When our farmers are in need, this government is here to protect them.

FIREARMS

Mr CAICA (Colton): My question is directed to the Minister for Police. What were the outcomes of the special meeting on firearms at the Australasian Police Ministers Council held last Thursday?

The Hon. P.F. CONLON (Minister for Police): The police ministers met again with the commonwealth in an ongoing process in order to attempt to come up with a cooperative way forward of making the community safer from hand guns. Despite some of the media reports, in particular the comments of the Prime Minister, very considerable progress has been made, and it is unfortunate that the outcome was cast in a negative light when it should not have been. Very significant progress has been made in terms of graduated access for new hand gun owners; for reporting by medical authorities; for tighter controls on sporting clubs and their reporting; and, the one matter that I pressed for, the ability for the Police Commissioner to revoke a hand gun licence on the basis of information or intelligence received, without having to provide reasons to the owner but with an internal review process.

We have seen time after time that the problems occur with legal firearms very rarely and only when the wrong people are in possession of them. That is something we have tried to address. What also occurred is that, out of a possible seven options for restrictions on hand guns, options 1, 2, 3 and 4A were agreed to be taken away by the jurisdictions. The Premier will fly to the COAG meeting on Friday, and I am very confident that a consensus viewpoint between the states and the commonwealth will be arrived at.

The concern we have had throughout is the cost of a possible firearms buyback. Throughout this process, we have had no concession from the commonwealth that it would pay for a guns buyback as it has done in the past. It is our responsibility to manage the police budget in the best interests of South Australians. We have, of course, made recent announcements in terms of beefing up the antiterrorist branch, and there is a list of priorities. Frankly, the best advice I have from our police is that legal firearms are not the serious issue that some other issues are that we have on our platform, and we have to address this issue from that perspective.

However, we are prepared to go along and make the community safer, in a cooperative way, in relation to hand guns. We have not been able to agree to a buyback that is funded partly or wholly by the states. It would only be funded partly by the states, and I do not apologise for that. In the first instance, we have not been able to be provided with costings by the commonwealth on the various options for removing hand guns. I do not think that there are many people who, acting responsibly as ministers, would sign up for a scheme when they do not know what it will cost them. Further, I have maintained this—

The Hon. D.C. Kotz interjecting:

The Hon. P.F. CONLON: I am not quite sure what the member for Newland's point is; perhaps she can make it later. We have acted responsibly—

The Hon. D.C. Kotz interjecting:

The Hon. P.F. CONLON: The member for Newland will have to interject more loudly; I cannot hear her.

The SPEAKER: Order! The honourable minister will not invoke interjections, and the member for Newland will not tempt him.

The Hon. P.F. CONLON: I assure the house that I remain absolutely untempted on the matter of interjections. The commonwealth funded a gun buyback last time, and there is absolutely no doubt that the commonwealth is seeking the political credit for a gun buyback. I have here a pamphlet from Trish Draper, the member for Makin, stating that 'the coalition has taken the tough stand to get hand guns off the streets', with all the clippings from the media and taking the credit. We have said all along that, if the commonwealth wants to take the credit for a gun buyback, it can take the debit and pay for it, as it did last time. Because of the sparseness of information from the commonwealth, our best advice is that it could cost up to $10 million on any of the options involving a gun buyback. We do not have that sort of money. We have not heard the opposition's position on this hand gun situation: we have not heard what they are and are not in favour of—and that is fine: they can take that position. However, I would like their support in insisting that the commonwealth pays for any possible gun buyback—as it did last time—and not place that imposition on the states.

DROUGHT

The Hon. R.G. KERIN (Leader of the Opposition): My question is directed to the Premier. Given the Premier's agreement to the need for practical solutions and risk management strategies to prepare for drought, can the Premier advise the house why key government offices charged with the implementation and delivery of these programs have been cut at a time when they are most needed? In a ministerial statement made after returning from a tour of the drought affected areas in the state, the Premier said:

> Many of the farmers are trying to improve farming practices and employ different methods to decrease the impact of drought.

In response, the government has cut funding to primary industries by about $20 million, with cuts to FarmBis, and it has cut 40 positions from PIRSA and SARDI.

The Hon. K.O. FOLEY (Treasurer): I will just come back to my earlier point that we have not hidden the fact that most government agencies have had to make some form of contribution. Primary industries were no exception. the Leader of the Opposition has mentioned the figure of $20 million, and we will have that checked.

An honourable member interjecting:

The Hon. K.O. FOLEY: I do not have the entire budget of every single government department in front of me right at this very moment. We will get you that information. They talk about the 40 positions that have been cut. They are targeted voluntary separation packages—a scheme with which all members opposite are familiar, because they used it to significant effect during their time in government. The funding for those positions is provided as a provisioning external to the agency. A pool of money is available, as members opposite would recall, for agencies to access for voluntary separation packages, so the separation package is not taken from the bottom line budget of a particular agency. But the saving that occurs from that position is returned, in most cases, to the budget bottom line of the Consolidated Account. There has been no secret about that. We are delivering improved services in South Australia.

Members interjecting:

The Hon. K.O. FOLEY: Members opposite interject, but it is simple: this government responded swiftly, with purpose and compassion, by making available $5 million for drought assistance in a targeted program. With respect to the savings

initiatives to which the members opposite are referring, they seem to be attempting to give the impression that that is money that somehow would have been diverted to drought assistance. Is that the impression they are giving? We responded with $5 million; a special amount of money provided to support and sustain our farmers in their moment of need. That was swift action, it was good action, and it was an indication that, when farmers are in trouble, this government is there for them.

REGIONAL IMPACT STATEMENTS

The Hon. R.G. KERIN (Leader of the Opposition): Will the Premier advise the house why the government has broken a key election promise to allow councils and local communities access to regional impact statements? In an address at the South Australian Country Labor conference, the now Premier promised:

> Our regional impact statements will be made available to local councils and communities so that country South Australians will have the chance to analyse what these proposed changes would mean for their community and make their views known.

However, the government has refused all FOI requests pertaining to regional impact statements.

The Hon. M.D. RANN (Premier): Here is a Leader of the Opposition who should be standing up and applauding the fact—

Members interjecting:

The Hon. M.D. RANN: —no—that here is a government that is going out to the regions, going out to the community, having open cabinet meeting forums and receiving submissions from regional development councils and also from local councils. Let me just explain to the Leader of the Opposition where we have been during the past nine months. We have been to Murray Bridge, Tailem Bend, Mount Gambier, Penola, Port Lincoln, Port Augusta, Whyalla, the Riverland (ably assisted by the local member), the northern suburbs, and the southern suburbs (ably assisted by the local member). The difference between us and the other side is that we take regional development seriously. If ever the opposition needed a lesson in that, it should have been today's swearing in ceremony. But apparently that has somehow eclipsed their minds.

CROWN LEASES

The Hon. I.F. EVANS (Davenport): Will the Minister for Environment and Conservation now admit that he was wrong and that crown leases do exist over land in the drought affected areas of the state? On 4 October on 5DN, the minister denied that land covered by crown leases were in the drought affected areas of the state, and he also accused me of trying to frighten people in the bush. He said:

> Crown leases aren't where the drought affected parts of the state are.

He went on to say:

> He's decided to try and frighten a few people in the bush, and it's just not fair.

Earlier this week the minister wrote to all members of parliament about crown leases, saying—

The SPEAKER: Order! I invite the honourable member to approach the chair with that question. It is inappropriate to ask ministers to admit anything; they provide information. Questions framed in such a manner are out of order. While the member contemplates what course of action he may choose, I call on the member for Mawson.

CRIME PREVENTION

Mr BROKENSHIRE (Mawson): Will the Attorney-General withdraw his threat to reassess the government's commitment to the future of the local crime prevention program? In the budget, crime prevention funding was cut from $1.4 million to $600 000. In response to these cuts, a number of councils have advised the opposition that they are considering litigation to ensure the future of the local crime prevention program. However, in a recent letter from the Attorney-General to councils, he states:

> Such action is likely to incur additional costs for all parties and may lead to the state government reassessing again its commitment to the future of the local crime prevention program.

The Hon. M.J. ATKINSON (Attorney-General): I stand by the letter and I stand by that paragraph in particular. Yes, it is well known that, if councils use ratepayers' money to sue the government to enforce an intergovernmental agreement, it will cost the ratepayers money and it will cost the government money. It is dreadfully wasteful, and I do not believe many councils will resort to it. It is commonsense that money paid to lawyers for governments to sue one another is a waste of ratepayers' and taxpayers' money.

An honourable member interjecting:

The Hon. M.J. ATKINSON: It is not arrogant. I have explained the cut in local government crime prevention over and again. The priorities of this government are police numbers and giving adequate—

Mr Brokenshire interjecting:

The SPEAKER: Order! The member for Mawson will come to order!

The Hon. M.J. ATKINSON: —resources to the Office of the Director of Public Prosecutions to prosecute a backlog of home invasion cases. That is where the government's priorities lie.

CROWN LEASES

The Hon. I.F. EVANS (Davenport): Again I direct my question to the Minister for Environment and Conservation. Will the minister now recognise that he was wrong and that crown leases do exist over land in the drought affected areas of the state? With your leave, sir, and that of the house, I will explain the question.

The SPEAKER: I do not know that that will be necessary. The minister.

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the honourable member for his question. In fact, it is almost identical to a question asked by his colleague the member for MacKillop about six weeks ago, and I refer him to my answer to that question.

The Hon. I.F. EVANS: Again I direct my question to the Minister for Environment and Conservation. Will the Minister clarify for the house whether cabinet did or did not consider a regional impact statement in relation to the proposed changes to crown leases? On 17 July of this year, the minister was asked this question:

> Was a regional impact statement provided to cabinet on the proposed increase in crown leases and freehold costs prior to cabinet making its decision?

The minister responded: no. However, in response to an FOI request, the opposition has been informed that there are 72

cabinet submissions containing regional impact statements that we are unable to see, but included on that list are two submissions regarding amendments to the Crown Lands Act, one dated 24 June and the other 1 July. According to the FOI response, both these submissions regarding crown leases contain regional impact statements and both were considered by cabinet several weeks before the minister gave his answer to the house.

The Hon. J.D. HILL: My recollection is as I stated it back in July but, if there is further information I can check through, I will do that and get another response for the honourable member. If it is the case, as he says, that there were regional impact statements, I will let the house know.

ROADS, SHOULDER SEALING

Ms BREUER (Giles): My question is directed to the Minister for Transport. What is the status of the government's road shoulder sealing program?

Mr Venning interjecting:

The SPEAKER: Order! The member for Schubert will remain silent. The minister has the call.

The Hon. M.J. WRIGHT (Minister for Transport): Road safety is a major focus for the Rann Labor government. We have a three-pronged approach: regulation, infrastructure and a soon to be announced education program. The government has announced a major new road safety investment program in this year's budget, and I am pleased to report on details of one of the key elements, namely, shoulder sealing. Along with overtaking lanes, shoulder sealing is one of the most significant infrastructure investments a government can make to have an impact upon the road toll. I also give credit to the former Minister for Transport for initiating a shoulder sealing program for national highways and rural and outer metropolitan arterial roads, and I am delighted that this government has increased that by approximately 50 per cent in this year's budget.

New priorities for allocation of funding have now been developed, based upon roads with high crash rates, high volumes and strategic importance. For the current financial year, we expect to shoulder seal around 145 kilometres of state arterial roads, at a cost of approximately $5.1 million in total; 2003-04, 208 kilometres at a cost of $6.8 million; 2004-05, 107 kilometres at $6.8 million; and 2005-06, 130 kilometres at $6.8 million. Variations to kilometres per dollar spent relate to factors such as poor existing shoulders, which also would require replacement, culvert restrictions, and so on. I seek leave of the house to have inserted in *Hansard* a table which details the summary of works planned for the current financial year across both national highways and state arterial roads.

Leave granted.

Summary of works for 2002-03

State Arterial Roads	Kms	Cost $m
Noarlunga to Cape Jervis Road	28.3	1.220
Mount Barker to Strathalbyn Road	3.6	0.410
Heaslip Road	6.3	0.140
Tea Tree Gully to Munnum Road	1.7	0.110
Birdwood to Verdun Road	5.5	0.590
Barossa Valley Way	16.4	0.850
Riddoch Highway	20.6	0.210
Angle Vale Road	15.7	0.400
Berri to Loxton Road	15.1	0.180
Blackwood to Goolwa Road	32.3	0.990
		5.100

PORT LINCOLN COVE MARINA

The Hon. M.R. BUCKBY (Light): Will the Minister for Transport advise the house why, in a letter dated 28 November, he informed the member for Flinders that he had consented to transfer of a marina lease to Mr Neil Kopman and that officers from Transport SA had been in contact with Mr Kopman about the matter when, according to Mr Kopman, he has not been contacted by anyone about the matter? The member for Flinders has pursued this matter with the minister, both in the house and via correspondence on several occasions. On 28 November, the Minister for Transport wrote to the member for Flinders, as follows:

> The delay in dealing with this matter is regretted and I wish to formally advise you that my consent to transfer of this lease has been provided. . . I have been advised that officers of Transport SA have contacted Mr Kopman and have discussed this matter with him.

However, on 2 December, some three days later, Mr Kopman wrote to the member for Flinders advising that this was not the case. Mr Kopman's letter states:

> Despite assertions by the Minister for Transport to the contrary, I confirm that nothing has been received from Transport SA pertaining to consent for the transfer of berth 50. No mail, no phone calls, no messages, no fax.

The Hon. M.J. WRIGHT (Minister for Transport): I do have in front of me a copy of the letter I wrote to the member for Flinders. The brief letter thanks the member for the correspondence and then states:

> The delay in dealing with this matter is regretted and I wish to formally advise you that my consent to the transfer of this lease has been provided to Mr Sevelj's conveyancer, Mr Neil Kopman, separately. I have been advised that officers of Transport SA have contacted Mr Kopman and have discussed this matter with him. I trust that this clarifies your concerns regarding this matter.

If the member for Light is now putting on the record that that has not happened, I will be happy to go back and check that detail. I think we are talking about the same case. Obviously that would be of some concern to me, because that would not tend to match up with the advice I have been given by Transport SA. If that is the case, I apologise for that. I want to bring about a speedy resolution if the information that the honourable member has just provided is correct.

MEALS ON WHEELS

Ms THOMPSON (Reynell): Will the Minister for Social Justice inform the house as to what milestone has just been reached by Meals on Wheels?

The Hon. S.W. KEY (Minister for Social Justice): Yesterday, it was a pleasure to deliver the 33 000 000th meal for Meals on Wheels. Mrs Betty Terrel of Taperoo, who is 86 years of age, ate a special meal at home which had been prepared by volunteers at the Osborne Meals on Wheels kitchen. I want to congratulate Meals on Wheels, which has been delivering meals to older South Australians who live alone, and it has been doing this for 49 years. Each week it delivers about 5 000 meals. Meals on Wheels was founded in 1953 by the late Doris Taylor MBE. The first President of Meals on Wheels was the Hon. Don Dunstan, and he was the President from 1953 to 1957. Mr Dunstan chaired the early meetings of the organisation, provided legal advice, including the drafting of the first constitution, and advocated its aims and needs to the Playford government.

When Meals on Wheels was set up in 1953, 11 volunteers took meals to eight elderly residents in Port Adelaide. There

are now more than 100 branches across the state, with an operating budget of approximately $7 million and an extensive network of 10 000 volunteers who cook, package and deliver the food. The food delivery service is obviously important, but the personal contact that volunteers establish is also essential to the wellbeing and happiness of many elderly South Australians.

WORKCOVER

The Hon. I.F. EVANS (Davenport): Why is the Minister for Industrial Relations making it more difficult for people with WorkCover claims to access some key medical services by delaying the application of new schedule B fees? The AMA completed negotiations on new schedule B fees with WorkCover in May this year. On 14 June, the WorkCover board approved the new schedule B fees and referred the matter to the Minister for Industrial Relations for approval. On 16 August, the AMA wrote to the minister inquiring why approval had not been given, but no response was received from the minister. On 21 November the AMA again wrote to the minister seeking an urgent meeting. Again, there was no response from the minister. On 28 November the AMA telephoned the minister's office seeking an urgent meeting. On 29 November, the minister's office telephoned and said that the office could not locate the letter of 21 November. On 2 December, the minister's office telephoned the AMA to inform it that the agreed schedule B had now been referred back to WorkCover and indicated that no date could be given as to when the approval would be granted. It has taken over six months.

The Hon. M.J. WRIGHT (Minister for Transport): I thank the member for Davenport for his question.

Members interjecting:

The Hon. M.J. WRIGHT: Did you want an answer or do you want to ask another question?

Members interjecting:

The Hon. M.J. WRIGHT: You've asked your question. It is my understanding that WorkCover is addressing a number of issues with respect to this matter. The AMA is a very important organisation. If it would like to meet with me, I would be delighted to do so.

ABORIGINES, ANTI-SMOKING PROGRAMS

Mr O'BRIEN (Napier): My question is directed to the Minister for Health. Is the government supporting programs to reduce smoking among indigenous Australians by directing important anti-smoking messages to communities that other campaigns might not reach?

The Hon. L. STEVENS (Minister for Health): Smoking rates for indigenous Australians are more than double those of non-indigenous Australians. On 22 November I launched the video *Nunga Kids Don't Need Puiya*, meaning 'Aboriginal kids don't need smokes', as an important and relevant health promotion resource for indigenous people. The video shows real life situations that young people would experience. About 20 indigenous students from metropolitan and near country high schools took part in the project to prepare the video, while attending a cultural camp in the Flinders ranges and anti-tobacco, drama and script writing workshops. It is an outstanding and moving video that indigenous young people can relate to and deals with peer group pressure, addiction and options for quitting.

The project was developed by Child and Youth Health's The Second Story, Kumangka Aboriginal Youth Service, the Aboriginal Health Council of South Australia and the SA Film Corporation, supported by the Department of Human Services. I am also pleased to inform the house of an anti-tobacco grant of $50 000 to the Port Adelaide Football Club. The Power Community Youth Program will use that money to run Quit motivational courses for unemployed and indigenous people.

LOCAL GOVERNMENT BENCHMARKING

Mr VENNING (Schubert): My question is directed to the Minister for Local Government. Will the minister implement a system of benchmarking for local government in line with the recommendations of the Anderson report?

The Hon. R.J. McEWEN (Minister for Local Government): This being my first question, I will celebrate the event by putting the member for Schubert back on my Christmas card list. As to the question, I will take advice on the matter and in due course provide him with an answer.

TOURISM MINISTER

Mr HAMILTON-SMITH (Waite): My question is directed to the Minister for Tourism. Does the minister stand by her damning criticism made in the house on Thursday 28 November of her own department, her own public service staff and the Adelaide Convention and Tourism Authority, which she described as 'dysfunctional' and 'not entirely focused' on bringing tourists to South Australia? The minister made the remarks during debate on a motion on 28 November criticising her for her lack of interest in the five year plan for tourism. The minister claimed that Australian Major Events, a part of the South Australian Tourism Commission for which she is responsible, was a 'dysfunctional' organisation that was 'not entirely focused' on tourism outcomes. AME is responsible for such events as the Jacobs Creek Tour Down Under, the Year of the Outback, Encounter 2002 and many other tourism fixtures. The minister also attacked the private sector based Adelaide Convention and Tourism Authority, which has generated 78 bids for conventions, won 34 events in Adelaide and generated over $50 million worth of benefits to the South Australian economy. ACTA's membership, as of 2002, comprises 277 tourism, hospitality and local government bodies across the state.

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I am absolutely delighted to revisit my criticism of the member for Waite. He has given me a new opportunity to comment on his views. To clarify my discussion last week, he was quite critical of my handling of the new tourism plan, which will be released in January 2003 and relevant for the period between 2003 and 2008. This is, of course, an improvement on the minister's performance when he should have signed a performance agreement for the SATC for 2001-02. As I pointed out, the plan for tourism 2003-08—

Mr HAMILTON-SMITH: Mr Speaker, I have a point of order.

The SPEAKER: Order! The member for Waite has a point of order.

Mr HAMILTON-SMITH: Standing orders call for the minister to answer the substance of the question which related to whether she stood by a statement she had made in the house.

The SPEAKER: The honourable minister will address the substance of the question.

Mr Brokenshire interjecting:

The SPEAKER: The honourable member for Mawson will remain silent while she does so—whether in the chamber or outside.

The Hon. J.D. LOMAX-SMITH: I am very pleased to stand by my comments in support of the 2003-08 tourism plan, which has moved considerably since the dysfunctional mess left by the member for Waite. As I pointed out, one of the first things that I did on becoming Minister for Tourism, which, I might add, I did after the election on 6 March—

Members interjecting:

The Hon. J.D. LOMAX-SMITH: I can understand the angst of the member for Waite, because, as he was the fifth choice of his party, he was left with something of a mess when he took over the department, and he did very little to clear it up. The first request that was put to me by the department was that I might like to sign—

Mr BRINDAL: Mr Speaker, I have a point of order. I believe, sir, that it is outside standing orders to criticise another member of this house other than by substantive motion.

The SPEAKER: The honourable minister is answering the substance of the question as put to her by the member for Waite.

The Hon. J.D. LOMAX-SMITH: The proposition was put to me that I might like to retrospectively sign a performance agreement, which was not signed by my predecessor, his predecessor, their predecessor, or their predecessor, as the act requires, at the beginning of the 2001-02 year. My view was that it was not appropriate to sign a performance agreement in retrospect, although, of course, I was quite prepared to sign one prospectively from March to June. I therefore pointed out that the preceding ministers had failed to take control of their obligations under the act, but, more specifically, to pull the department together so that it acted in a proper manner.

It is quite clear that the previous ministers—and I do not hold the member for Waite entirely responsible for the SATC—had not made it clear that in a very difficult time for tourism, when we have few inbound flights—and I point out that we have 2 900 inbound seats per week from overseas compared to 180 000 going to the east coast of Australia—in a very difficult global environment, with very few internal flights coming to South Australia, there is a genuine requirement to be creative and think outside the square.

There is very little opportunity for carrying on with the same strategy that worked 10 years ago or five years ago because we live in different times. I would therefore suggest that the creativity required is to find ways of making every dollar go further. The first way to do that is to make it clear that the first barrier towards tourism—which essentially means bed nights, meals and visitation—is inbound air access. At the moment we have serious limitations to inbound air access. But, having got a visitor to South Australia, whether they are visiting a convention or a major event, the most creative thing one can do is to make that visitor linger longer. However, the former minister for parties and functions and songs and big openings has criticised this government for not spending money on big launches. The member for Waite wanted us to have a party to launch a draft consultation document, and he criticised this government for saying, 'We don't want a party, we don't want a launch, we had enough when you were running the Wine Centre.'

We did not want to have a launch for a draft document. We will launch our final document when it is ready, but we will also ask that every function of this state and this government recognises that we are in this game together. So, if it is a graduation ceremony at a university, where there are 5 000 graduates a year, we should look at that as an opportunity for 5 000 mums, 5 000 dads and a few thousand aunties to come to that graduation ceremony. A graduation ceremony is a tourism opportunity. We also know that a convention is a tourism opportunity, and if we allow a delegate to fly in on day one and fly out on day five then we have lost money. The barrier is getting them here. When they are here, they have to linger longer. All conventions act as leverage for bed nights.

Similarly, under the great support of our party-giving, function-launching, happy-party celebrating opposition, they were quite happy to have the Tour Down Under come to this state for five years without a single tourist attached to it. I have made it clear that every major event is an opportunity for tourists. We want thousands of lycra-clad tourists coming from Europe and cycling after the Tour Down Under, because everyone who comes for the event comes for three weeks, and that means substantial money. So, under our leadership, tourism is not just about parties, it is not just about functions, it is not just about singers at the Wine Centre; it is about serious tourism, so that every part of government focuses on ways to bring people here and make them stay longer. The dysfunction and the failures of the last government cannot continue.

Members interjecting:

The Hon. J.D. LOMAX-SMITH: And I might add that we have a performance agreement: you didn't even have one.

MIGRATION, SKILLS PROGRAM

Mr RAU (Enfield): My question is directed to the Minister for Industry, Investment and Trade. What is the government's view on the skilled migration program in Australia, particularly as it relates to settlement patterns in South Australia and the impact on the South Australian economy?

The Hon. K.O. FOLEY (Minister for Industry, Investment and Trade): I thank the member for Enfield for this very important question, and acknowledge his long-held interest in issues relating to migration and immigration, having worked for Mick Young, who was Minister for State at the time.

The Hon. Dean Brown interjecting:

The Hon. K.O. FOLEY: Paddington actually, Dean. It was a Paddington bear not a panda bear—you would be the only person in Australia who did not know that it was Paddington, not panda. The issue of skilled migration has been discussed by the Economic Development Board and, as all members would be aware, is in one of their *Pathfinder* discussion papers. The entry of skilled migrants into this state helps build a competitive work force and addresses the short-term skills shortages that many local industries face. In the past, South Australia has received less than 5 per cent of the total number of skilled migrants entering Australia. The state is encouraging the commonwealth to take action to change the migration settlement patterns so that people can be encouraged to settle in South Australia.

Emerging capacity constraints on the eastern seaboard of South Australia, particularly in Sydney, work in favour of our position on this issue, and I should at this point acknowledge

the decision by the federal minister Philip Ruddock in ensuring that, in future, business migrants are not allowed to settle in the Sydney Basin area. They are, indeed, required to settle in regional Australia. We hope that does not mean just Newcastle and Wollongong, that in fact it does mean South Australia, Adelaide, the Iron Triangle, the South-East and, of course, other parts of South Australia. That is a positive move by the federal government and one that is welcome.

The Commonwealth Joint Standing Committee on Migration's current review of Australia's migration has given South Australia the opportunity to state our case for a number of initiatives that will encourage new skilled migrants to settle in South Australia. These include encouraging the commonwealth to promote South Australia's unique Immigration SA Program. Under this program the state assists migrants to establish their new businesses, offering $5 000 for new jobs created. On skilled independent migrants, it offers a unique on-arrival services program to help make the transition to South Australia much smoother and easier. I recently met with minister Ruddock, advanced a number of these issues and urged him to consider ways in which South Australia can get a larger portion of migration to South Australia.

Members interjecting:

The Hon. K.O. FOLEY: Yes, I am, because it is such an important topic that I want to give direct, important and factual information. I am always happy to ad lib and to entertain the house with a colourful contribution. But, being mindful of the time and the long day ahead of us, I will conclude my answer.

POLICE COMPLAINTS AUTHORITY

The SPEAKER: I lay on the table the Police Complaints Authority report for 2001-02.

Ordered to be published.

STANDING ORDERS SUSPENSION

The Hon. P.F. CONLON (Minister for Government Enterprises): I move:

That standing and sessional orders be so far suspended as to provide that the precedence of private members' business today be for one hour.

Motion carried.

EXCEPTIONAL CIRCUMSTANCES APPLICATIONS

The Hon. J.D. LOMAX-SMITH (Minister for Tourism): I lay on the table a ministerial statement from the other place regarding exceptional circumstances applications.

STATUTES AMENDMENT (ANTI-FORTIFICATION) BILL

The Hon. M.J. ATKINSON (Attorney-General): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: Before the last election the government promised, as part of its 'Protecting South Australians' policy, to crack down on the illegal activities of motorcycle gangs. Specifically, the government promised to enact laws to prevent motorcycle gangs from turning their clubrooms into suburban fortresses and, where such fortresses have been constructed, laws to empower the police to have fortifications preventing their access removed. The Premier reiterated the government's promise to this place in his recent ministerial statement. To give effect to these commitments, the government has had prepared for consultation purposes a draft bill, the Statutes Amendment (Anti-fortification) Bill. This bill will amend the Development Act and the Summary Offences Act. Complementary amendments to the Development Regulations are being prepared.

Mr Brokenshire: Is it retrospective?

The Hon. M.J. ATKINSON: The proposed amendments to the Development Act will incorporate the fortification of premises into the definition of 'development'. The effect of this will be that the fortification of premises as defined will become a class of development within the meaning of the Development Act and hence require development approval from the relevant planning authority. Complementary amendments to schedule 8 of the development regulations will make the Police Commissioner a mandatory referral body with the power of direction about all fortification development applications. This will give the Commissioner the ability to direct the relevant planning authority to refuse an application for fortification development approval or to impose conditions on the development approval.

In determining whether to issue a direction, the Commissioner will be able to take the character of the applicant or the applicant's associates into consideration, as well as the extent to which police access to the premises will be restricted by the proposed fortifications. The government has no intention of preventing or frustrating home owners or businesses from taking reasonable steps to secure their homes or business premises.

The proposed definition of 'fortification' has been drafted so as to include only those structures or devices which are either intended to prevent or impede police access or which actually prevent or impede police access and are excessive in the circumstances. The definition is not intended to include the installation of common domestic or business security measures such as standard security locks, doors and window screens and bars. An applicant will have a right of appeal to the Environment, Resources and Development Court where a planning application for fortification is refused or conditions of approval have been imposed at the direction of the Commissioner.

Mr Brokenshire: Have you spoken to the Commissioner? He's happy?

The Hon. M.J. ATKINSON: Yes. Importantly, the Commissioner, and not the relevant planning authority, will be required to defend any appeal. This provides an important safeguard to ensure that the Commissioner exercises his power of direction appropriately and that undue and inappropriate pressure cannot be brought against planning authorities.

Part 3 of the draft bill will amend the Summary Offences Act 1953 to insert a new part 16. The provisions contained in part 16 will empower the Police Commissioner to apply to the Magistrates Court for an order, a 'fortification removal order,' which is directed at the occupiers of fortified premises, requiring the removal or modification of the fortifications. If the order is not complied with, the Commissioner is given the authority to have the fortifications removed or modified and to recover the costs of doing so from the person or persons who caused the fortifications to be constructed.

Under the proposed amendments, the Commissioner may apply to the Magistrates Court for the issuing of a fortification removal order. The application may be made and heard ex parte. The court may issue a fortification removal order only where it is satisfied that the premises named in the application are fortified as defined, and either the fortifications have been constructed or erected in contravention of the Development Act or there have been reasonable grounds to believe that premises are being, have been or are to be used for or in connection with the commission of, or to conceal or to protect the proceeds of, a serious criminal offence.

In answer to the opposition's interjection 'Is this retrospective?', no, it does not operate retrospectively or retroactively, but there are two parts to it. The first part is for the planning authorities to deliberate carefully on development applications that involve fortification, and the second part is for the Commissioner to be able to apply to remove existing fortifications.

Mr Brokenshire interjecting:

The SPEAKER: Order! The member for Mawson has been invited to shut up more than once.

The Hon. M.J. ATKINSON: In response to the members for Bright and Mawson, no, it is not retrospective or retroactive legislation, but it does apply to existing fortifications. 'Serious criminal offence' is defined to mean 'an indictable offence or an offence prescribed by regulation'.

Mr Brokenshire interjecting:

The Hon. M.J. ATKINSON: If the member for Mawson thinks that is retrospective legislation, he is very delicate about retrospectivity.

The SPEAKER: Order! The ventriloquists in the opposition will cease.

The Hon. M.J. ATKINSON: A fortification removal order is directed at the occupiers of the fortified premises. It requires the occupiers, rather than the owners, to remove or modify the fortifications. This is considered preferable to directing the order against the owners, as it is the occupiers (the persons who occupy or have control of the premises) who may or may not be the owners who derive benefits from the fortifications. They are the ones whose criminal activities are protected by the denial of police access.

A fortification removal order must be served personally or by registered post on the occupiers and the owners of the premises. However, if formal service is not possible, it should be sufficient for the Commissioner to cause a copy of the order to be affixed to the premises at a prominent place at or near the entrance. The new provisions will provide the occupiers or owners of the premises with the right to object to the order by filing a detailed notice of objection with the Magistrates Court. On the hearing of a notice of objection, the court must review the evidence presented by the Commissioner and the person objecting and determine whether, on the basis of the evidence, the grounds for making an order are satisfied. The court will be authorised to confirm, vary or withdraw the order. In addition, both the Commissioner and the objector will have a right to appeal the decision of the Magistrates Court on a notice of objection to the Supreme Court. An appeal lies as of right on a question of law and, with permission of the court, on a question of fact.

Where a fortification removal order has not been complied with, and all objections and appeal rights exhausted, the Commissioner is authorised to cause the fortifications to be removed or modified to the extent required by the order. To defray the costs associated with enforcing an order, the Commissioner may seize or dispose of anything that can be salvaged in the course of removing or modifying the fortification, the proceeds of which are forfeited to the state. The Commissioner may recover any additional costs as a debt from the person who caused the fortifications to be constructed.

In the event that the owner of the fortified premises is an innocent party, in that they are not responsible for the construction of the fortifications, they will be able to recover the reasonable costs associated with repair or replacement of property damaged as a result of the enforcement, or a removal order, from any person who caused the fortifications to be constructed.

There may be considerable regulatory impact on local government and those who wish to obtain approval for development as newly defined. Confining the definition of 'fortification' has been a difficult task. The aim has been to make the definition wide enough so that it is not easily evaded by those who have a mind to do so, yet not so wide that legitimate security for homes and businesses will be caught in the net. The government has, therefore, taken the unusual step of tabling a consultation draft of the bill in parliament. This has been done to ensure that stakeholders, in particular local government, have an opportunity to review the legislation and provide comments to the government. Although the government is committed to fulfilling its election promises, it has no intention of doing so in a manner which shuts stakeholders out of the decision-making process. The government would ask that stakeholders provide their comments by the end of January. The government also wishes to place the opposition and Independent members on notice of its intention to introduce the bill, amended where appropriate, to take account of the comments it receives early in the new year and seeks their cooperation in assisting the speedy passage of the bill.

Mr Brokenshire interjecting:

The Hon. M.J. ATKINSON: I note with gratitude the indication from the member for Mawson that the opposition will be supporting the proposition, and I thank them for their support in the recent past.

The Hon. R.G. Kerin interjecting:

The Hon. M.J. ATKINSON: Yes, as long as we are tough enough.

The Hon. R.G. Kerin interjecting:

The Hon. M.J. ATKINSON: I thank the Leader of the Opposition for his indication of support. I seek leave to table a consultation draft of a bill for public comment.

Leave granted.

REGIONAL IMPACT STATEMENTS

The Hon. J.D. HILL (Minister for Environment and Conservation): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: In question time today, the member for Davenport asked me a question relating to regional impact statements, and I have sought advice on the matter. The honourable member referred to a question I answered in parliament in, I think, July this year regarding whether or not a regional impact statement had been completed concerning a cabinet submission about crown lands. That was my recollection at the time and, in a general sense, I think that was the truth: that is, there was no broad-based impact statement. However, to be 100 per cent clear, on the face of the cabinet submission there does appear the following words, 'Regional impact statement: some limited financial

impact because most crown leases are located in regions'. That was apparently written on the docket. I doubt that anybody would see that as a regional impact statement. There was no broader-based regional impact statement within the cabinet submission itself. So, if that is misleading the house, I do apologise. However, I think I was probably accurate in July when I said that there was no regional impact statement.

HF RADIO SYSTEM

The Hon. M.J. WRIGHT (Minister for Transport): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. WRIGHT: Last Wednesday, 27 November, in response to a question by the member for Flinders about marine radio, I referred to a letter I had written to the federal Minister for Transport, the Hon. John Anderson, which in fact I did on 20 September. In my response, I stated that a copy of that correspondence had been provided to the member. The member subsequently made a grievance the following day indicating that she had not received from me a copy of the letter that I had sent to the Hon. John Anderson. Although I had not made that specific statement, I understand that the member could have taken it to mean that. Further, at the time of writing to John Anderson, I had instructed my staff that the member be provided with a copy of the letter, and I sincerely believed that to have occurred.

On checking records in my office, I can find no written record of it having been provided direct to her and, therefore, I extend to her my apologies for that oversight. I believe that the member also indicated that she did not have a copy of the reply from John Anderson, so I have arranged for a copy to be provided to her. I regret that the member believes that she was misrepresented, and it was certainly not my intention to do so.

GRIEVANCE DEBATE

DROUGHT

The Hon. R.G. KERIN (Leader of the Opposition): Today, with the questions not answered in this place, we are left in no doubt that this government has failed our drought affected farmers in South Australia. Again, we have an example of the government's rhetoric not being matched by its actions. The only trouble this time is that the government's incompetence has resulted in the farmers worst affected by the drought missing out on much needed fortnightly income relief. For all its rhetoric on drought assistance, the Rann government has failed the most basic test, that is, to apply for exceptional circumstances funding. Recently, a ministerial statement by a minister in another place was tabled in this house. Today, I was going to ask why drought had not been declared in any areas of South Australia but, because I thought I would not get an answer anyway, I let it go through. However, the minister in the other house actually pointed out that he has declared drought in these two areas, but only for federal assistance. He said:

> I have formally endorsed the areas proposed in the applications to be in drought for the purposes of exceptional circumstances. I have done this on the predication that such a declaration does not infer any other commitment to this state nor will be used in any other manner than in meeting the commonwealth's requirements.

So, when it comes to the commonwealth it is a drought but, in respect of the state government's commitments, it is not a drought. So, I do not know what we have here. We have a drought which is not a drought if we are talking about the state, but it is a drought if we are talking about the federal government. That is an absolute cop-out. I was going to ask that question earlier because the lack of a declaration of drought has greatly hindered the federal government's ability to make a prima facie case for drought in some areas of this state.

Whereas the other states have already successfully applied for exceptional circumstances funding, enabling their farmers to access immediate income relief, the Rann government has been concerned with the media stunts and last week blaming the federal government for not being committed. The federal government has committed $350 million; the state government, $5 million. They cut $20 million and gave back $5 million. We do not know how much of the $5 million has been spent, but we suspect that it is not much, yet the government is saying how wonderful it is when it comes to drought. The net effect is that our farmers who are worst affected by the drought have missed out on nearly three months of fortnightly income assistance.

About three months ago, the Premier told South Australians that he was fast-tracking the exceptional circumstances assessment process, yet here we are today, three months down the track, and Canberra gets an application for exceptional circumstances. Clearly, that is not good enough. Those farmers in the state who are suffering through one of the worst droughts in the state's history have every right to feel let down. It is another example of the government's growing preference every time for spin rather than any substance in what it says. While the Premier was looking for photo opportunities in the drought affected areas, his ministers did not bother to put in the application for emergency assistance.

Today, we also reveal that the Rann government's failure to officially declare South Australia as drought affected has seriously impeded federal efforts to establish a prima facie case. This is a government that is not prepared to dot the i's and cross the t's. It is only interested in the five second media grab at the end of the day. But it is the struggling farmers in our drought affected regions who are bearing the brunt of this incompetence. This is the same Premier who criticised the Prime Minister, as I said, last week, on the same day that the Prime Minister put out $350 million for drought relief.

The Premier has in the past pledged his commitment to practical solutions and risk management strategies to prepare for drought. In a ministerial statement only days after returning from a tour of the drought affected areas he stated:

> They told me they were not looking for hand-outs. Many of the farmers are trying to improve farming practices and to employ different methods to decrease the impact of drought.

That was a statement with which I agreed straightaway. That sounds fine in theory, but what is actually being done for farmers? The government has cut the funding to the Department of Primary Industries and Resources by about $20 million. It has cut FarmBis, which is about teaching farmers to cope and to be better managers right through, putting them in a much better position to handle drought. It has cut 40 positions from Primary Industries and SARDI, the very offices that work on the type of issue that was identified by the Premier and me as the best way in which to help the farming sector in this state.

I find it both astonishing and hypocritical for the government to slash funding from the very organisations which have the role of assisting farmers, and still claim that it is helping

drought affected farmers. The reality is a net cut of $15 million to the farming sector at a time when they can least afford to have those cuts. But most damning were the comments of the Minister for Primary Industries, who admitted that further cuts may be necessary to fund the so-called drought package.

HEALTH REVIEW

Ms THOMPSON (Reynell): My comments today relate to the important community consultations that are being held in relation to the generational health review. I was quite interested last week when the Deputy Leader of the Opposition asked a question about the generational health review community forums. I thought he was checking whether one was to be held in his electorate. I am not sure whether one was held in Victor Harbor, but I certainly know that about 60 have been held throughout the state and that the community of the south very much welcomed the forum that was held in Noarlunga on 25 November. The discussion and debate at that forum was very encouraging and very lively. About 40 community people took part, and they were really committed to seeing improvements in our health system.

It seemed to me that it would help the house in its consideration of the reforms that will come out of the generational health review to have some understanding of the types of issues that were raised at the Noarlunga community forum, because I understand that not many members have had the opportunity to attend community forums—because the process has been so vigorous, many forums have been held at times when parliament was sitting.

The community members present were really astounded to hear that 70 per cent of the current budget for health goes on hospitals that are used by only a small proportion of the community—about 12 per cent in any one year. While these people recognise that at some time that might include them, they saw great benefit in focusing more of the health budget towards the development of a healthy community. People were putting up their hands very quickly indeed, ready to talk about the need for healthy lifestyles to be inculcated into our schools, to be part of the support that we provide to parents in the early years of their child's life and to be part of what goes on in the workplace. They were particularly concerned that we address the issue of sport and nutrition in schools. One parent was concerned that they had recently been asked about the instalment of a Coca-Cola machine in their child's school. Now, coke is a fine product in its place, but that place, we would think, is not in schools, which are trying to assist young children to develop an understanding of good nutrition. So, that area received a lot of support from the community members present.

They also focused on the crucial role of transport in providing for a healthy community, and recognised the role that volunteer transport services, as well as the public transport system, provide in enabling a lot of vulnerable members of our community to access the services that are available, and how some of the health promotion and health prevention initiatives that exist are not available to those who cannot easily get to them. They saw the value of community organisations—particularly the local community centres and neighbourhood centres—engaging in health promotion activities, and recognised that these centres provide incredible value for the community (as do many other community groups which have a particular interest in an area of health), and that they provide services which are very much tailored to the needs of the local community. They also saw the value of health support groups, particularly support groups for self-management of people who are experiencing chronic conditions—and some of the information that was provided at the forum was about the extent to which chronic health conditions are now a major health issue, and how we survive a lot of incidents which, 20 years ago, we did not. Often we have to really adjust our lifestyles afterwards to deal with those conditions, and community-based support is very important in this respect. These people want more focus on cooperation with employers to develop healthy lifestyles, and they see the workplace as a really good place, again, for allowing good nutrition practices to be demonstrated, for there to be opportunities for exercise and opportunities for screening programs.

TOURISM MINISTER

Mr HAMILTON-SMITH (Waite): I rise to point out to the house that the Minister for Tourism was clearly wanting this afternoon in her response to a question about whether or not she stood by her rather unwise remarks in parliament when she described her own department as 'dysfunctional and not entirely focused on the fact that they were bringing tourists to South Australia'. Her criticisms extended to the Adelaide Convention and Tourism Authority, a body that represents about 277 industry tourism stakeholders in the hospitality, local government and private and public sectors. Basically, the minister stood up in the house last Thursday and rubbished her own department and the tourism industry, calling them dysfunctional and accusing them of not being focused on tourism.

That was a remarkable statement from a minister who has been at the helm since March and who, one would expect, at this stage, would be setting out a vision, building relationships and linkages, strengthening and encouraging her own department and promoting and networking with the industry. To stand up and launch a full-scale assault on her own department and say that it is not doing its job and inferring a level of incompetence and lack of focus, and then to repeat that against the very industry that she is there to champion, seems to me not to augur well for the future, particularly for the future of tourism during 2003 and beyond. They were silly remarks to make in the house. I think that the minister should come back in here and retract those words. She should admit that they were silly remarks to make and indicate her strong support for ACTA and AME—something that she refused to do in answering the question today. I assume that the minister stands by the remarks she made last Thursday.

AME is an outstanding organisation. It has successfully run a number of major events—most recently, the Year of the Outback. We have the Jacobs Creek Tour Down Under coming up, the tennis and so many major events that have attracted thousands of tourists to this state. In the brief time I was minister I saw that ACTA similarly is energetically out there championing the cause of South Australian tourism and promoting this state, actively getting conventions to this state and feeding them into the hotels, convention centre and tourism businesses in Adelaide and also in the regions. Having attended the AGM of ACTA, I saw a group of most dedicated people from right across the industry focused on getting an outcome for the state. If only that was repeated by the minister. It was a silly, silly remark to make. I will say a few things to the minister. My job as the opposition spokesperson is to ask the right questions on behalf of the industry and to ensure that the minister is doing her job. My comments

are not meant as personal attacks, but they are professional criticisms. We are in opposition; our job is to keep the government on its toes. I note with concern the minister's tendency, reflected in *Hansard*, to respond with personal invective and attacks, which are totally uncalled for.

I note that I am not the first to make this observation. I have in front of me a transcript from the *Advertiser* of 26 March 1999 where her now colleague the member for Elder was reported as pointing out to the house that the now member for Adelaide was acting like her royal highness. He then went on to say that he felt that the then lord mayor thought that 'no-one is quite as clever as she is'. He went on to condemn the member for Adelaide for thinking that everybody else is a mug. Those sorts of personal attacks—and I do not welcome them from the member for Elder any more than I do from the member for Adelaide—are simply unproductive. Let us stay on the job, and the job is to promote tourism. I urge the minister to come in here, rectify her remarks, indicate her support for AME and ACTA, get behind them and promote the industry. Get behind the five year plan, reinstate the $16 million that has been cut from tourism, set out a vision for the future, build relationships with the industry and within her own department to make that vision a reality and rescue the industry from its current hiatus. It is wobbling around, still trying to recover from 11 September and the collapse of Ansett, with no clear guidance. The government had no policy coming into the election; it still clearly has none. Get on with the job.

ASBESTOS VICTIMS

Ms BEDFORD (Florey): On Friday 29 November at 11 o'clock the Asbestos Victims Association Incorporated held its first Asbestos Awareness Day at the Pennington Gardens near the Adelaide Oval, and I had the honour of representing the Premier and laying a wreath with the member for Colton, Mr Paul Caica, in honour of the workers who had died as a result of exposure to asbestos. In other states they have an Asbestos Awareness Week, but South Australia's association has been in operation for only two years, so next year they are hoping to have a full week of awareness of the insidious, disease causing substance. All South Australians should be made aware of the dangers of asbestos, and I will put a few of those on record here today. It continues to be the single biggest workplace killer in Australia. It is not a dramatic killer; unlike other workplace deaths, it is a slow and quiet killer. It affects not only the workers themselves but sometimes the family of the worker: the wife who washes the work clothes or the family who breathe in the dust that is shaken from them. It is insidious and has very long latency effects.

There are two prongs in the attack on asbestos. One is to ensure that those who have been exposed in the past get justice, and we must also be vigilant to ensure that asbestos is removed from every workplace, home and public building and is never used in construction of new buildings. It is internationally recognised that there is no safe level of exposure to asbestos. In fact, asbestos fibres are found everywhere in the environment, because of its widespread use in brake linings and construction materials. Asbestos fibres from some old roofs can end up in rainwater tanks, although ingestion of fibres is not considered a health risk. The principal concern with asbestos is through inhalation. Asbestos is known as a lethal carcinogen and is given specific attention in workplace regulations. The best known of the chemical hazards in workplaces, asbestos is one substance which is internationally recognised to have no safe level, and 40 000 new cases of asbestos related disease are expected to occur in Australia by 2020 unless there is effective intervention.

A partial response to the challenge of controlling the expected increase in these diseases is to strengthen the regulations concerning asbestos. In particular, and in recognition of there being no safe level of exposure, a licensed removalist should be required for the removal of any amount of non-friable or friable asbestos, and asbestos removal at any given site should be regarded as one job for the purposes of determining a licence requirement. The UTLC is aware of many breaches of the asbestos regulations and also recommends that, given the insidious nature of this substance and associated disease processes, a licensed person should be on site at all asbestos removals and that workplace services inspectors experienced in asbestos removal make regular and frequent visits during removal operations. Failure by the licensee to adhere to the regulations should result in the loss of a licence.

It is not acceptable for inspectors to be haphazard about the issue of asbestos, and it is not acceptable to have flexible and vague enforcement of penalty processes. The UTLC recommendations are indeed part of an ongoing process, and I was able to relay to those present on the Premier's behalf that the issues have already been carefully considered by the Asbestos Advisory Committee, which includes employer and union representatives. Recommendations from that committee have been forwarded to the occupational health and safety review. The state government is committed to improving the health and safety of employers and employees and the general public of South Australia and will continue to raise awareness of insidious occupational diseases and prevent and control exposure to asbestos.

Janet Giles addressed the people present. In her address she reiterated the union movement's continued pressure on both government and business to do as much as they can and take action wherever possible to promote the safety of workplaces and the removal of asbestos wherever it is identified. The review of the occupational health and safety act currently being undertaken gave them an opportunity to feed into that process, and I know that Janet and everyone at the UTLC will be doing all they can to make sure that workers' safety is paramount. She also expressed, as did I, thanks to the Asbestos Victims Support Association for its excellent work in supporting victims and their families. She also paid special tribute to Jack Watkins, well known to us on this side for his continued passion and knowledge in this area.

CHINESE LANGUAGE STUDY

Mrs HALL (Morialta): Today I pay tribute to and compliment a group of people in South Australian schools who are teaching students to speak Chinese. I thank the sponsoring organisations and in particular congratulate the many winners. I recently attended the presentation of awards for the study of Chinese as a second language at the Adelaide Town Hall, which I might say was packed with students, families and friends and a number of representatives from the various schools. This annual event has for the past seven years been sponsored by the Chinese Chamber of Commerce, and just three years ago the Australian Chinese Medical Association joined in as a co-sponsor. The event was hosted

by the Lord Mayor, Alfred Huang, who also presented for the first time the Lord Mayor's Award to the high school with the highest enrolment of students studying Chinese as a second language. The winner this year was Salisbury East High School.

The Chinese Language Teachers Association numbers about 40 dedicated teachers. It was formed in the 1980s with the main objective to promote and encourage the learning of Chinese as a second language. They are certainly doing an impressive job, as the diverse number of schools involved in teaching Chinese with student numbers of more than 100 includes Pembroke School, Prince Alfred College, St Michael's College, St Peter's College, Salisbury East High School and William Light R-12. In addition, 23 high schools and 21 junior primary and junior schools are involved. A number of speeches were made during the evening, including magnificent presentations by two student winners from last year who had spent time in China furthering their language and educational skills. Both students passionately promoted the opportunities and advantages that they believe their second language skills would provide them in their future career endeavours.

One of the surprising points that came out of the evening was raised by the President of the Chinese Chamber of Commerce, Bernard Khut, who said that less than 5 per cent of Australian university students have a second language, and that figure compares most unfavourably with a number of other countries. The speeches contained, as you can imagine, the constant theme of the importance and opportunities that exist for students who have another language, and on this occasion clearly that focus was on Chinese—and why would it not be?

With a nation of more than 1 billion people, Australia's ongoing good relations with China have unlimited opportunities for us in a number of areas; and I raise three areas, in particular, namely, tourism, education and trade. I was privileged to travel to China in August 2000, just after Australia was granted approved destination status. A number of statistics available in a tourism sense already provide an indication of the immense possibilities. Mandarin Chinese is spoken by more than 1.12 billion people in five countries compared with English at 480 million in 115 countries, followed by Spanish at 320 million in 20 countries. The projections from the ACT indicate that tourism from China has grown by 30 per cent in the last decade, with the projected figure for this year at 220 000, with leisure-based visitors accounting for 40 per cent of this figure and business, technical and education making up the rest. Certainly there are enormous opportunities for our state, particularly with visitors out of Beijing, Shanghai and, particularly, Guangdong province where the southern tourists have a particular focus on food; they say they like eating, drinking and having fun. In addition, our parks, beaches and general Australian outdoor experiences are most important to the Chinese.

I conclude my remarks by saying that there is so much more on this subject that we all can think about. I pay tribute to the extraordinarily important work done by our educators, in particular, Thai Choong and the Chinese Language Teachers Association for the magnificent work, commitment and results they are achieving; the Chinese Chamber of Commerce; and the Australian Chinese Medical Association for their strong support in making our students in this state China-ready. It is said by many of our educators and professionals that today our students have to be multiskilled. I strongly support that perspective but, in addition, add the importance of being bilingual, because if both these skills can be achieved our students' opportunities are just endless.

Time expired.

REFUGEES

Mr HANNA (Mitchell): I want to speak about three related matters today. Certainly, I want to deal with the draft refugee policy, which federal Labor MPs have been discussing; I want to touch upon the children overboard affair; and I want to say something about a rally at which I spoke on the weekend. Just a few days ago I spoke at an anti-war rally, and I am pleased to report to the house that it was well attended. Following many telephone calls of support to my office from people, not only within but also without the Labor Party, I have no doubt there is tremendous community support for peace and restrained behaviour when it comes to the US prosecution of a war against Iraq. It is always the people who suffer the most and they always have the least to say about the decision to go to war.

Closer to home, I raise the issue of the children overboard incident. It has not been adequately aired in this parliament or in our community. I want to say a few words about it. A Senate select committee on a certain maritime incident tabled its report on 23 October this year, after eight months of receiving evidence and deliberating. The evidence made it very clear that, about a month before the assertion that refugees had thrown their children overboard into the Indian Ocean, the defence minister had received categorical reports that indicated there were doubts about children having been thrown overboard, and about the same time the Prime Minister and/or his office had received numerous reports indicating serious doubts about children being thrown overboard. In other words, what we have is a case of the most senior politicians in the nation being willing to misrepresent the truth publicly for political advantage.

That whole affair, of course, blew up during the federal election in 2001—an election finally held on 11 November and won comfortably by the Liberal Party under the leadership of John Howard. Unfortunately, the children overboard incident and the animosity it stirred up in the community against refugees was an integral part of that election campaign. Prime Minister John Howard ruthlessly took advantage of that animosity, and he ruthlessly took advantage of the climate of fear which he and his ministers helped to create. In relation to the allegation that refugees had thrown their children overboard, they had the information at hand which disproved the assertion, or at least cast serious doubts over it, yet they kept silent and allowed the lie to be perpetrated in the Australian community that refugees had behaved reprehensively. They stand to be condemned. It is extraordinary that they can get away with it.

Federal Labor MPs have come out with a draft refugee policy, which I find grossly disappointing. I humbly call upon them today to rewrite that draft policy because so much of it seems to be based on political expediency rather than principle. It is a slap in the face to the South Australian branch of the Labor Party which just six weeks ago came out with a comprehensive and much more humane policy. For example, I strongly adhere to the position that no asylum seekers should be kept in prison unless their initial security and health assessment is adverse. There are some good things about it. I have not time to analyse it closely today, but to me it is the most significant moral issue facing Australia today.

I believe that if we do not get this right, we can give up all claim of being a Christian nation.

HYDROPONIC EQUIPMENT

The Hon. M.J. ATKINSON (Attorney-General): I move:

That the National Competition Policy Review Report on the proposal to license hydroponic equipment retailers be published in accordance with section 12 of the Wrongs Act.

Motion carried.

PARLIAMENTARY COMMITTEES (FUNCTIONS OF ECONOMIC AND FINANCE COMMITTEE) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) obtained leave and introduced a bill for an act to amend the Parliamentary Committees Act 1992. Read a first time.

The Hon. I.F. EVANS: I move:

That this bill be now read a second time.

In so moving, I make a short contribution as a form of second reading explanation to this bill. Since the February 2002 election, I have had the pleasure of being on the Economic and Finance Committee. It has come to my attention that, under the Parliamentary Committees Act as it currently stands, the Economic and Finance Committee is, in effect, not able to inquire into statutory authorities. This occurs because of changes made to the Parliamentary Committees Act under the previous government, moved by the Hon. K.T. Griffin in another place and supported by the parliament when the Statutory Authorities Review Committee was established. When that committee was established, it was not necessarily the intent of the parliament that the Economic and Finance Committee would be prevented from inquiring into a whole range of matters in relation to statutory authorities. There was clearly some concern about duplication, but I do not think it was ever the intention to say that the Economic and Finance Committee simply could not address any matter in relation to statutory authorities.

On my reading of the Parliamentary Committees Act, it is clear that it could be interpreted—and, indeed, as I understand it from my advice, it is being interpreted—to mean that the Economic and Finance Committee cannot deal with matters in relation to statutory authorities. If that was the interpretation applied throughout the previous government's regime, then most of the more controversial reports delivered by the Economic and Finance Committee simply would not have been able to be undertaken. The committee clearly had a broader brief under the previous regime than it might be given if the act is so strictly interpreted to mean that it cannot undertake investigations into statutory authorities.

This bill is very simple in that it attempts to amend the Parliamentary Committees Act 1991 by deleting from section 6A(3) of the act the words '(other than a statutory authority)' which occur twice in that provision. This would allow the Economic and Finance Committee to inquire into matters relating to statutory authorities. Obviously, if that amendment was carried, there would have to be some coordination between the committees so that there was not straight-out duplication between the committees.

As members of parliament in both houses, we are mature enough to sit down and make sure that our references do not cross over each other and duplicate the effort, if you like. It is clear that the parliament's Economic and Finance Committee has always been seen as a committee that has had the broadest brief. It is commonly known within the corridors as the 'all-powerful Economic and Finance Committee'. However, if the act is strictly interpreted, the opportunity for the Economic and Finance Committee to investigate a whole range of matters in relation to statutory authorities would be hampered. So, I put to the council and say to the government that this is a very simple amendment. If the government wished to progress this matter quickly by taking over this bill, then I am relaxed with that. I make that offer to the government: if it wants to rush this bill through so that the Economic and Finance Committee can go about investigating those matters it wishes to investigate more quickly, I am open to talk to the government about that issue. I will not hold up the council any further on this bill, which is self-explanatory. I seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Amendment of s. 6—Functions of Committee

Section 6 of the Act contains provisions relating to the functions of the Economic and Finance Committee. Under section 6*(a)*(iii), the Committee may inquire into, consider and report on—

- matters concerned with the functions or operations of a public officer, State instrumentality or publicly funded body; or
- whether a public office or State instrumentality should continue to exist; or
- whether changes should be made to improve efficiency and effectiveness.

The provision currently prohibits the Economic and Finance Committee from inquiring into matters relating to statutory authorities.

This clause amends section 6 by striking out from section 6*(a)*(iii) the words '(other than a statutory authority)', which occur twice, so that the Committee is no longer prohibited from conducting inquiries into matters relating to statutory authorities.

Mr HANNA secured the adjournment of the debate.

INDUSTRIAL AND EMPLOYEE RELATIONS (PROHIBITION AGAINST BARGAINING SERVICES FEE) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) obtained leave and introduced a bill for an act to amend the Industrial and Employee Relations Act 1994. Read a first time.

The Hon. I.F. EVANS: I move:

That this bill be now read a second time.

We believe that this is an important bill for the house to consider. It is important because it has significance for the business community in South Australia. It will be one of the first tests of the government's resolve in relation to standing up to the unions and putting on record a view about industrial relations. This bill seeks to ban unions from charging non-unionists bargaining fees for services undertaken by the union but not requested by the non-unionists. So, if a union negotiated a particular outcome, it could not serve or seek a payment from a non-unionist who might benefit from that outcome.

We move this bill—and I think I am right in saying this—because in 1999 the Victorian Electrical Trades Union inserted a clause into its federal agreement which, for the first time, introduced the concept of a bargaining fee for non-

union members. The employee organisations indeed are so concerned about this concept that they, in conjunction with the federal minister, as I understand it, are now progressing this matter through the courts or have indicated publicly their intention to take this matter through the High Court if necessary and fight this cause.

As I understand the interstate example, the courts have found that, even though the clauses breach the principle of freedom of association, they are indeed not illegal. So, action is about to go before the High Court—indeed, it may even be before that court now—and is being brought by the federal minister and employer organisations that will appeal the legality of the clauses. Indeed, as I understand it, the federal government itself has moved legislation to ban these clauses in federal agreements, and the matter is still stalled in the Senate and has been marked a bill of high priority by the Prime Minister.

For those in the house who are unaware of how the bargaining fee principle works, the bargaining fee is usually levied at around $500. It is usually significantly higher than the yearly union membership fee. Of course, the unions will claim that the fees are justified, as they are basically a fee for service and are charged when a non-union member employee benefits from an agreement negotiated by the union. To some that may sound logical. However, in reality, in relation to industrial laws, the parliaments have not been successful in agreeing to giving the employees the opportunity to choose the bargaining option. Simply put, if a non-union employee benefits from an agreement negotiated by the union, the fee will be required to be paid. However, the union movement refuses to allow the employee the choice. In other words, it is a captive audience and the employee does not have the right to individually negotiate, so the union negotiates, even though the employee may not want the union to negotiate. The union then sends the employee a $500 bill for the negotiation fee. They also might hint that the union fee is only $200 and that it might be cheaper for them to join the union. That, of course, is compulsory unionism by stealth. Most people faced with a $200 bill to join the union or a $500 bill as a bargaining fee would take the $200 to save $300, so it is a straight commercial decision and not one of great support for the union movement.

We come to this argument based on the principle of freedom of association, and that is that the non-unionist or employee who has not sought out the union to undertake the negotiations or enterprise bargaining agreement on their behalf should not be sent a bill by the union. Why should anyone be sent a bill by an organisation that they have not asked to undertake a service on their behalf? We argue that this bill will make it very clear within the South Australian law that bargaining fees are illegal and cannot be charged.

I note with interest that the Stevens report released by the government mentions bargaining fees and basically says that it will put them on hold until the arbitration and court cases are resolved. We do not see the issue as being that complex. We see no reason to wait for the court case to be resolved. If the government does not believe in bargaining fees, then support the legislation; bring in the law that makes them illegal. If it does believe in bargaining fees, it does not need to wait for the court case: it can come in and say. 'As a philosophy, we believe people can be charged for a service they have not requested and can simply argue that.' By deferring it to the committee it really shows that the government has yet to receive its instructions from the union movement as to what its response should be to the Stevens report—not only the report generally but to the report specifically in relation to bargaining fees.

It is interesting to note what Bob Carr said about bargaining fees—and I know this will interest you, Mr Acting Speaker, because of your great interest in New South Wales Labor politics. When Bob Carr was asked about bargaining fees he said, 'You can't put a tax on other members of the work force and the state cannot require the collection of union fees from non-unionists.' It is pretty clear where Bob Carr stands in relation to this issue: he is anti bargaining fees. There is an opportunity here for the government to come out and display some positive initiative and direction on industrial relations. The parliament will not get any direction from the government in relation to industrial relations until at least March or April next year. At least one year of the government's term will go by and the business community still will not know necessarily where the government stands on industrial relations.

We argue that this bill helps protect people's freedom of association and people's right to choose, and properly sets out the appropriate balance and the way this issue should be handled in South Australia. We believe that bargaining fees should be banned in the South Australian environment. I make clear that the Liberal Party supports and accepts the role unions play within the work force, as we do the Employee Ombudsman. We also support choice and back people's ability to choose. We believe that those currently within government should also support this legislation and join with us to back people's ability to choose. We think that to support the concept of bargaining fees and vote down the legislation would be a retrograde step.

One would ask why the unions have resorted to this tactic. It is obvious to everyone. The union movement's membership has been on the decline for some years now—I think less than 20 per cent of the work force is involved with the union movement. It is looking for innovative ways to recruit new members to the union work force and, by applying bargaining fees at a substantially higher rate than the union membership fee, that provides the union movement with an ideal way to bring in compulsory unionism by stealth. We will be seeking government and other members' support in relation to bargaining fees. It is sensible for South Australia to state in its laws that bargaining fees are illegal. I seek leave to insert the detailed explanation of the clauses in *Hansard* without my reading it.

Leave granted.

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides that the measure will come into operation one month after the day on which it is assented to by the Governor.

Clause 3: Amendment of s. 4—Interpretation

This clause amends the interpretation section of the Act by inserting two new definitions. 'Bargaining services' are services provided by or on behalf of an association in relation to an industrial dispute, an industrial matter or an industrial instrument. A 'bargaining services fee' is a fee payable to an association (or someone in lieu of an association) wholly or partly for the provision of bargaining services.

Clause 4: Amendment of s.79—Approval of enterprise agreement

Section 79 contains provisions relating to the approval of enterprise agreements by the Industrial Relations Commission. This clause inserts a new subsection that prevents the Commission from approving an enterprise agreement if the agreement requires payment of a bargaining services fee.

Clause 5: Amendment of s. 115—Prohibited reason

This clause amends section 115 of the Act by adding to the list of prohibited reasons for discrimination by an employer against another person the fact that the person has not paid, or has not agreed to pay, or does not propose to pay, a bargaining services fee.

Clause 6: Insertion of Chapter 4 Part 4 Division 1A

This clause inserts a new Division into Part 4 of Chapter 4 of the Act. Part 4 contains provisions generally applicable to associations.

DIVISION 1A—PROHIBITION AGAINST BARGAINING SERVICES FEE

139A. Association must not demand bargaining services fee

An association (or an officer or member of an association) must not demand payment of a bargaining services fee from another person. The maximum penalty for this offence is a fine of $20 000.

This prohibition does not prevent an association from demanding or receiving payment of a bargaining services fee that is payable under a contract for the provision of bargaining services.

'Demand' is defined to include 'purport to demand', 'have the effect of demanding' and 'purport to have the effect of demanding'.

139B. Association must not coerce person to pay bargaining services fee

An association (or an officer or member of an association) must not take, or threaten to take, action against a person with the intention of coercing the person (or another person) to pay a bargaining services fee or enter into a contract for the provision of bargaining services. The maximum penalty for this offence is a fine of $20 000.

139C. Association must not take certain action

An association (or an officer or member of an association) must not take, or threaten to take, action that has the direct or indirect effect of prejudicing a person in his or her employment (or possible employment) for the reason that the person has not paid (or has not agreed to pay or does not propose to pay) a bargaining services fee. An association is also prohibited from advising, inciting or encouraging a third person to take such action. The maximum penalty for this offence is a fine of $20 000.

139D. Certain provisions void

A provision of an industrial instrument requiring payment of a bargaining services fee is void to the extent of the requirement.

139E. False or misleading representations about bargaining services fees

A person must not make a false or misleading representation about another person's liability to pay a bargaining services fee. The maximum penalty for this offence is a fine of $20 000.

Mr SNELLING secured the adjournment of the debate.

MOTOR VEHICLES (EMERGENCY CONTACT DETAILS) AMENDMENT BILL

The Hon. I.F. EVANS (Davenport) obtained leave and introduced a bill for an act to amend the Motor Vehicles Act 1959. Read a first time.

The Hon. I.F. EVANS: I move:

That this bill be now read a second time.

There is a sad tale to this bill, because it results from an inquiry from a constituent who wrote to me about the unfortunate death of his son and the trauma his family was put through as a result of that event. It is at that family's suggestion that this bill is now introduced in the house. My constituents wrote to me stating that their son had been involved in a motor vehicle accident only a few kilometres from their home and only a few kilometres from the son's home, where he lived alone. The accident was a very serious one and the authorities took some 16 hours to contact the parents about it. Regrettably, the son passed away some days later as a direct result of the accident.

The father wrote to me on behalf of the family about a whole range of issues concerning that accident, which I am taking up through other channels rather than on the floor of the house. He asked me why it takes 16 hours for the authorities to contact the family or friends of an accident victim. The suggestion was made to develop a system whereby a name and telephone number of a family member or friend was placed on the back of the driver's licence so that, if a person was involved in an accident, the authorities, when they attended the accident scene, would have immediate access to a contact number and name, as a result of which the time frame would be shortened dramatically.

Obviously the authorities would not ring the contacts and say, 'Your family member or friend has been in an accident. Come to the accident scene.' Commonsense would dictate that they would say, 'Your family member has been involved in an accident and they are going to such and such a hospital or medical facility.' Obviously, having family members attend an accident scene would create all sorts of management difficulties and emotions—as we could imagine.

This bill simply provides a voluntary option for members of the public to have placed on the back of their licence a name and contact telephone number for either a family member or a friend which can then be used in times of emergency; that is the first part of the bill. The second part of the bill relates to blood group, that is, having the option of putting a blood group on the back of one's driver's licence, so that, again, if you are involved in an accident, it gives the authorities forward warning of the blood type involved. If there is a bus turn-over and there is a large group of people then, especially in remote areas, it gives advance warning of the blood groups required. That suggestion was made to me by others when I talked to them about the first part of the bill; others have suggested the second part of it.

Both those issues are voluntary options, so there is no compulsion for people to rush out and change their licences. It is purely an option for those wishing to take it up at the time of changing or gaining their licence. I went into the Transport SA office in North Terrace and asked to have a name and telephone number put on the back of my licence. I know that they have the capacity to put certain conditions on the back of licences, because on the back of my licence I already have a condition about my eligibility to drive an Apex fun train. So, there already is the capacity to have things written on the back of a licence. But, according to them, they did not have the capacity to write a name and telephone number, and that is fine; there is no criticism there. If the parliament agrees to this bill, it basically instructs the government to set up a system that allows that information to be recorded on the back of the licence.

Some people have raised with me issues such as what happens when the name and telephone number on the back of the licence changes. My answer to that is very simple: it is no different to when you change your address. A P-plater or 20 year old living at home with mum and dad has their residential address on their licence. When they leave home at the age of 25 and move into their own flat, or whatever, they might have a 10-year licence, but there is a process where they can go in and change their residential address, when a sticker is placed on the licence. So, all those processes are already in place.

This is a very simple bill, which gives families the opportunity to be notified earlier when either a family member or a friend has found themselves in a spot of trouble. It is a sensible amendment, and I wish I had brought it here under different circumstances, as the circumstances relating to this issue are very sad. But it is a good, positive outcome out of what are very difficult circumstances for that family.

I do not wish to delay the house any longer in relation to that issue as it is a very simple initiative, and I hope the government picks it up. If it needs improvement, rather than defeating the measure, I hope the government comes back

and improves it if there is some way in which that can occur. I seek leave to insert the explanation of the clauses 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 that the measure will come into operation on 1 January 2004 unless an earlier commencement date is fixed by proclamation.

Clause 3: Amendment of section 77A—Licences and learner's permits to include photographs and other information

In addition to removing certain redundant words from subsection (1), this clause amends section 77A by inserting new provisions relating to information that may be included on licences and learner's permits.

An applicant for issue or renewal of a licence or learner's permit may request that the name and telephone number of an emergency contact person be included on the licence or permit. An applicant may also request that details of his or her blood group be included on the licence or permit. If such a request is made, the information must be included on the licence or permit.

The holder of a licence that does not include emergency contact details or blood group information may request that such information be included on the licence. If a request for inclusion of this information is made, the Registrar must amend the licence in accordance with the request. The Registrar cannot charge a fee for this service.

If the holder of a licence or learner's permit applies to vary the name or telephone number of the contact person, the Registrar must amend the licence or permit accordingly.

Clause 4: Amendment of s. 136—Duty to notify change of name, address, etc.

This clause amends section 136 of the Act by inserting a new subsection. Under subsection (1a), if the person specified on a licence or learner's permit as an emergency contact person changes his or her name or telephone number, the holder of the licence is required, within 14 days of becoming aware of the change, to notify the Registrar of the person's new name or address.

Mr SNELLING secured the adjournment of the debate.

LEGISLATIVE REVIEW COMMITTEE: TRANSPORT ACT REGULATIONS

Adjourned debate on motion of Mr Hanna:

That the report of the committee, on regulations under the Transport Act 1994—No. 243 of 2001, be noted.

(Continued from 27 November. Page 2027.)

Motion carried.

UPPER SOUTH EAST DRYLAND SALINITY AND FLOOD MANAGEMENT BILL

Received from the Legislative Council and read a first time.

The Hon. J.D. HILL (Minister for Environment and Conservation): 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 estimated 250 000 hectares or 40 per cent of productive farmland in the Upper South-East have been degraded by salinisation caused by high groundwater levels and flooding and a further 200 000 hectares including approximately 40 000 hectares of high value wetlands and native vegetation are at risk. To alleviate this problem the Upper South East Dryland Salinity and Flood Management Program (USE Program) was initiated with four main elements: drainage, vegetation protection and enhancement, saltland agronomy and wetland enhancement and management.

The Program will provide significant environmental, economic and social benefits to the region but the need to negotiate additional funding and gain certainty of access and management of drains and wetlands in the region has meant that the future of the approved scheme is under threat.

Lack of recent progress is partially due to the need to put in place a new funding package. This is currently being negotiated as part of the implementation of the National Action Plan for Salinity and Water Quality arrangements with the Commonwealth Government and Regional Communities. The South East is a priority region for action to address its salinity and water quality issues.

Other factors preventing USE Program progress relate to the lack of specific legislation to enable the promulgation of the Program and difficulties in applying existing legislation that, in part, has allowed land holders to construct and control drainage works and refuse access across their land, together with detrimental implications for upstream land holders, as well as native vegetation and wetland habitats. This has led to the need to initiate this new legislation to enable the Government to effectively deliver the Program for the benefit of all those with a stake in the Program, including local land holders and the broader community with an interest in maintaining the environmental, economic and social values of the region.

The bill proposes a way forward that is transparent to all stakeholders with its provisions only applicable in the Upper South East of the State. A key feature of the legislation is the identification of corridors of land that have been assessed as being required to implement the drainage aspects of the Program. The acquisition of a number of these alignments has already been negotiated with existing land holders, and are identified in Part A of Schedule 1 of this bill. The remaining alignments that will be required to implement the program are identified in plans that have been lodged with the Surveyor-General and are identified in Part B of Schedule 1 of this bill (and will consist of a corridor made up of land to a distance of 100 metres on either side of a defined centre line). All of these alignments are to be acquired at no cost by force of the legislation and vested in the Minister. It is the Government's intent that, when the Project works are complete, any excess land within the 200 metre corridors acquired by this bill will be transferred back to the appropriate party. The non-payment for the acquisition of the project works corridors is a feature of the existing drainage scheme where, with few exceptions to date, land holders have freely donated their land in recognition of the environmental and productivity benefits the drains will provide. Certainty of alignment will enable the drainage component of the scheme to be completed quickly.

The bill also provides control over the drainage works of private individuals to ensure that the Government Drainage Scheme has priority and that private works cannot conflict with the Government scheme. However, complementary beneficial works can be conducted under licence from the Minister.

In recognition of the potential harm that can be caused by inappropriate activities to the regional environment including the RAMSAR-designated Coorong, as well as other major wetlands and native vegetation, the bill enables the Minister to issue a range of orders relating to land management, water management and other activities in the defined Project Region. The bill also proposes significant penalties for offences within the defined Project Area in recognition of the need to ensure that the goals of the Project are not subverted.

The bill provides that existing provisions of the South Eastern Water Conservation and Drainage Act 1992 will not apply to the defined Project Area. Levies raised from land holders under that Act for the purposes of the USE Program will now be raised by the Minister under this new legislation.

The bill gives the Minister the flexibility to initiate negotiations with individual land holders where land holders will be encouraged to offer up biodiversity tradeoffs such as protecting native vegetation under management agreements in exchange for removal or reduction of their drainage levy obligations.

The main object of this bill is to ensure certainty for the Program by providing the Minister with the necessary functions and powers to complete the work of protecting and enhancing agricultural land and the natural environment in the Upper South-East.

The Labor Government is committed to the completion of this important integrated natural resource management program commenced by the previous Government, and considers it vital that this legislation be put in place to provide clarity and underpin rapid progress. The bill has a scheduled review date in four years from the date of proclamation. At this time it is expected the drainage works will be complete but many of the management agreements with

landholders will continue. Other outstanding matters will also need to be addressed at that stage. The review of the legislation will provide an appropriate opportunity to identify the issues that will need to be addressed in the future, in conjunction with the ongoing activities of the South Eastern Water Conservation and Drainage Board. It is envisaged that this bill would be able to be repealed at that time.

The Government looks forward to the support of Parliament in passing this bill as a pivotal means of ensuring the success of the Upper South East Dryland Salinity and Flood Management Program. I commend this bill to the House.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause defines terms used in this bill.

Clause 4: Identification of project and project area

This clause provides that the Governor may, by regulation, establish a scheme to further the objects of this bill. The Upper South East Project, with modifications as thought fit by the Governor, may be adopted and the Governor may set out a scheme for undertaking Project works by the Minister. The scheme may be varied from time to time by the Governor.

The areas of land that are to constitute the Project Area must be described or delineated in the regulations to this bill.

Clause 5: Interaction with other Acts

This bill is in addition to, and does not limit or derogate from, the provisions of any other Act.

PART 2

ADMINISTRATION

DIVISION 1—THE MINISTER

Clause 6: Functions of the Minister

This clause provides that the Minister is to undertake the implementation of the Project, and sets out functions to be adopted by the Minister in doing so, including:

- to provide an effective and efficient system for managing the surface water within the Project Area by conserving, draining, altering the flow or utilising the water in any manner;
- to carry out works for the purpose of altering the level of the water table of lands in the Project Area;
- to undertake initiatives to reduce, and to protect against increases to, salinity levels affecting land in the Project Area;
- to undertake other projects to enhance water conservation, drainage or management within the Upper South East, and the productive capacity of land within the Upper South East;
- to institute or supervise environmental testing, monitoring or evaluation programs within the Upper South East;
- to undertake initiatives to protect, enhance or re-establish any key environmental feature in connection with the implementation of the Project;
- to encourage and assist in the development of environmental management practices and improvement programs in connection with the implementation of the Project;
- to undertake the enforcement of this bill, especially in relation to any action that is inconsistent with the effective and efficient implementation of the Project; and
- to perform other functions assigned to the Minister under this bill.

Clause 7: General powers of the Minister

This clause provides that the Minister has the power to do anything necessary, expedient or incidental to implementing the Project or performing the functions of the Minister under this bill, administering this bill, or furthering the objects of this bill. In doing so, the Minister may:

- enter into any form of contract, agreement or arrangement;
- acquire, hold, deal with or dispose of real or personal property or any interest in real or personal property;
- seek expert or technical advice on any matter from any person on such terms and conditions as the Minister thinks fit;
- carry out projects;
- act in conjunction with any other person or authority.

A "project" includes any form of work, scheme, undertaking or other activity.

Clause 8: Power of delegation

This clause allows the Minister to delegate a power or function of the Minister under this bill. Where provided for in the instrument of delegation, that power or function may also be further delegated.

DIVISION 2—AUTHORISED OFFICERS

Clause 9: Appointment of authorised officers

This clause provides for the appointment by the Minister of authorised officers. Conditions or limitations may apply to the appointment and powers of authorised officers. Identity cards are required to be issued to authorised officers, and an authorised officer must produce an identity card if requested to do so by a person in relation to whom the authorised officer intends to exercise any powers under this bill.

Clause 10: Powers of authorised officers

This clause provides the necessary powers to enable authorised officers to carry out their functions. An authorised officer may, as may reasonably be required in connection with the administration, operation or enforcement of this bill—

- enter any land (except residential premises);
- inspect any place, including the stratum lying below the surface of any land, and water on or under any land, and inspect any works, plant or equipment;
- give directions with respect to the stopping or movement of a vehicle, plant, equipment or other thing;
- take measurements, including measurements of the flow of any water on or under any land or relating to any change in the environment;
- place any markers, pegs or other items or equipment in order to assist in environmental testing or monitoring;
- take samples of any substance or thing from any place (including under any land) or vehicle, plant, equipment or other thing;
- with the authority of a warrant issued by a magistrate, require any person to produce specified documents or documents of a specified kind, including a written record that reproduces in an understandable form information stored by computer, microfilm or other process;
- examine, copy or take extracts from a document or information so produced or require a person to provide a copy of any such document or information;
- take photographs, films, audio, video or other recordings;
- examine or test any vehicle, plant, equipment, fitting or other thing (including any water), or cause or require it to be so examined or tested, or seize it or require its production for such examination or testing;
- seize and retain any vehicle, plant, equipment or other thing that the authorised officer reasonably suspects has been used in, or may constitute evidence of, a contravention of this bill;
- require a person who the authorised officer reasonably suspects has committed, is committing or is about to commit, a contravention of this bill to state the person's full name and usual place of residence and to produce evidence of the person's identity;
- require a person to answer questions;
- give directions reasonably required in connection with the exercise of a power conferred by any of the above paragraphs or otherwise in connection with the administration, operation or enforcement of this bill;
- exercise other prescribed powers.

An authorised officer may exercise a power under this clause to further or enhance the Project Undertaking. An authorised officer may also enter and inspect any place (excepting residential premises) to determine whether a management agreement is being, or has been, complied with.

An authorised officer may be accompanied by assistants where reasonably required.

Subclause (5) provides that an authorised officer may only use force to enter any place or vehicle on the authority of a warrant issued by a magistrate.

Subclause (6) sets out the circumstances in which a magistrate may issue a warrant under subclause (5). A warrant may be applied for either personally or by telephone, and an application must be made in accordance with the regulations.

Clause 11: Hindering, etc., persons engaged in the administration of this Act

This clause provides that a person who:

- without reasonable excuse hinders or obstructs an authorised officer or other person engaged in the administration of this bill; or
- fails to answer a question put by an authorised officer to the best of his or her knowledge, information or belief; or

- produces a document or record that he or she knows, or ought to know, is false or misleading in a material particular; or
- fails without reasonable excuse to comply with a requirement or direction of an authorised officer under this bill; or
- uses abusive, threatening or insulting language to an authorised officer, or a person assisting an authorised officer; or
- falsely represents, by words or conduct, that he or she is an authorised officer,

is guilty of an offence, the maximum penalty for which is a fine of $10 000.

A person is not, however, obliged to answer a question if to do so would tend to incriminate them.

This clause also provides that it is an offence, with a maximum penalty of a fine of $10 000, for a person other than an authorised officer to remove, destroy or interfere with a marker, peg or other item or equipment placed under proposed section 10(1)*(e)* without the permission of the Minister.

PART 3
IMPLEMENTATION OF PROJECT
DIVISION 1—VESTING OF LAND

Clause 12: Vesting of land for drainage purposes

This clause vests all land within a project works corridor in the Minister in an estate in fee simple. All relevant interest in the land are freed and discharged. The Minister may, at any time, enter into possession of that land. No compensation is payable at the time of the vesting of land under this clause, but compensation may become payable in due course under clause 13.

The Governor may transfer any land within a project works corridor to the former owner of the land, the owner of adjoining land or a public authority if the Governor is satisfied the land will not be required for the purposes of the Project.

The clause also provides that the Registrar-General must, on the application of the Minister, issue to the Minister a certificate of title, or certificates of title, with respect to all or any of the land within any project works corridor. The Registrar-General may also take any action in relation to any instrument, or against any land, that the Registrar-General considers appropriate on account of the operation of this clause. This may include noting that the relevant land is affected by the operation of this clause.

The clause clarifies that neither the *Land Acquisition Act 1969* nor the *Crown Lands Act 1929* apply in relation to land vested under this clause. No stamp duty is payable with respect to a vesting of land under this clause.

Clause 13: Entitlement to compensation

A person who is the owner of land within a project works corridor immediately before the commencement of this measure may apply for compensation for loss in a situation covered by subclause (2) or (3), with the application to be made after the expiration of the prescribed period.

The "prescribed period" is to be the period of 42 months after the commencement of this measure (or a period of between 36 and 45 months prescribed by regulation). (This will mean that compensation will be assessed at or towards the end of the project, when the extent of loss (or gain) can be determined according to the amount of land that has been returned to the owner (*see* clause 12(8)), and according to the extent to which the implementation of the project has led to an improvement in the relevant land.)

The Valuer-General will be responsible for determining the value of any land for the purposes of this clause. The value or cost of any works undertaken before the commencement of this measure is to be disregarded, and an allowance must be made (in favour of the Minister) if the relevant owner causes a diminution of value through any development or activity undertaken by the owner during the prescribed period. An allowance will also be made for changes in the general market for land in the Upper South East.

Any compensation will be the amount that represents the loss that exists at the end of the prescribed period, as described in subclause (2)*(b)* or (3)*(c)*. Given that compensation will be determined at the expiration of the prescribed period, interest will be payable on any entitlement. If the parties cannot agree on compensation, the compensation will be determined by the relevant court, which is defined as the Environment, Resources and Development Court for claims not exceeding $150 000, and the Land and Valuation Court for larger claims.

Clause 14: Compulsory acquisition of land

This clause provides that the Minister may compulsorily acquire land if the Minister considers the land is reasonably necessary for the implementation of the Project or to further or enhance the Project Undertaking.

Unlike the previous clause, the *Land Acquisition Act 1969* applies in relation to land acquired under this clause.

This clause does not affect the ability of the Minister to acquire land by agreement, nor the operation of clause 12 (or any other clause) of this bill.

DIVISION 2—MINISTER MAY UNDERTAKE WORKS

Clause 15: Minister may undertake works

For the purposes of implementing the project, furthering or enhancing the Project Undertaking, or furthering the objects of this bill, the Minister may construct, maintain or remove such works, and undertake any other work, as the Minister thinks fit.

Those works may include the following:

- infrastructure or other devices constructed, established or used for the purposes of conserving, draining or altering the flow of surface water from or onto land or utilising any such water;
- works constructed for the purpose of altering water table levels;
- works constructed for the purpose of protecting, enhancing or re-establishing any key environmental feature, or any other environmental program or initiative;
- works constituting access roads, bridges or culverts;
- works constituting storage or workshop facilities, camps or service facilities.

The work undertaken under this clause may include widening, deepening, cleaning out, shoring up or raising or lowering the banks of any watercourse, lake or other water resource, or raising or lowering the level of any water or water table through any process. It may also include any activities associated with environmental testing, monitoring or evaluation.

DIVISION 3—MANAGEMENT AGREEMENTS

Clause 16: Management agreements

This clause allows the Minister to enter into a management agreement with the owner of land within the Project Area. The management agreement may relate to the conservation or management of water, the management of any water table, the preservation, conservation, management or re-establishment of any key environmental feature, or any other matter associated with the implementation of the Project or furthering or enhancing of the Project Undertaking.

A management agreement may, with respect to the land to which it relates—

- require specified work or work of a specified kind be carried out on the land, or authorise the performance of work on the land;
- restrict the nature of any work that may be carried out on the land;
- prohibit or restrict specified activities or activities of a specified kind on the land;
- provide for the management of any matter in accordance with a particular management plan (which may then be varied from time to time by agreement between the Minister and the owner of the land);
- provide for the adoption or implementation of environment protection measures or environment improvement programs;
- provide for the testing or monitoring of any key environmental feature, or of any matter that may affect a key environmental feature;
- provide for a reduction in, or exemption from, a levy under proposed Part 4 of this bill; or
- provide for remission of rates or taxes in respect of the land; or
- provide for the Minister to pay to the owner of the land an amount as an incentive to enter into the agreement.

A term of a management agreement providing for the remission of rates or taxes has effect despite any law to the contrary.

Subclause (4) requires the Registrar-General, on the application of a party to a management agreement, to note the agreement against the relevant instrument of title or, in the case of land not under the provisions of the *Real Property Act 1886*, against the land.

Subclause (5) provides that a management agreement has no force or effect under this Act until a note is made under subclause (4).

Where a note has been entered under subsection (4), the agreement is binding on both the current owner of the land (whether or not that owner was the person with whom the agreement was made, and despite the provisions of the *Real Property Act 1886*) and any occupier of the land.

The Registrar-General must, on application, enter a note of the rescission or amendment against the instrument of title, or against the land if satisfied an agreement has been rescinded or amended. The Registrar-General must also ensure that the note is not otherwise removed once made.

Subclause (8) provides that, except to the extent that the agreement provides for the remission of rates or taxes, a management agreement does not affect the obligations of an owner or occupier of land under any other Act.

DIVISION 4—ENTRY ONTO LAND

Clause 17: Entry onto land

This clause provides that a person may, for prescribed purposes, enter and pass over any land that is not vested in the Minister, bring vehicles, plant and equipment onto that land, and temporarily occupy land not vested in the Minister. In doing so, a person must minimise disturbances to any land, and, subject to any alternative arrangement agreed between the Minister and owner of the relevant land, must restore any disturbed land to its previous condition. No compensation is payable with respect to the exercise of a power under this clause.

DIVISION 5—PRIVATE WORKS

Clause 18: Requirement for a licence

This clause provides that, unless a person has a licence granted under this proposed Division by the Minister, it is an offence for the person to:

- construct any works within the Project Area; or
- remove any works within the Project Area; or
- close-off, obstruct or in any other way interfere with any works or water resource within the Project Area; or
- undertake any other activity within the Project Area,

if to do so would, or would be likely to—

- interfere with any Project works, or with any proposal under the Project works scheme; or
- stop, increase, decrease or otherwise affect:
  - (a) the movement of water on, or to or from, any land; or
  - (b) the flow of water into or from any Project works; or
  - (c) the flow of water in or into or from a water resource or part of a water resource;
- alter any water table or salinity level in the Project Area; or
- without limiting a preceding point, adversely affect to any significant degree any key environmental feature; or
- without limiting a preceding point, adversely affect to any significant degree any part of the Project Undertaking,

The maximum penalty for an offence under this clause is a fine of $200 000 for a body corporate, or a fine of $100 000, or imprisonment for 2 years, (or both) for a natural person.

Works in existence prior to the commencement of this Act are also subject to this clause, however no criminal liability attaches with respect to an act that occurred before that commencement. Similarly, no liability arises with respect to an act undertaken under a condition of a licence issued under section 43 of the *South Eastern Water Conservation and Drainage Act 1992*, including a licence granted before the commencement of this bill should it be enacted.

Subclause (1) does not, however, apply to a person or authority exempted by the regulations, or in any prescribed circumstances.

Clause 19: Procedure

This clause provides that an application for a license must be made to the Minister in a manner and form determined by the Minister, and allows the Minister to require an applicant to furnish further information or verify information by statutory declaration. A prescribed fee is payable in respect of an application.

Clause 20: Conditions

A licence issued under this proposed Division of the bill is subject to such conditions as the Minister thinks fit. A condition of a licence may be varied (including the addition, substitution or deletion of one or more conditions) by the Minister.

The holder of a licence granted under this proposed Division may apply in writing to the Minister for a variation of a condition; the Minister may grant or refuse to grant the variation.

Failure to comply with a condition of a licence is an offence, the maximum penalty for which is a fine of $200 000 in the case of a body corporate, or, in the case of a natural person, a fine of $100 000 or imprisonment for 2 years, or both.

DIVISION 6—RELATED MATTERS

Clause 21: Fencing of works and drainage reserves

This clause provides for the erection and maintenance of fencing of Project works and drainage reserves. The *Fencing Act 1975* does not apply to fencing related to the implementation of this bill.

Clause 22: Property in water

This clause provides that all rights in any water in any Project works are the exclusive property of the Crown, and that the Minister may grant rights over the water to a person.

PART 4

CONTRIBUTION TO FUNDING OF PROJECT

Clause 23: Contribution to funding of project

This clause allows the Minister to levy contributions to the funding of the Project from all persons who own or occupy more than 10 hectares of private land in the Project Area, and allows the Minister to establish a scheme for recovering contributions.

A contribution will not, however, be levied in respect of land which is subject to a management agreement under this bill to the extent that the agreement provides for a reduction or exemption from the levy, or where the Minister (by notice in the *Gazette*) provides for a reduction or exemption from the levy. An exemption by the Minister in the *Gazette* may operate in respect of a period commencing before publication of the notice.

PART 5

PROTECTION OF PROJECT

DIVISION 1—OFFENCE

Clause 24: Project Undertaking not to be interfered with

This clause provides that it is an offence for a person, without the permission of the Minister, to act in a manner that the person knows will interfere in a material way, or is likely to interfere in a material way, with—

- the Project works scheme; or
- any Project works, or the operation of any Project works; or
- any other aspect of the Project Undertaking.

The penalty for this offence is $200 000 in the case of a body corporate, and $100 000 or 2 years imprisonment or both in the case of a natural person.

A lesser penalty of $50 000 for a body corporate, or $25 000 for a natural person, applies in the case of where a person ought reasonably to have known, rather than actually knew, of the likely interference.

The clause also sets out the granting of the permission referred to in subclauses (1) and (2), and provides that the granting of a permission may be subject to conditions, contravention of which is an offence attracting a maximum penalty of $50 000.

DIVISION 2—ORDERS

Clause 25: Project orders

This clause provides for the making of project orders by the Minister. A project order is in the form of a written notice. A project order may be issued for the purpose(s) of:

- preventing, regulating or managing the flow of any water within the Project Area; or
- conserving, protecting, regulating, managing or improving any water resource within the Project Area; or
- protecting against an alteration to the height of any water table; or
- protecting or improving the quality of any soil on land within the Project Area; or
- protecting or enhancing any key environmental feature; or
- for the purpose of securing compliance with any management agreement, any condition of a licence, any condition of a permission of the Minister under proposed Division 1 or any other requirement imposed by or under this bill; or
- for the purpose of addressing any activity that, in the opinion of the Minister, is having an adverse effect on the Project works scheme, the operation of any Project works or any key environmental feature; or
- for the purpose of giving effect in any other way to the implementation of the Project or the furthering or enhancement of the Project Undertaking.

The clause sets out the requirements in relation to the making of an order.

In the case where an authorised officer is of the opinion that urgent action is required, a project order can be issued by the authorised officer. That order may be issued orally. However, an emergency order under this clause ceases to operate after 72 hours has elapsed, unless it is confirmed by a written project order issued by the Minister. An order may be varied or revoked by the Minister.

Failure to comply with an order is an offence with a maximum penalty of $200 000 in the case of a body corporate, and $100 000 in the case of a natural person.

A person cannot claim compensation from the Minister, an authorised officer or the Crown in respect of a requirement imposed by a project order.

Clause 26: Reparation orders

This clause provides that the Minister may require a person to take specified action to make good certain damage to any Project works or a key environmental feature arising from the person's unauthorised actions.

Similar conditions, and similar penalties for contravention, attach to a reparation order made under this clause as for a protection order

made under clause 24, although there is no power for an authorised officer to issue an emergency reparation order.

A person cannot claim compensation from the Minister, an authorised officer or the Crown in respect of a requirement imposed by a reparation order.

Clause 27: Registration of order

This clause provides that the Registrar-General must note the existence of an order against the instrument of title to the land to which the order relates, or against the land if the land is not registered under the provisions of the *Real Property Act 1886*. An order is binding on each owner and occupier of the land, including subsequent owners or occupiers. This clause also provides for the entering of a notice of revocation by the Registrar-General in prescribed circumstances.

Clause 28: Action on non-compliance with order

This clause allows the Minister to take any action required by an order made under this proposed Division in the event of non-compliance. It is an offence for a person to hinder or obstruct a person taking such action, the maximum penalty for which is a fine of $100 000.

The costs and expenses incurred by the Minister under this clause may be recovered as a debt from the person in default. If an amount remains unpaid, that amount plus interest is a charge in favour of the Minister on any land owned by the person in relation to which the order is noted under this proposed Division. Such a charge has priority over any prior charge (whether or not registered) that operates in favour of an associate of the owner of the land, and over any other charge other than a charge registered prior to the noting of the project order in relation to the land.

A person cannot claim compensation from the Minister or the Crown (or a person acting under subclause (2)) in respect of any action taken under this clause.

DIVISION 3—CIVIL REMEDIES

Clause 29: Civil remedies

This clause provides that a range of civil remedies may be applied for and granted in the Environment, Resources and Development Court. These remedies include injunctive relief, orders for specific performance, orders for compensation and orders for exemplary damages.

PART 6
MISCELLANEOUS

Clause 30: Interim restraining orders to prevent environmental harm

The Minister will be able to apply to the Environment, Resources and Development Court for the issue of an order requiring a person to discontinue, or not commence, a specified activity. An order may be sought if the specified activity may cause harm to a key feature of the environment, but there is insufficient information available to enable the Minister to assess the likelihood of, or extent or impact of, harm to the key environmental feature . The issue of an order must be necessary to ensure protection of the key environmental feature pending the acquisition and assessment of information by the Minister. An order made under this clause ceases to have effect 28 days after it is served on the person (unless extended), and may be varied or revoked. An order will be used to enable the Minister to assess the harm before making, or not making, a project order.

Failure to comply with the terms of the order is an offence, and has a maximum penalty of a fine of $50 000.

A person cannot claim compensation from the Minister or the Crown in respect of the issuing of an order under this clause.

Clause 31: Appeals

The bill provides for an appeals mechanism (in the Environment, Resources and Development Court) in relation to licences and orders. However, no other appeals will be available with respect to the operation of this bill.

Clause 32: Provision of information

This clause provides that the Minister may issue notices requiring the provision of information reasonably required by the Minister for the administration, implementation, operation or enforcement of this bill. The clause sets out the procedures to be followed in issuing such a notice. Failure to comply with a notice issued under this clause is an offence, and carries a maximum penalty of $10 000.

Clause 33: False or misleading information

It is an offence for a person to make a false or misleading statement in relation to information provided under this bill. The maximum penalty is $10 000.

Clause 34: Service

This clause sets out requirements relating to the service of notices, orders and other documents under this bill.

Clause 35: Use of staff

This clause allows the Minister to utilise staff from any administrative unit or public authority.

Clause 36: Annual report

This clause requires the Minister to prepare an annual report for the previous financial year, and to cause a copy of the report to be laid before both Houses of Parliament.

Clause 37: Continuing offences

This clause provides that if a person is convicted of an offence that relates to a continuing act or omission, the person may be liable to an additional penalty for each day that the act or omission continued (but not so as to exceed one tenth of the maximum penalty for the offence).

Clause 38: Liability of directors

If a corporation commits an offence against this measure, each director of the corporation may also be prosecuted for the offence, and if guilty, may be liable for the same penalty as fixed for the principal offence. This may occur whether or not the corporation has been prosecuted or convicted of the offence.

Clause 39: Evidentiary provision

To assist in proceedings for an offence against this bill, this clause provides that certain matters, if certified by the Minister, alleged in the complaint, or stated in evidence, will be proof of the matter certified, alleged or stated, in the absence of proof to the contrary.

Clause 40: Power to waive or defer payments

This clause provides that the Minister may, with or without conditions, waive or defer a payment of an amount due to the Minister under this bill.

Clause 41: Immunity provision

This clause provides that no liability will attach to the Governor or the Minister (or a person or body acting under the authority of the Minister) for an act or omission undertaken or made by those persons with a view to implementing the Project or furthering or enhancing the Project Undertaking.

Clause 42: Right of action against person in default

A person who suffers loss (including where the loss represents harm or damage to a key environmental feature on that person's land) on account of a contravention of this bill, or any order issued under this bill, will have a civil right to claim compensation for loss. However, this does not limit or derogate from the operation of clause 41 of this bill, nor does it create a right of recovery against the Minister or the Crown (or any person acting with the authority of the Minister or the Crown).

Clause 43: ERD Committee to oversee operation of Act

The Environment, Resources and Development Committee is to be given a role in overseeing the Minister's progress in constructing the works required to implement the Project and the extent to which other aspects of the Project are being achieved.

Clause 44: Regulations

The Governor will be empowered to make regulations for the purposes of the measure.

Clause 45: Expiry of Act

Subject to this clause, the Act will expire on its fourth anniversary.

SCHEDULE 1

Project Works Corridors

This Schedule describes the project works corridors.

SCHEDULE 2

Amendment of the South Eastern Water Conservation and Drainage Act 1992 and Transitional Provisions

Clause 1: Amendment of South Eastern Water Conservation and Drainage Act 1992

This clause makes amendments consequent on the enactment of this bill.

Clause 2: Transitional provisions

This clause provides for transitional provisions consequent on the passing of this bill, and provides that the Governor may, by regulation, make any other provision of a saving or transitional nature consequent on the enactment of this bill.

The Hon. M.R. BUCKBY secured the adjournment of the debate.

EDUCATION (CHARGES) AMENDMENT BILL

The Legislative Council agreed to the bill with the amendment indicated by the following schedule, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

Page 3—After line 3 insert new clause as follows:
Commencement
1A. This act will be taken to have come into operation on 1 December 2002 and sections 106A to 106C (inclusive) of the Education Act 1972 (as in force immediately before that date) will be taken not to have expired.

Consideration in committee.

The Hon. P.L. WHITE: I move:

That the Legislative Council's amendment be agreed to.

Motion carried.

TRAINING AND SKILLS DEVELOPMENT BILL

The Legislative Council agreed to the bill with the following amendment, to which amendment the Legislative Council desires the concurrence of the House of Assembly:

Page 25, line 14 (clause 36)—After 'certified agreement' insert:
or an Australian workplace agreement

VIVONNE BAY CONSERVATION PARK

The Hon. J.D. HILL (Minister for Environment and Conservation): I move:

That this house requests Her Excellency the Governor to make a proclamation under section 43(4) of the National Parks and Wildlife Act 1972 to vary the proclamation made under part 3 of that act on 4 November 1993, so as to remove the ability to acquire or exercise, pursuant to that proclamation, rights of entry, prospecting, exploration or mining under the Mining Act 1971 or the Petroleum Act 1940 (or its successor) over the portion of the Vivonne Bay Conservation Park described as sections 6 and 125, Hundred of Newland.

There are three motions in my name, all relating to reserves and national parks on Kangaroo Island. To save the time of the house, I will speak, in favour, to all three at once; what I say applies to all three motions.

Twenty-five National Parks and Wildlife Act 1972 and Wilderness Protection Act 1992 parks cover some 32 per cent of Kangaroo Island. The parks have outstanding natural values. Some, such as Flinders Chase National Park and Seal Bay Conservation Park, are key state tourism destinations. Of the parks on the island, only Lashmar Conservation Park has been constituted with rights of access for prospecting and mining under the Mining Act 1971. Three existing parks (Flinders Chase National Park, Seal Bay Conservation Park, and Vivonne Bay Conservation Park) have had subsequent land additions proclaimed subject to mining rights under the Mining Act 1971 and/or the Petroleum Act 2000.

In July this year, the honourable member for Davenport, Hon. Iain Evans, tabled a notice of motion to vary the proclamation of the Flinders Chase National Park to remove the rights to build a pipeline under the Petroleum Act 2000 over a portion of the park and, with my support and the support of this side of the house, that motion was carried on 17 October this year. This motion was supported by the government, which moved an identical motion as part of a package of four motions to remove future rights for mining and exploration in all KI parks and reserves. I hope that the opposition supports the remaining three parks being given that same protection.

Seal Bay Conservation Park is the only reserve containing a current operational mining lease. This lease is for a sand mining operation that provides lime, an important soil additive, to local farmers. This mine will be able to continue with all existing rights of access, but any future exploration or mining would not be allowed under the proposed changes. Arrangements with the existing leaseholder have been established to ensure the operation can continue. The removal of future mining rights demonstrates a commitment to conservation on the island and recognises the important role the parks and reserves have in attracting visitors to the natural values of Kangaroo Island.

Today, in addition to Flinders Chase National Park, I move to have the rights under the Petroleum Act 2000 removed from the proclamation for Seal Bay Conservation Park and Vivonne Bay Conservation Park. These are the only three parks on Kangaroo Island that have some form of access under the Petroleum Act 2000. Additionally, I move to have mining rights under the Mining Act 1971 removed from Lashmar Conservation Park and Vivonne Bay Conservation Park and to remove future mining rights from Seal Bay Conservation Park. These are the only three parks on Kangaroo Island which have some form of access under the Mining Act 1971.

I trust that I will receive the same support for these motions as that shown for the motion removing petroleum rights from Flinders Chase National Park. The end result of this would be that no parks on Kangaroo Island, with the exception of the minor reserve on Seal Bay Conservation Park, will be subject to petroleum or mining acts. I commend the three motions to the house.

The SPEAKER: I understand that the house is allowing a measure of expedition to be obtained in the course of the debate by contemplating all three motions cognately, but they will all have to be put separately at the conclusion of debate.

The Hon. I.F. EVANS (Davenport): I will speak in support of these motions. I will not hold up the house for too long. We understood the agreement was that we would be doing private members' time, and we cut that short. We had three short speeches on our three bills so that we could get onto the Auditor-General's Report. The government has now brought on its motions—although it gave notice a long time ago—and it has taken up time that we had planned for the Auditor-General's Report. The opposition supports the three motions moved by the Minister for Environment and Conservation in relation to the parks on Kangaroo Island, removing petroleum access on two and mining access on another.

This follows the Liberal Party's policy at the 2002 election, when it went to the election with a policy of taking petroleum access out of the Flinders Chase National Park. We moved that in the first week of sitting of the new parliament. The government then came in some time later and moved exactly the same motion, trying to gain credit for moving exactly the same motion. The parliament had the good grace to accept the opposition's motion. The minister also had the good grace not to proceed with his motion, which he had no need to move (the motion was already on the books), and supported the opposition's motion. In fact, it was the exactly same process that the minister went through in relation to the Gammon Ranges when the opposition successfully moved to stop mining in the Gammon Ranges. Why the minister went about moving motions only to withdraw them is for him to think about, not me.

We recognise that the government has moved motions in relation to these three parks. We accept the fact that Kangaroo Island is a tourism icon and should always be a tourism icon in relation to South Australia. It is one of South Australia's great tourism areas, and the environment and eco-tourism on Kangaroo Island is certainly a way in which we can badge ourselves to the world. That is why the previous

government spent about $17 million or $18 million over three or four years putting in good tourism infrastructure, with roads and the $8 million Flinders Chase Visitor Centre that was completed prior to the election but opened after the election by the minister and the Premier.

I wish to place on the record the support of the member for Finniss, as the local member. I have spoken to him at length about this matter and he has consulted people in his local area, and they strongly support this measure. I understand that the member for Finniss will not be able to speak at this time, so I place on the record his support for this motion. I commend the motions to the house.

Motion carried.

LASHMAR CONSERVATION PARK

The Hon. J.D. HILL (Minister for Environment and Conservation): I move:

That this house requests Her Excellency the Governor to make a proclamation under section 43(4) of the National Parks and Wildlife Act 1972 to vary the proclamation made under sections 30 and 43 of that act on 16 September 1993, so as to remove the ability to acquire or exercise pursuant to that proclamation, rights of entry, prospecting, exploration or mining under the Mining Act 1971 over the land constituted by that proclamation as the Lashmar Conservation Park.

I will not take any more of the time of the house. I have already spoken in favour of this motion. I commend it to the house, and I thank the opposition for its support with respect to these three motions and for dealing with them today.

Motion carried.

SEAL BAY CONSERVATION PARK

The Hon. J.D. HILL (Minister for Environment and Conservation): I move:

That this house requests Her Excellency the Governor to make a proclamation under section 43(4) of the National Parks and Wildlife Act 1972 to vary the proclamation made under Part 3 of that act on 4 November 1993, so as to remove the ability to—

(a) acquire or exercise pursuant to that proclamation, rights of entry, prospecting, exploration or mining under the Petroleum Act 1940 (or its successor); or

(b) acquire pursuant to that proclamation, rights of entry, prospecting, exploration or mining under the Mining Act 1971;

over the portion of the Seal Bay Conservation Park described as Section 3, Hundred of Seddon.

Motion carried.

The SPEAKER: Before proceeding to the next item of business, let me just place on the record (without reflecting whatever on the decision of the house, as I never do), from this position, however, and without having sought to influence the decision of the house, my belief that the sentiments expressed and the goals sought are noble and will be endorsed, I am sure, by the vast majority of South Australians—and I share that view. I nonetheless believe that the blanket ban of discovering the nature of the geology of that part of South Australia's topography and the Adelaide geosyncline, of which it forms a part, to my mind, is not wise: nor is the blanket ban of any mining that might take place, even though such mining would do absolutely no (or virtually unobservable and undetectable) damage to, or have any effect upon, the ecological merit of the site, were it to be undertaken. This is the 21st century: robotic mining becomes a reality. The size of the access shaft to any minerals that may be found in any of these areas would be so minuscule as to be less than the size of the rabbit holes collectively on any square kilometre. For us as a society to simply say that, because it is where it is in the earth's crust, more than a few metres below the surface, in an area which, on the surface, however, is set aside for ecological purposes as part of a national park, to my mind, smacks of a measure of idiocy.

AUDITOR-GENERAL'S REPORT

Consideration in committee of the report of the Auditor-General.

(Continued from 28 November. Page 2108.)

The CHAIRMAN: The committee is dealing with matters relating to the Minister for Transport, Minister for Industrial Relations, Minister for Recreation, Sport and Racing, and that that is by agreement. The time allocated for the examination is 30 minutes. Rather than call members each time, members will just ask the questions and the minister, hopefully, will respond as appropriate.

The Hon. M.R. BUCKBY: I refer to page 817 of the Auditor-General's Report under 'Passenger Transport Board', where the Auditor-General has noted the substantial savings that were made to the cost of providing public transport through the competitive tendering system. Will the savings achieved from the competitive tendering of bus services continue to be reinvested by the board in public transport by the introduction of increased services and improved infrastructure?

The Hon. M.J. WRIGHT: Obviously (and I think this is probably similar to the previous government), where possible, that would be a priority, but this is something to which I just cannot give a blanket commitment. However, we would be looking, where possible, to reinvest savings. Obviously, where services are changed, that does happen from time to time. We are always looking to improve services. It is important, of course, with respect to public transport, that governments provide a strong service if there is to be that healthy demand.

I certainly acknowledge the previous government with respect to the growth in public transport which has taken place under its stewardship and which has continued in our early days in government. It is very important, of course, that we foster that: it is important to get that balance right. It is essential that, if we are to continue to grow public transport, we provide the range of services that meet the demands and expectations of the community. Having said that, of course, as with any other portfolio area, there is not a bottomless pit; there is not an unlimited amount of money. The challenge is always there for government to try to match those demands in respect of the investments that it makes. But it needs to be done in that context.

The Hon. M.R. BUCKBY: As a follow-up to that (and I appreciate the minister's commitment), has the Treasurer, or has Treasury, asked for any part of the $7 million in savings due to that contract? Will the total savings be retained by the portfolio, or has there been a demand by Treasury for part of that $7 million to be transferred into general revenue?

The Hon. M.J. WRIGHT: The advice I have received is that no such request has been made and that this money is being progressively invested. Further to that, the advice is that most of this money has been invested. I do not know the exact figure, but it is progressively being invested.

The Hon. M.R. BUCKBY: I refer the minister to page 810, under 'Other financial systems,' where the Auditor-General has commented that there is room for improvement

in three areas. He notes that action has been taken to address the regular review of the supply and master file for ongoing pertinence and the clearing of outstanding items. What action has been taken or is being considered over the first issue, that is, controls over the issue and destruction of replacement tickets to licensed ticket vendors?

The Hon. M.J. WRIGHT: The PTB has responded to the Auditor-General's concerns and explained in more detail the controls that are in place for the issue and destruction of replacement tickets to the LTVs. The Auditor-General confirmed that the controls were satisfactory. When tickets are issued to LTVs the following process is observed: the date of the visit is recorded on the LTV stock sheet along with the LTV's unique licence number; tickets are replaced on a one for one basis and recorded on the stock sheet; replaced tickets are then placed into an envelope filled out with the LTV's details and date on the face and sealed; on return to the PTB, tickets are placed into individually allocated secure ticket bins in a secure room. In relation to the destruction of tickets, each of the ticket representatives, along with the manager, has their own individually labelled destruction bin for depositing the defective tickets returned from LTVs.

The Hon. M.R. BUCKBY: I refer the minister to page 825 with regard to TransAdelaide. On page 825 of the Auditor-General's Report under 'Significant features' I note that the purchase of non-current assets increased to $18.8 million from $12.3 million the previous year. Will the minister advise the nature of those non-current assets that amounted to some $6.5 million increase in the year 2000-01?

The Hon. M.J. WRIGHT: I have some very good news for you, because every player gets a prize here, particularly those people who are down in the Port Adelaide area; that is a good start.

The Hon. M.R. Buckby interjecting:

The Hon. M.J. WRIGHT: That's right, but I think this happened before we came to government. The officers tell me that that money has been committed to five areas: resleepering the Outer Harbor line, refurbishing Commercial Road, fixing the Belair embankments, improving stations and (unfortunately the member for Morphett is not here) refurbishing the Glenelg trams.

The Hon. M.R. BUCKBY: I now move on to what I know is one of the minister's favourite subjects, and that is Access Cabs. The Auditor-General has noted the external review that was undertaken by Mr Ian Kowalick on Access Cabs. In his report he identified a number of issues related to the performance expectations of the system, the board's role as regulator of the system, the role of Yellow Cabs as an operator of the Access Cabs central booking system and the customer assessment of the performance of the system. I know that the minister has been undertaking a lot of work here in trying to improve performance. I ask the minister, however, with regard to those Access Cab drivers who are not responding to the central booking system, what action the PTB will undertake against those drivers to ensure better compliance with the requirements of the central booking system.

The Hon. M.J. WRIGHT: I acknowledge the shadow minister's role because this is something about which we have had a range of discussions. I know we both appreciate the difficulties. Obviously, the previous government had a difficulty, as have all governments around Australia, so we need to get a better policy setting. In relation to the honourable member's specific question about what we doing regarding compliance and not responding to the CBSs, the short answer is that if people do not go through the CBS they will not be able to use the SATSS vouchers. That may not solve the problem in isolation, so we have introduced a bonus scheme on a trial basis. We are hopeful that will work. It needs to be finessed. It will be trialled for three months while we go out to tender for a new contract.

There must be a bit of goodwill here, and I hope that drivers will play a part in this. I am happy to negotiate with them if it is not an ideal or perfect system. We certainly think that this will make a difference. We have discussed this with the industry, that is, the CBS, the drivers and the disability user groups. It is a bit like shopping hours. I said to them, 'No-one will get all that they want, but let us try to see if we can work out something here.' I hope there is some goodwill to this trial. We as a government are prepared to continue not only to monitor it but also to negotiate with the industry, because it may need to be finessed. We think the figures we have come up with provide a significant incentive. We are hopeful that it will make a difference, but there must be a bit of goodwill by all parties for it to work. I hope the drivers will take on that challenge.

It is my understanding that the disability action group appreciates what has been put in place. I have discussed the issue with not only Yellow Cabs but also the other CBSs, and they all are aware of an earlier decision I made, that is, that we have to go out to tender. I believe there was the capacity for that contract to be rolled over, but I said to Yellow Cabs, 'The best position is for us to go out to tender again in an open market. We would be hopeful that you would be one of the organisations that tenders.' They have taken that on board, although I think they prefer it to go the other way; that is fair enough, because it is a commercial decision.

After talking to Yellow Cabs, we talked to Suburban Taxis and Adelaide Independent Taxis. It may be that another organisation or other organisations will also look at the tender document to see whether they are interested. However, ongoing hard work will need to be done. The PTB appreciates that, and we have had a range of meetings. We have introduced the Access Cabs hotline, which was suggested by the disability action groups who met with me. I thought that was a productive suggestion. A report will be submitted to me on a weekly basis, because as minister I need to have a better understanding of what people in the industry are saying.

I know that the honourable member has looked at the situation in Western Australia (and I thank him for the advice he has provided to me), but I will also take the opportunity not necessarily to go to every state but to look at what exists in other states. I know that the honourable member put forward worthwhile suggestions about Western Australia, and I have received some advice about Queensland. I do not know whether we will necessarily copy any one state, but perhaps we might look at strengths in other parts of Australia and learn from what they have put into place in their particular operations. As I said earlier, every state is experiencing significant problems with this issue. We look forward to that challenge.

In all honesty, there are many challenges in transport, as the honourable member would appreciate, and this is high on the list. I look forward to solving the problem. I see it as a challenge to work through this in order to get a better policy setting and outcome, particularly for those people in the disability community, so that we reduce waiting times. The advice that I have received (rightly or wrongly—I cannot be certain it is correct; I am only in part as good as the advice I

receive) is that 90 per cent of customers get their booking within 30 minutes. Having said that, I do not justify the system because we do have horrific examples of people waiting for up to four hours. That is not something that we can tolerate. We must improve what we have in place.

We think we have taken a step in the right direction, but there is still more work to be done. Compliance has to be a serious factor in that. The drivers have to play their part. They have to comply with providing a dedicated service, because their first responsibility is to the disability sector. They have to provide that dedicated service for 11 hours during the day. If they do not comply with that, they will have to realise that there will be repercussions.

The Hon. D.C. KOTZ: I direct the minister's attention to his responsibilities in the recreation and sport area. On pages 28 and 29 of the Auditor-General's Report, under 'Grant Receipts and Programs', three programs are identified that received grant funding. As the minister's recreation and sport budget has been slashed by a massive 50 per cent since the Labor government produced and tabled its budget in this parliament only five months ago, will the minister explain to the committee what impact the 50 per cent funding cut has had on the three identified programs; what specific programs have survived; and what amount of funding has been allocated to these programs?

The Hon. M.J. WRIGHT: I will not take up a lot of time, because I appreciate that the shadow minister does not have long to go. I reject the honourable member's assertion about the funds being slashed by 50 per cent: that is totally incorrect. Of course, this is not estimates. Nonetheless, with respect to programs, as a former minister the honourable member would be aware that there is the Active Club program, and we have done two rounds of that. There is the management and development fund: we have done one round of that, and contracts are about to be signed. The other program is state recreation and sport facilities, and that is due to be called. That is pretty much a normal cycle of events. However, I certainly reject the honourable member's claim of a 50 per cent slash.

The Hon. D.C. KOTZ: I refer to the Auditor-General's Report (page 30). The minister would obviously be aware that, in accordance with the provisions of the Gaming Machines Act 1966, moneys are paid into three programs for sport and recreation, namely, Community Sport and Recreation Grants, SASI Talent Scholarship Program and State Facilities Fund. What are these amounts, and what is the total funding now allocated to each of those programs? If the minister disagrees with my suggestion of cuts of 50 per cent, what are the exact percentages of cuts to his portfolio?

The Hon. M.J. WRIGHT: As the shadow minister would be aware, we are dealing with the Auditor-General's Report, so I do not have those sorts of numbers with me. This is not estimates, but I am happy to provide that sort of detail. If the honourable member would like further detail about her earlier question, I am happy to provide that, as well. This is something we have discussed before in estimates and other forums. Generally speaking, the shadow minister would be aware of what we have done with respect to recreation and sport. The honourable member would not necessarily agree with our points about what she did when she was in government and suddenly had a big increase in that recreation and sports facilities fund. I am happy to get for the committee the sort of detail the honourable member requested.

The Hon. D.C. KOTZ: I appreciate the minister's offer. I would like to have the identified areas. It is a matter of what is in the Auditor-General's Report, and this is in it. That is all part of whether the Auditor-General has looked at those funding areas. In terms of the previous question, the minister did not answer the specific queries as to what amounts of funding had been allocated to the existing programs the minister tells me are still there. That is rather disappointing for the opposition because, as the minister would understand, we have only a very short time—30 minutes—in which to examine three portfolio areas. Unfortunately, there is just not enough time to seek the other specifics, and I am sure the minister is quite happy about that.

The CHAIRMAN: That concludes the examination of the Minister for Transport, Minister for Industrial Relations, Minister for Recreation, Sport and Racing. Unfortunately, we do not have the AFL rule here whereby, if you are off the ground, the clock is altered accordingly.

The Hon. P.F. CONLON (Minister for Government Enterprises): I move:

That the sitting of the house be extended beyond 6 p.m.

Motion carried.

The CHAIRMAN: The committee will now deal with the Minister for Government Enterprises, Minister for Energy, Minister for Police, and Minister for Emergency Services. The allocated time is 45 minutes.

The Hon. W.A. MATTHEW: In the brief time available to me, it is my intent to focus on the electricity supply industry. In so doing, I refer the minister to the structure of the staff who report to the minister within the Department of Primary Industries and Resources and also within Treasury. Why did the minister move electricity staff from primary industries to Treasury just a few months after they had been removed from Treasury to Primary Industries? To explain the question, I point out to the committee that the electricity portfolio was transferred to me as existing minister for energy some four months before the last state election. That transfer was always going to happen and it was a matter of progressing the lease of the electricity assets to a point in time when it was sensible to transfer those responsibilities from then treasurer Lucas across to myself. Following that transfer, staff were then logically moved from Treasury into Primary Industries so that the energy staff and electricity staff would all be in the one location. Why were they then transferred back to Treasury and what was the cost of that move?

The Hon. P.F. CONLON: I will take the question, although I do not think it genuinely relates to the Auditor-General's Report. We agree on one thing: the policy advice should come from one place and not two. I prefer Treasury—it is as simple as that. I believe it will work better in Treasury and I would like Energy SA to devote itself to some of the programs, particularly in renewables and energy conservation, which it does well. It is a different government and a different way of doing things—it is pretty straightforward.

The Hon. W.A. MATTHEW: To clarify that further so that I understand the minister correctly: I understand that Energy SA will continue to provide policy advice but no policy advice will now be provided by the people in Treasury—they will simply be undertaking the administrative role?

The Hon. P.F. CONLON: No, you misheard me completely.

The Hon. W.A. MATTHEW: I just want to be sure that they are now staying separate and that the minister is not

looking to transfer the Primary Industries people to Treasury at a later time?

The Hon. P.F. CONLON: I do not have any desire to take any Primary Industries people. I make plain that policy advice will be done out of Treasury and there are a number of reasons for that. We have established the Essential Services Commission, which reports to Treasury. There was a good view that policy advice should come from one place and not two. We believe on the balance of the structure our government is most appropriate to come from there. Energy SA will continue to deliver programs and things it is skilled at. It will mean a restructuring of Energy SA, which is underway at present and I expect it to be finalised in the next few weeks. As soon as it is, I will let you know the final shape.

The Hon. W.A. MATTHEW: Within PIRSA?

The Hon. P.F. CONLON: Yes.

The Hon. W.A. MATTHEW: My next question relates to the structure of the budget as it exists within those two areas. The minister has given me part of the information in the past in response to questions and I will reshare that with him. The minister previously told me that in Treasury the unit that reports to him has a total budget of some $1.636 million and, of that enormous budgetary sum, some $1.131 million will be expended on electricity related work. Of that $1.131 million, how much will be devoted to electricity retail competition work? The minister has said in the past that a portion will, but I seek from him a more detailed answer if he has that information available.

The CHAIRMAN: The committee is looking at the Auditor-General's Report. It is not a general time for questions.

The Hon. P.F. CONLON: I do think it is a budget estimates question. There is a reform process that will have budgetary implications—not from consolidated revenue but between agencies. That is in process. It is a matter for cabinet to sign off in the end. In terms of the other question, it should be dealt with in the budget estimates and not under the Auditor-General's Report. If you can find a line and refer me to it, I will answer the question.

The Hon. W.A. MATTHEW: To clarify, as I indicated in my brief opening sentence, I would be referring questions to the electricity supply industry topic, which is covered in Part B, Volume III of the Auditor-General's Report, starting from page 869. It includes the structure of the electricity supply industry, bearing in mind that this report was prepared covering the period of the former Liberal government and now the current government. Some of the structures to which it relates are historical rather than current in that they show that the Treasurer is responsible for structures that now come under the current minister's responsibility and as they came under my responsibility for a few months. My questions relate to that and to the financial statements from it, which is why I am being broader in the questions I am asking. I appreciate the minister's being cooperative and I understand if he may have to take some questions on notice. I do not expect him to be a walking encyclopaedia on budgetary detail for his agency.

My next question relates to the way in which the moneys will be spent in relation to the electricity competition, in particular, the moneys that will be used to advise the public of changes that will occur. I ask the minister whether the moneys we expended from Energy SA will need to be drawn as back up moneys from the MERI unit in Treasury in the event that they fall short, through unforeseen extra impost. I put to the minister that he recently undertook to include within the campaign new information in relation to reading of meters, which was not previously expected. That is obviously a change to the campaign he had before. Will that budget need to be topped up, will he withdraw money from MERI or how will he cover that additional expense?

The Hon. P.F. CONLON: I refer to comments where I would ask AGL to make information available on metering. In terms of reading meters, we can easily ask to incorporate that into the existing campaign. There is no forecast of change in the budget. This is not a question about the Auditor-General's Report, but I have some forbearance—there is no change. As previously stated, we said in estimates what we would be spending and I do not think anyone would accuse us of spending too much, but rather may accuse us of spending too little. I think we have the balance right and there is no need to change it.

The Hon. W.A. MATTHEW: I am not challenging him about spending too little. I want to ensure that he spends enough, as the minister and I probably share a common objective, namely, that all South Australians know exactly what they are about to face.

The Hon. P.F. CONLON: As painful as some of the media has been, one of the benefits we have is that there has been a lot of free publicity about FRC that was not seen in some other states.

Mr BROKENSHIRE: My question refers to page 536 and relates to the police department and sick leave. Clearly an audit was completed on 15 February this year. I commend the commissioner for doing the audit. I had a personal interest in seeing what the situation was when I was minister and I am sure the minister has one now, because some alarming issues are raised in that area with respect to sick leave. I would like to know what the minister proposes to do with respect to the report with respect to the concerns about sick leave in the department.

The Hon. P.F. CONLON: There are concerns about levels of sick leave. I note the different approach of the member for Mawson. I thought the approach in the upper house was less than fortunate in relation to police sick leave. It appeared that some finger was being pointed at the police. I appreciate that the member for Mawson does not take that approach. A working party has undertaken a review of the management of sick leave. It is recommended that a document outlining best practice management of sick leave be circulated rather than a policy document.

Policies regarding sick leave are already available in awards and conditions of service. The document will be designed to assist managers to moderately and appropriately confront individuals or groups about whom they have concerns. I will say that it is a concern. There has been a lot of strain on police in recent years, and I think the Commissioner has taken proper steps to address the issues that have been identified in the Auditor-General's report.

Mr BROKENSHIRE: Regarding the 'Statement of financial position', on page 538 it shows that the cash assets increased by $5 million to $38.8 million due mainly to a delay in progressing major capital projects. I am sure that the minister has been in office long enough to know that it is always frustrating trying to get these projects through, and I acknowledge that no matter what is done they seem to take time. What major projects have been delayed (I understand that you may not have that information with you now), and what steps have been taken to accelerate the completion of the major capital works which have been delayed?

The Hon. P.F. CONLON: I will check the information in detail but, as I understand it, the capital programs refer to a delay in payments. We are looking at the Adelaide police station, the Wakefield Street forensic centre, Netley upgrade and the mobile data terminal's $6 million carry-over. In essence, the capital program is in fact completed. It is timing of payments; that is all. I will get full detail for the member.

Mr BROKENSHIRE: Particularly on the MDTs. I would appreciate that. As to the police department, on page 539 of the Auditor-General's Report it shows that as a result of the installation of 12 additional red light cameras—on which I know there is bipartisanship, and I hope that the red light cameras will save a lot of lives and stop people running red lights—which were put in at 25 sites in April 2001, expiation fees therefrom increased by $5.4 million to $7.4 million, which is quite a reasonable increase given that they were not all in for the full year. Is the minister in a position to confirm the policy of his government that additional revenue from sources such as red light cameras will go directly into an increased police budget?

The Hon. P.F. CONLON: I think what we have said about expiation notices on traffic in the past, and on which we are committed, is that they will go to a dedicated fund committed to police and traffic matters. But just to address this point more particularly (and I do not have the figures here, but I will get them), the introduction of red light cameras and a number of other matters contained in the shake-up of transport may increase expiation revenue. However, it will also increase cost to the police in pursuing that.

I will have a look at the figures but, at the moment, I am not sure that the expiations are in front of the costs. In particular, some of the measures in terms of demerit points will demand a greater expense by the police and administration. I can assure the member that a policy remains in place that expiation notices for traffic offences go to a fund committed to traffic and policing, and that is as it will be. As the member would be well aware, the overall police budget is much bigger than all the revenue that we collect from traffic offences.

Mr BROKENSHIRE: As to the ambulance service, on page 550 it shows that the ambulance cover scheme incurred an operating deficit of $5.7 million. It also shows that the revenues from the government increased by $7.8 million, which more than offset the increased operating deficit for the ambulance cover scheme. But, when you have a look at the cover scheme, it indicates that there is continuing pressure on the government to fund this cover scheme. What do the minister and his government intend to do to try to address the operating deficit that clearly exists in that ambulance cover scheme?

The Hon. P.F. CONLON: We have some significant policy measures that are currently with cabinet on this issue. Therefore, until I get a decision from my colleagues, I am not at liberty to talk about that, except that I am aware of the issue and, I hope, there will be a decision on those policy matters very soon. They are complex for reasons that I am not free to go into today.

Mr BROKENSHIRE: With respect to the Country Fire Service—the section in the Auditor-General's Report relating to assets and, in particular, asset classes—can the minister advise what is the actual capital carry-over from the year 2001-02? I understand that prior to the Auditor-General's report being released, the minister was not in a position to give that figure—with which I do not have a problem, as I would not have been in a position either at that stage. But, given that the Auditor-General's Report has been released and seeing the asset classes, can the minister tell me what the carry-over finally was from the global budget?

The Hon. P.F. CONLON: I will have a look at that and get back to the member. It is not a question which I anticipated on the Auditor-General's Report.

The Hon. D.C. KOTZ: In the area of Government Enterprises, volume 3, page 911—one of the projects administered by the minister is the Inner Western Program which involves the remediation of environmentally degraded land in Bowden, Brompton and West Hindmarsh obviously to look at achieving urban renewal outcomes. It has apparently been the intention that that program be funded by way of a development agreement with the Angas Consortium. The Auditor-General notes that the agreement was being finalised at the time of final audit. Will the minister advise whether the agreement has been concluded and, if not, why not? If it has been concluded, what amount of government funding has been guaranteed? What time line has been decided upon to initiate and conclude the project?

The Hon. P.F. CONLON: As the member would know, the history of this matter is that a lot of land needs a lot of remediation at Bowden and Brompton. There was a tender process for how that would be dealt with. I understand that those matters have been concluded, but I will come back to the member on that. As to the contribution of the government, off the top of my head I do not believe we are making one. But I will get the detail from the Land Management Corporation on that and bring it back. As I understand it, the matters have been concluded. In fact I will be, I think, making some announcement in the next few days on some aspects of that urban renewal project. As the member can appreciate, I did not organise for the LMC to be here.

The Hon. D.C. KOTZ: I understand that, but I appreciate the minister's taking the opportunity to come back with information that follows up on the Auditor-General's comments, because I think he is interested as well, as he appears to indicate.

On page 897 of volume 2 (and this does touch on the Land Management Corporation which, of course, is a subsidiary corporation of the Minister for Government Enterprises), again, the Auditor-General notes that at the time of audit the corporation's 2001-02 charter was yet to be reviewed and approved by the Treasurer and the Minister for Government Enterprises. The Public Corporations Act of 1993, which I am sure the minister would know, stipulates that the corporation's minister and the Treasurer must, after consultation with the corporation, review the charter at the end of each financial year. The Labor government has indicated proposed changes to the charter to look at reflecting the government's view regarding the future direction of the corporation and, apparently, as the Auditor-General notes, this had influenced the delay in compliance with statutory requirements. Have the minister and the Treasurer attended to the statutory requirement and, if so, what changes were approved to the charter. If not, why not?

The Hon. P.F. CONLON: I am not sure what the 'if not, why not' applies to. The agreement has been signed. As I understand it, there are no changes to the charter at present but, given the time frames, we are continuing to review the charter, which we will continue to do year by year.

The Hon. D.C. KOTZ: Can I ask when it was actually signed?

The Hon. P.F. CONLON: I will come back to the honourable member on that.

The Hon. D.C. KOTZ: I only ask that because the Auditor-General did comment in his notes that he was interested in finding out just exactly what had happened with that charter and he wanted the minister to come back to him to give him that information.

The Hon. P.F. CONLON: The report was some four months ago, so I am sure we have done a bit in that time.

The Hon. D.C. KOTZ: At the time of audit, he said that you were still undergoing negotiations with the charter.

The Hon. P.F. CONLON: I will come back to the honourable member with the full answer. I am trying to remember the process, but the Treasurer and I and Treasury officials and our officials had a talk about the charter. As I recall, the option we took was for it to be 'steady as she goes' at present but the subject of ongoing review. I can assure the honourable member that there is nothing in there that will frighten her.

The Hon. D.C. KOTZ: I am very pleased to hear that. Positive, is what I like to hear. The opposition has concluded its questions. I would only suggest to the minister that there are substantial questions still outstanding from the estimates, which he was talking about this evening. If there is a further question to be asked, it is: when will the minister answer all my questions?

The Hon. P.F. CONLON: We bend every effort towards that.

[Sitting suspended from 6.15 to 7.45 p.m.]

CRIMINAL LAW (FORENSIC PROCEDURES) (MISCELLANEOUS) AMENDMENT BILL

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Page 6 (clause 3)—After line 27 insert:

(ea) by inserting in paragraph *(c)* of the definition of 'intrusive forensic procedure' '(other than the taking of a sample by finger-prick for the purpose of obtaining a DNA profile)' after 'blood';

No. 2. Page 6 (clause 3)—After line 32 insert:

(ga) by striking out from the definition of 'senior police officer' 'inspector' and substituting 'sergeant';

No. 3. Page 7—After line 24 insert new clause as follows:

Amendment of s. 4—Suspicion of criminal offence

3A. Section 4 of the principal Act is amended by inserting '(whether or not the person has been charged with the offence)' after 'criminal offence'.

No. 4. Page 14 (clause 11)—After line 13 insert:

(2) Before a forensic procedure authorised under subsection (1)*(c)* is carried out on a person, a police officer must inform the person that—

(a) reasonable force may be used to carry out the forensic procedure; and

(b) if the person obstructs or resists a person in connection with the carrying out of the procedure, evidence of that fact may be admissible in proceedings against the person.

(3) If a forensic procedure authorised under subsection (1)*(c)* is to be carried out on a person who is not in lawful custody, a senior police officer may issue directions about—

(a) the time, place and manner in which the forensic procedure is to be carried out; and

(b) custody of the person while the forensic procedure is being carried out; and

(c) any other incidental matter.

(4) A written record of any directions issued under subsection (3) in relation to a forensic procedure must be given to the person on whom the procedure is to be carried out and the person must be informed—

(a) of the nature of the suspected offence; and

(b) that if the person fails to comply with the directions, a warrant may be issued by the Magistrates Court for the arrest of the person for the purpose of carrying out the forensic procedure.

(5) If a person fails to comply with directions issued under subsection (3) in relation to a forensic procedure, a police officer may apply to the Magistrates Court for the issue of a warrant to have the person arrested and brought to a police station specified in the application for the purpose of carrying out the forensic procedure.

(6) The Magistrates Court must issue a warrant for the arrest of person under subsection (5) if satisfied that the person has failed to comply with directions issued under subsection (3).

No. 5. Page 16, lines 18 to 22 (clause 17)—Leave out paragraph *(b)* and insert:

(b) the appropriate authority must not make an interim order for carrying out—

(i) an intrusive forensic procedure; or

(ii) a forensic procedure that is to be carried out on a person for the purpose of obtaining a DNA profile of the person,

if the suspected offence is not a serious offence.

No. 6. Page 17, lines 2 to 6 (clause 19)—Leave out paragraph *(b)* and insert:

(b) the appropriate authority must not make a final order for carrying out—

(i) an intrusive forensic procedure; or

(ii) a forensic procedure that is to be carried out on a person for the purpose of obtaining a DNA profile of the person,

if the suspected offence is not a serious offence.

No. 7. Page 17, line 31 (clause 21)—Leave out all words in this line.

No. 8. Page 18, line 11 (clause 21)—Leave out 'or detention (other than home detention)' and insert:

, detention or home detention

No. 9. Page 18, lines 20 to 33 (clause 21)—Leave out proposed section 31 and insert:

Authority required for carrying out category 4 (offenders) procedure

31. (1) A forensic procedure is authorised under this Part if the procedure consists only of one or both of the following:

(a) the taking of fingerprints from a person to whom this Part applies;

(b) the taking of a sample from the body of a person to whom this Part applies by buccal swab or finger-prick for the purpose of obtaining a DNA profile of the person.

(2) Before a forensic procedure authorised under subsection (1) is carried out on a person, a police officer must inform the person that—

(a) reasonable force may be used to carry out the forensic procedure; and

(b) if the person obstructs or resists a person in connection with the carrying out of the procedure, evidence of that fact may be admissible in proceedings against the person.

(3) If a forensic procedure authorised under subsection (1) is to be carried out on a person who is not in lawful custody, a senior police officer may issue directions about—

(a) the time, place and manner in which the forensic procedure is to be carried out; and

(b) custody of the person while the forensic procedure is being carried out; and

(c) any other incidental matter.

(4) A written record of any directions issued under subsection (3) in relation to a forensic procedure must be given to the person on whom the procedure is to be carried out and the person must be informed that if the person fails to comply with those directions, a warrant may be issued by the Magistrates Court for the arrest of the person for the purpose of carrying out the forensic procedure.

(5) If a person fails to comply with directions issued under subsection (3) in relation to a forensic procedure, a police officer may apply to the Magistrates Court for the issue of a warrant to have the person arrested and brought to a police station specified

in the application for the purpose of carrying out the forensic procedure.

(6) The Magistrates Court must issue a warrant for the arrest of person under subsection (5) if satisfied that the person has failed to comply with directions issued under subsection (3).

No. 10. Page 19, lines 1 to 36, page 20, lines 1 to 36, page 21, lines 1 to 33 and page 22, lines 1 to 12 (clause 21)—Leave out all words in these lines (the whole of proposed Divisions 2 and 3).

No. 11. Page 36 (clause 39)—After line 35 insert:

(aa) by striking out from subsection (1)*(d)* 'an indictable' and substituting 'a serious';

No. 12. Page 37, lines 25 and 26 (clause 41)—Leave out 'the Commonwealth, another State or a Territory' and insert:

another jurisdiction

CRIMINAL LAW (SENTENCING) (SENTENCING GUIDELINES) AMENDMENT BILL

The Legislative Council insisted on its amendments to which the House of Assembly had disagreed.

AUDITOR-GENERAL'S REPORT

Consideration in committee of the report of the Auditor-General (resumed on motion).

(Continued from page 2140.)

The CHAIRMAN: This examination relates to the Minister for Environment and Conservation, Minister for the River Murray, Minister for Gambling and Minister for the Southern Suburbs. The time allocated is 30 minutes. I will not call members each time for their question. To save time, members will ask their questions and the minister will respond.

The Hon. J.D. HILL: Does the opposition intend to ask questions about a particular part of the portfolio first, or will they go across the board? It would help my officers to know.

The Hon. I.F. EVANS: Questions will be scattered across the portfolios.

Mr BRINDAL: I want to ask a couple of questions about the catchment boards. I note that efforts were made last year to consolidate moneys for—

The CHAIRMAN: Will the honourable member please stand when asking questions; we are not in estimates.

Mr BRINDAL: Perhaps it would show some more respect for the committee than I am currently feeling, sir. Nevertheless, the fact is that—

An honourable member interjecting:

Mr BRINDAL: Let him come and talk about that. We are in committee, are we not?

An honourable member interjecting:

Mr BRINDAL: Yes. I thought so. The fact is that last year an amount was volunteered from each catchment management board into a program (I think that it was a $500 000 program) that was tied to Water Care. It was running at the time the government went to the polls. I believe, minister, that I saw those programs, so you must have given the authorisation to put them back on air. One presumes that that amount of money has therefore been expended.

In the light of the minister's comments as shadow minister and the recorded comments of the Economic and Finance Committee to the effect that the educational moneys of the boards were not well spent in previous years, does he plans to consolidate or expand that program, or at least see that a general education program is carried on? In other words, what is the minister going to do about that area?

The Hon. J.D. HILL: I thank the member for Unley—

Mr Brindal interjecting:

The Hon. J.D. HILL: I have more respect for the committee, even though I have not been here quite as long as he. I thank the member for Unley for his very good question. The honourable member is correct: during my period in opposition, I questioned him on a number of occasions about the way in which the catchment boards were spending funds for educational purposes. I think it was clear that each of the boards spent a fair amount of money producing pamphlets and doing local public relations work, some of which was good and some of which was indifferent. However, whether it got the message across to the whole community is in doubt. I commend the member for Unley for taking up my suggestion and, in fact, bringing together those funds and having a focused campaign through water catchment care and setting up a water care committee.

As the honourable member has said, at the time of the election, that program was part way through. The government of the time quite rightly pulled the campaign. It might have been seen to be political advertising, so it was appropriate during the caretaker period that the program be discontinued. After the election, I reinitiated the program and it finished that particular section of advertising. Since that time, I have brought together that program and a program run through the EPA called 'Water Watch' to try to get greater synergy between the two programs. Of course, it is still funded through the same sources.

Having had a discussion the other day with one of the officers from the program, I understand that they are looking at the next phase of advertising and are discussing with the advertising agency the messages and the way in which those messages should be presented. I gather that there was not complete satisfaction with the propositions that were put to the water care committee. They are now in the process of negotiation and discussion about how better to get the messages across. I certainly support the continued educational program, in an integrated and focused fashion. I assure the honourable member that we will continue in a similar—if not exactly the same—vein that was occurring under his stewardship of that part of department.

Mr BRINDAL: Following on from that question, how does the minister intend to deal with the vested self-interest and territoriality of certain of the boards and parts of his own department that think that everything is all right provided that it is exactly the way they want to do it and that whatever they want to feed the public is exactly what the public should receive? How will the minister negotiate the politics of the departments and the boards, because that is critical to getting a good program?

The Hon. J.D. HILL: The member for Unley is obviously in a fiery mood this evening. I am not quite sure what has upset him. He probably ought to give me a little more information so that I can comment properly. However, I can say that, through the process of—

Mr Brindal: You have been around long enough to know.

The Hon. J.D. HILL: Well, I can tell the honourable member the general direction in which I am looking at heading. As the member knows, we are going through a mechanism of integrating the natural resource management processes. I guess that the ultimate goal would be to bring together various bodies—water boards; soil boards; animal and plant pest control boards; commonwealth, state and local government issues; and biodiversity issues—into an integrated process. We are looking at eight different sets of boundaries. So there will be eight authorities which will have

responsibility for integrated natural resource management. I am hopeful that we will get through that process relatively quickly. Those boards, I guess, will ultimately be responsible for these issues.

At a departmental level, as the minister responsible for three environment and conservation authorities and departments—the EPA, the Department of Water, Land and Biodiversity Conservation and the DEH, each of which has educational public relations roles—I am very keen to bring those bodies together. We are exploring how best to do that with the agencies, in terms of a better focused entity, which can send out the appropriate environmental and conservation messages. I guess that is the direction in which I am wanting to go. The three CEs of those authorities and departments would supervise the day-to-day running of that entity. But we do have messages going out from each of those authorities, and it seems to me to be sensible to have a more consistent set of environmental and conservation messages (and I do not mean political messages: I know that the member does not understand me to mean that) going out to the community to cover all the issues within the environment and conservation area. So, that is the direction in which I hope to go. I have not experienced the kind of concerns that the member has identified with my departmental officers, but maybe that is into the future.

Mr BRINDAL: I am impressed by the minister's answer, and I hope that my colleagues in the opposition will support the minister's thrust, because the minister might find that he knows more about education of the general public than some of the people who advise him.

I note that, with respect to the River Murray Catchment Management Board, there has been some discussion in terms of the levy. The minister would be aware that urban—and particularly metropolitan—users contribute 1¢ per kilolitre to the River Murray environment catchment management levy, and irrigators contribute a fraction of a cent per kilolitre. This has been a matter of ongoing discussion at board level. Does the minister intend to raise the level of levy for irrigators? If not, why not? If the minister does not intend to do that, how does he explain to metropolitan users that it is reasonable for them to pay a levy that is not the same as the levy paid by those who use 80 per cent of the resource in South Australia?

The Hon. J.D. HILL: As the member for Unley knows, the legislation that was put in place by the former government, through the Hon. David Wotton, provides the boards with the power to set the levies, not the minister.

Mr Brindal interjecting:

The Hon. J.D. HILL: The boards have the responsibility to set the levy. It is quite a complicated and important question, and there are a number of issues that relate to it. Through the integrated natural resource management process, we are looking at defining the levy as a natural resource levy rather than a water levy. That would bring two existing levies together: the water levy and also the animal and plant levy, which is paid through local government. It is not the intention of the government to use that levy as a tax raising measure: it is just for the sake of convenience bringing together those existing levies, and—

The Hon. I.F. Evans interjecting:

The Hon. J.D. HILL: That is the case. It is not our intention to take over that levy and say what it ought to be. We would persist with the arrangements that are contained in the current Water Resources Act, that is, that the community, through its board, determines what the levy is and how it ought to be expended, and then that is supervised by a number of forces; the department primarily—or, in the first instance, the minister himself or herself—and a parliamentary committee. What we are looking at doing is not using the Economic and Finance Committee but the ERD Committee. However, the point is basically the same. I think it would be inappropriate for government, and it would destroy confidence in the process, if the government were to set levies. That is not to say, though, that water pricing is currently as it ought to be. There is a variety of processes that the government is looking at to review these issues.

The Hon. I.F. EVANS: On page 229 the structure of the department, including national parks, is set out, and the minister spent some time with my learned colleague speaking about the future structure of the levy. Can the minister advise the house what is the proposed future structure for the National Parks and Wildlife Service? There has been a lot of community—

Mr Brindal interjecting:

The Hon. I.F. EVANS: No, there is a lot of community discussion that the government intends to demolish the National Parks and Wildlife Service.

The Hon. J.D. HILL: I am delighted that the member for Davenport has asked this question, because it gives me an opportunity to correct the misinformation that is being circulated in the public arena at the moment. There was a statement put in the Conservation Council updates—is that what it is called—

The Hon. I.F. Evans: Yes—November.

The Hon. J.D. HILL: —which states, I think (I do not have it in front of me), that the department plans to clear-fell the National Parks and Wildlife Service. Let me assure both the member for Davenport, the Conservation Council and anyone else who cares to pay attention, that that is not the case. We are not intending to clear-fell the National Parks and Wildlife Service.

Mr Brindal interjecting:

The Hon. J.D. HILL: No, not at all—or the national parks. The CE of the department, Mr Alan Holmes, has on his own initiative decided to look at ways of better organising his department. He has put to me a proposition that better focuses on the kind of outcomes, I think, that most people would want from a department of environment, and he wants to make central to the department issues to do with conservation. So, rather than downgrading the National Parks and Wildlife Service, in fact, it will strengthen the conservation aspects of that service. The title 'National Parks and Wildlife Service' will not go, as I understand it: I believe that that language will continue. But there will be a strengthened delivery model that will focus better on environmental conservation outcomes.

As the CE said to me, what he has as a department is really a federation of bits that have been brought together by government over a period—there is the National Parks and Wildlife Service, the Office of Coast and Marine, and a whole range of bodies. It makes sense to bring them together and to focus on the kind of environmental and conservation outcomes that you would want from a department. He is going through a process of consulting with his department, the union and anyone else who wants to be consulted, and he certainly has already talked to the Conservation Council.

The Hon. I.F. Evans: It's obvious.

The Hon. J.D. HILL: I do not know where that document came from. But he has certainly spoken to them since that came out. His intention—and I certainly support him—is to have a strengthened department that provides better services.

It is this government's intention to put a lot of attention into the national parks system. I have appointed a new National Parks and Wildlife Advisory Committee under the chair of Penny Paton. I believe that it is a strong committee that has been established, and I have said to the members of the committee that we want to do two things to implement the policy of the current government—and these are policy statements that we made prior to the election.

We want to look at the categories of parks that we have in South Australia at the moment. The current categories have really developed over time, with a whole lot of political considerations put in place. The category of a park depends a little on when it was proclaimed rather than any kind of systematic look at it. I am very interested in looking at applying an international standard. The IUCN has a series of park categories. I am very keen to have us adopt and adapt that series of categorisations for South Australia, and then look through our parks system to see what category each of our parks would best be placed in so that we have some sort of rational process for our parks system.

In addition, the government is committed to the implementation of a wild country philosophy, which comes originally from the American conservation movement, and which was brought to Australia by the Wilderness Society. We have adapted that, and we are calling it Nature Links. The aim is to link our reserve systems with each other, with corridors of habitat, so that animals, birds, insects and whatever else can travel between those reserve systems. So, we have a landscape approach—and I guess it would be true to say that this is modern thinking about national parks. We certainly do not see the national parks system as a museum piece that we ought to keep exactly as it is. We have plans to develop that system and we are very keen to do it, but the aim is to strengthen rather than weaken. I thank the member for giving me the opportunity to make that plain.

The Hon. I.F. EVANS: As a point of clarification before the member for Unley asks a further question, you mentioned that the National Parks and Wildlife Service and the Office of Coast and Marine are to be brought together. What other aspects of the department will be brought together with the National Parks and Wildlife Service, and does that mean you are getting rid of the stand alone Office of Coast and Marine?

The Hon. J.D. HILL: I can give the honourable member a bit of detail here. Under the model that the chief executive is sending out for discussion, under him (or her; currently it is him) there would be the Office of Sustainability and Conservation Policy. We have established the Office of Sustainability and I have spoken about that a number of times. Next to that would be conservation policy and that would be policy development related to DEH programs and service delivery. Then there would be program support, and it is planned to call that Cultural and Natural Heritage, and beneath that there will be the Office of Coast and Marine; Crown Lands; Heritage, Recreation and Tourism; Parks Management; Wildlife Conservation (Biodiversity); Natural Resource Management; Animal Welfare; community partnerships and compliance issues. Then there will be a regional services section which will look at the various regional service areas including Outback ranges, West Murray Lands, South-East, Kangaroo Island, Adelaide, Yorke, Mid North and fire management, so that would be more of a practical delivery aspect.

Then there would be the two sections of applied conservation and environmental information and then a business management section which would look after finance, revenue, human resource management, organisational development, asset management and so on. I have to say to the member that these are management issues, which the CE quite rightly is promoting as the best way of delivering the services, consistent with the government's policies. Of course I will speak to him about what his intentions are, but it is not my plan, and it would be inappropriate for me to try to work out how the department under my authority should be managed. These are management issues, but the bottom line and the intention of it all is to strengthen the delivery of services and have greater outcomes for conservation and environmental values.

Mr BRINDAL: I see that the Barcoo Outlet was transferred to the minister this year from the minister for government infrastructure at a cost of just in excess of $16 million. Will the minister inform the house whether it is performing at, above or below expectation, whether it has met the design criteria and whether it has won any awards? Would the minister make his comments in light of his previous criticism of this project and that of many of his backbenchers, such as the member for Colton?

The CHAIRMAN: I think the question was not an estimates type of question, so the minister can treat it as he sees fit.

The Hon. J.D. HILL: I thank the member for his interesting question. Does it perform to the requirements that were established for it? Probably; I am not entirely sure. We can arrange a briefing for the honourable member. The question is not so much whether it performs according to the performance requirements that were established for it or whether it has won awards, which I understand it has, and that is terrific for the engineers. The question is whether it ought to have been built and whether it was the right strategy. The question is not whether it was the right construction but whether it was the right strategy. The criticisms I made were not so much about the engineering of it but whether it was the best way of spending public money. In my view, then and now, it would have been better to spend that public money fixing up the problems at source rather than redistributing them at the end of the system. We can have a debate about that. The reality is that it is built now. The reality is that it is there, so that is money that has already been forgone. We cannot spend that money again, so we will have to work the best way we can around that system. But, to be fair to the engineers, I have to say that generally it seems to be working according to the plans that were put in place for it. I do not think there is a lot more that I can say, but we just disagree with the fundamental philosophy behind it.

Mr BRINDAL: Just so. In fact, following directly on from that question I note from their expenditure that the catchment management boards will probably have the same criticism levelled at them by the Economic and Finance Committee as has been levelled previously, in that not enough of their budget goes into capital works, on things like wetlands and centrifugal pollution traps to catch suspended solids in the form of rubber off roads and oils. They are not putting a lot of money into that and, generally speaking, the Economic and Finance Committee has criticised catchment management boards for not putting enough money into on-ground works. Following on from the minister's saying that more money should go into on-ground works—and I agree with him—what is he then doing to see that this year the boards are putting more money into on-ground works rather than letting the pollution flow down to the Patawalonga and out to sea in the member for Colton's electorate?

The Hon. J.D. HILL: I am advised that there are large amounts of carry-over funds from the previous year which have been approved to be spent on capital works. I point out the excellent work that is happening at the Morphettville race track. I do not know whether the member has had a chance to inspect—

Mr Brindal: Since I turned the first sod, I certainly have.

The Hon. J.D. HILL: I am happy to give praise where praise is due; the former government did it and I congratulate it for doing that. The former government did some reasonably good things, and I do not pretend for a moment that only one government can do the right thing. That is a tremendous project, and I congratulate the minister on whatever role he had in it, whether it was turning the first sod or having the first idea. It is certainly an excellent project. I went down and tested the volume of water and found wriggly things in there, which indicated the good health of the system.

An honourable member interjecting:

The Hon. J.D. HILL: No, I did not swim in it. The embarrassing thing was that I was told to go out in a boat and I thought someone would row it out, but a bloke pulled the boat out and it was only about 2 feet deep. I felt a bit silly sitting there in my suit with two school kids and some fellow holding onto the end of the boat, but nonetheless I certainly went out there and—

The Hon. I.F. Evans: At least they put the bungs in for you!

The Hon. J.D. HILL: That is true; they did put in the bungs for me.

The Hon. I.F. Evans interjecting:

The Hon. J.D. HILL: I can tolerate it. I am further advised that approvals have been given for various projects, including wetlands, trash racks, rural riparian works and flood studies in the Patawalonga to the value of $1.398 million. The shortfall in funds will be met from levies collected during the 2002-03 year. So, there is an emphasis on that but, as the member knows, the boards are set up to make their own decisions about these things and through the integrated natural resource management process that we are working on we will refocus these boards. We will not generally change the powers, but I would hope that there will be a greater emphasis on those sorts of things and that we will have a more efficient way of delivering educational measures. He and I do not disagree on these matters, I believe.

Mr BRINDAL: Following that line of logic, what if, for instance, the Murray River board were to get a bigger levy? As the minister knows, its levy is at least two and in many cases three times the levy collected by any other board. If there is a board that I would describe as almost swimming in cash, it is the Murray River catchment board. There is a need for capital works in the Murray River system. In light of the minister's answer to a previous question and statements made repeatedly to this house by the minister and by previous governments that there is a need to integrate the whole system, while the catchment management boards are community groups working in the best interests of the community and performing a very valuable role, they are nevertheless part of a complete system of government that seeks through your department and your professional officers to provide a seamless service at all levels.

Again, one of the criticisms is that capital works are excised from the very people in South Australia who possibly know most about it—the experts who work for you in the department and SA Water—while another group of people has few professional officers and lots of community but not necessarily much engineering experience. Will this government be considering some sort of integrated, hands on, oversight approach to boards that might have increasingly more money; will they then be required to spend the greater amount of money in the best interests of the community; and should the government and the minister then have a role? Where is the Minister heading with capital works, the problem of capital works and integrating his department with the catchment management board, or what will be the natural resource management board model?

The Hon. J.D. HILL: I think that is a very pertinent, important question.

Mr Brindal interjecting:

The Hon. J.D. HILL: The member has been a minister, so he understands some of these issues very well. It is always difficult to get the right balance between community ownership (which is what we want) and technical expertise. It is my intention through the integrated natural resource management process to try to get that balance. One of the things we are looking at doing is establish at a regional level I&RM boards which have local expertise on them but which have, alongside those local experts, departmental officers on an ex-officio basis. On each board there would be someone from DEH, PIRSA, Department of Water, Land and Biodiversity Conservation, perhaps someone from local government as well, and also someone from the commonwealth. We would like to get the commonwealth involved as well.

The Hon. I.F. Evans interjecting:

The Hon. J.D. HILL: There are only eight of them.

Mr Brindal interjecting:

The Hon. J.D. HILL: The member says, 'On each one of them', but the point is that, if you want proper integration, you have to get not only integration of the resources—water, land and biodiversity—but also governmental integration so that we connect into each government department and commonwealth and local authorities.

Mr Brindal interjecting:

The Hon. J.D. HILL: I do not care whose idea it was. In my view it is the appropriate way to go. We have to get proper integration. That is a roundabout way of saying it, and I hope that we will have a strong voice in that process. We also want to ensure that all the departments are established in an appropriate way so that they can provide those services on time. In order to help us do that, we have seconded an officer from SA Water to give us advice on asset management through the Department of Water, Land and Biodiversity Conservation, in particular, focusing on the water catchment boards' activities.

The Hon. I.F. EVANS: The minister raises asset management in the Department of Water, Land and Biodiversity Conservation. The audit raises valuation issues with fixed assets of the Department for Environment and Heritage. The one line response from the department is that the DEH response provided details of the action being taken or that it proposed to address all matters raised by audit. Will the minister detail all the matters raised by audit in relation to the valuation of fixed assets, and all the actions proposed by the department in relation to those matters?

The Hon. J.D. HILL: The honourable member was minister for the department for at least two-thirds of the time that it was under consideration, so this government is trying to deal with the issues that—

The Hon. I.F. Evans interjecting:

The Hon. J.D. HILL: This government is trying to deal with the problems that we have inherited from the former

government. I can give the honourable member some information. The Auditor-General has issued a qualification with respect to the property, plant and equipment component of the schedule of administered items. This qualification has arisen due to limitations in reliability and completeness of information maintained on specific crown land assets. This has resulted in the Auditor-General's not being in a position to pass an opinion on completeness and reliability of values ascribed to this category of assets.

Under the Australian accounting standard (AAS29), 'Financial reporting by government departments'—with which, I am sure, the honourable member is familiar—the department was required to recognise all assets it controlled or administered by 30 June 1999. Whilst adequately complying with other aspects of the monumental task of identifying, valuing and recording departmental assets (in excess of 30 000 individual assets)—it is an asset rich department but, unfortunately, income poor—the department was unable to account for all categories of crown land. The crown is the registered holder of approximately 27 000 titled land references and 2 800 parcels of reserved land.

The major contributing factor to DEH's inability to comply with the requirements of crown land identification is the lack of data integrity that exists in the land ownership tenure system (LOTS)—which goes back to the early 1970s—a database which is managed by the Department for Administrative and Information Services. Such data errors include redundant portfolio and/or ministerial titles, and there is no data linkage between title files and valuation files. The impact of such errors is that the precise extent and value of crown land cannot be accurately determined. It is also likely that other portfolio property values reflected in their statutory accounts may be understated or overstated. The Department for Administrative and Information Services, as well as all other public sector agencies, will be required to devote significant resources to remedy these errors and irregularities.

The necessary verification and valuation of these tenures is very labour intensive and, as a consequence, will require significant resources and time for complete recognition. Also, an important ongoing procedural framework will need to be developed and implemented to ensure that future transfers of ownership between agencies are accurately recorded within the LOTS system. It is a matter of getting the resources necessary to get the information, as I am sure the member for Davenport knows, having been the minister responsible for this area for a couple of years.

While all crown land can be accounted for, the quality of information pertaining to whether the crown (and by default DEH, given its responsibility to administer crown land) or another department controls the parcel remains contentious and ambiguous. Given the whole of government implications, my department is in the process of liaising with central agencies to agree on the best approach to correct data errors in LOTS and implement a mandated process which maintains accurate land ownership records for SA government property. At this stage the central agencies have not developed a final view on whether resolution of the accountancy issues is justified.

In summary, these are difficult issues which are complicated by a very old system—large lumps of lands which the government owns. We know where they are, but we do not have proper understanding of the values. The select committee, on which both the member and Davenport and I were members, will resolve at least some of these issues because we will dispose of 12 000 to 15 000 titles through freeholding of crown perpetual leases. Hopefully, that will help to resolve the issue.

The Hon. I.F. EVANS: I thank the minister for his answer, but the question was about fixed assets, not crown land. The minister might want to write to me with the answer to the question I asked.

The CHAIRMAN: That concludes the examination of the report of the Auditor-General relating to the Minister for Environment and Conservation, Minister for the River Murray, Minister for Gambling and Minister for the Southern Suburbs. I now call on the examination of the report of the Auditor-General in relation to the Minister for Health. I indicate that 30 minutes has been allocated, and members will not get a call each time; they should just ask a question and the minister should respond accordingly.

The Hon. DEAN BROWN: Why was the capital works budget for last year underspent by $23 million, and on which particular projects did the underspending occur?

The Hon. L. STEVENS: Could the minister refer me to the page of the Auditor-General's Report to which he is referring?

The Hon. DEAN BROWN: I am referring to page 295, Part B: Agency Audit Reports, Volume I, which indicates that the expenditure for the year on capital works was $122.5 million. The budget for last year was $144 million.

The Hon. L. STEVENS: I will take that question on notice and get that information. We do not have audit information on the details of that but we are happy to provide it to the honourable member.

The Hon. DEAN BROWN: I said $143 million. The sum of $145 million was in the budget for 2001-02 and, as I said, $122.5 million was spent.

The Hon. L. STEVENS: Seeing that two-thirds of it was in the honourable member's time, he probably would know most of the answer.

The Hon. DEAN BROWN: I indicate to the minister that numerous reports came through to me indicating that the capital works program had been slowed down considerably after we left government. That is why I asked the question—because I know various projects were sitting around the place, not getting up, not getting through and not getting signed. I note that—and this may well be because of the slowdown in the capital works program—the cash in the department increased from $36 million to $61 million during the year. Again, I suspect that a significant part of that is because the budget was just under spent, particularly in the capital works area. I refer to page 297 and the total there which shows the cash figures at the beginning and the end of the financial year: it has gone from $36.7 to $61.2 million. I am quite amazed that here we have so-called pressures in the health system—and I have heard various comments made about pressures on the capital works program—yet the cash in hand within the department increased by about $25 million during the year.

The Hon. L. STEVENS: I am advised that an extra $24 million was put in at the end of June this year, and that has had that effect.

The Hon. DEAN BROWN: For what purpose was that $24 million put in?

The Hon. L. STEVENS: I am advised—and I know this for my part of the health portfolio—that the $24 million was part of a cabinet submission which was put forward and accepted and approved to pay out health unit deficits and to enable health units to start with a clean slate at the beginning of this new financial year. The rest was to help similarly in

other parts of the portfolio. We felt very much that we needed to do that. We knew when we came to government that health units were struggling greatly and that they needed some help to be able to feel that this would be a fresh start, hence the cabinet submission that was granted. I have just been given some extra information. In particular, in relation to the health part of the portfolio, $12.3 million was received by the Department of Human Services via a cabinet submission in June 2002 to prevent an increase in deficits in the current year. If the moneys from the cabinet submission had not been received, the budget overruns would have increased by $8.5 million, and that was the situation we inherited from the honourable member. Health service debtors contributed to a rundown in DHS cash balances. Cash balances as per the DHS statement of financial position as at 30 June 2002 were $61.3 million of which $59.9 million is committed to other programs.

The Hon. DEAN BROWN: The government cancelled the aged care loans through HomeStart. As we all know, the minister then announced an alternative system of $15.1 million to replace that. The minister made that announcement on 26 September. How many of those loans have now been approved under that scheme?

The Hon. L. STEVENS: I know that this is not really part of the Auditor-General's Report from last year, but I am happy to give the information if I can, if we have it with us. We will have to check this but, from the advice I have just been given, approved loans have been provided to Gumeracha, Naracoorte, Millicent and Kangaroo Island, and others are in the pipeline for consideration.

The Hon. DEAN BROWN: Thank you for that information. Minister, when you came to government, the new Dental Practices Act was complete and, through the parliament, the regulations had been finalised. In fact, I was asked whether I would implement those new regulations. Being in caretaker mode in February, I was not able to do so as it was inappropriate. However, everything was lined up for the regulations to be gazetted and to go ahead with the implementation of the new act. My understanding is that the new act has not yet been implemented. Why has it not been implemented, and what is the minister trying to change in the regulations?

The Hon. L. STEVENS: I am just wondering what page of the Auditor-General's Report this relates to.

The Hon. DEAN BROWN: This is covered under general activities. That is all it has to do.

The Hon. L. STEVENS: This has virtually nothing to do with the report from the Auditor-General on expenditures. This is not estimates, which the honourable member well knows. I am feeling in such a benevolent and friendly frame of mind at the end of the year, and there are some issues—and I am quite concerned that we have not been able to progress them—in relation to parts of the regulations. I am prepared to get the honourable member a briefing on that if he wishes. I understand that it involves particularly dental therapists and the issues around that matter. We are trying to progress them, and I am aware that people are concerned and frustrated that it has not happened. I am too.

The Hon. Dean Brown: I thought that the bill had been signed off.

The Hon. L. STEVENS: No, that is not my understanding. I would be happy to provide that information. I was not expecting a question on the regulations coming out of the dental act. However, I am certainly happy to give the honourable member that information.

The Hon. DEAN BROWN: I would certainly appreciate that. My recollection is that they were all signed off by the various groups.

The Hon. L. STEVENS: That is not so.

The Hon. DEAN BROWN: I also thought that we had the membership lined up for the new board and that the act, as I said, was due to be operative by the end of March, I think it was. However, I could not proceed because, as I said, we were in caretaker mode. It became very close, indeed. I was even asked whether it might be possible to do it prior to the election being called, and the answer was that it was not, because we would not have been able to get the regulations through in time and you could not appoint the board without the regulations. The next question I will ask is whether the MRI at the Queen Elizabeth Hospital is now up and operating fully.

The Hon. L. STEVENS: To finish off with the Dental Practice Act, there were issues. If you thought it was all ready to sign off, when we came into office there were issues which came to light when we were wanting to proceed, and that is what we are trying to work through. I can get more information if the Deputy Leader wants the details, but it is about the dental therapists issue. As I am in such a benevolent mood, I am happy to have a discussion on the MRI unit at the Queen Elizabeth Hospital, which is working and has been probably for about six weeks or so, I think.

The Hon. DEAN BROWN: I understand that it may be operating, but is it being used fully at this stage? I understand that it is being used in a very limited sense.

The Hon. L. STEVENS: As far as I am aware, it is functionally operational.

The Hon. DEAN BROWN: That was not my question. Is it operating fully: in other words, are all those patients who need to have an MRI at the Queen Elizabeth Hospital using that machine?

The Hon. L. STEVENS: As far as I am concerned, it is functionally operational. We will take the question on notice and, if there is anything else that the member for Finniss would like to tell me in order to get the information for him, I am happy to receive it from him.

The Hon. DEAN BROWN: I would like to know. Perhaps the minister could get the information by tomorrow. Is the MRI fully operational—and by that I mean not just being tested or calibrated but fully operational in terms of all the patients who need MRIs at the hospital?

The Hon. L. STEVENS: It is fully operational. It is not being tested or calibrated—it is working.

The Hon. DEAN BROWN: Will the minister give some indication as to what savings targets have been imposed on the health area and what reduction in staff will occur as a result of those savings targets?

The Hon. L. STEVENS: I want the member for Finniss to accept that those questions came out of the estimates committee, and they will be provided by the Treasurer: he will provide that information, as he has said in the house on a number of occasions, as soon as he has it collated. The information from the Department of Human Services will be given, as will the information from all other agencies at that time.

The Hon. DEAN BROWN: I think I asked the omnibus questions in estimates on 6 August, and four months later I am still waiting for the answers from a government that promised to have all answers available within two weeks (which was the standard set by the government itself). Here

we are not two weeks later but four months later still waiting for the answers—and they were simple questions.

Ms Chapman interjecting:

The Hon. DEAN BROWN: In coming back to the minister on this now, it is a nice way of handballing the issue, because the Treasurer has promised the answers and he has not supplied them. It is becoming a sheer mockery, as we are so far into the year and cannot say what the budget savings targets are for this year. What is the specific target for each of the major units in the health area? I do not expect information on every small country hospital, but I would like to know the targets for the Royal Adelaide and Queen Elizabeth Hospitals, the Flinders Medical Centre, and the Lyell McEwin, Modbury, Noarlunga and Repatriation Hospitals.

The Hon. L. STEVENS: As the member for Finniss acknowledged, that is an estimates committee but this is an examination of the Auditor-General's Report from last year. The Treasurer gave an undertaking to the house on a number of occasions—this week, I think. I know that that information will be provided by him as soon as possible.

The CHAIRMAN: It is an examination of the Auditor-General's Report. Whilst members may be tempted to revisit estimates, it is not the time to be doing that.

The Hon. DEAN BROWN: I thank the minister for that, but it is pertinent stuff in terms of operating the health system. I turn to the annual report for the year ended 30 June 2002. I refer to the figures that have been used in the Auditor-General's Report for the Department of Human Services for the period we are looking at. I notice that the payments for state appropriations to the Department of Human Services increased from $1.269 billion to $1.414 billion; in other words, it has gone from $1.269 million in terms of revenues for ordinary activities (I refer to page 113 of the annual report) to $1.414 million. That is a very significant increase of $140 million. I notice that this year compared to last year the increase across the whole department was $106 million. In other words, there is a significant reduction in total expenditure. The increase in expenditure this year is half the increase in expenditure of the previous year. Will the minister give some indications in relation to this, because in terms of state appropriation we have had an increase of $140 million, putting aside federal appropriation and other outside special agreements where funds would be allocated, particularly from federal sources? Does the minister acknowledge that the increase this year is substantially less than that for the year 2001-02 and, if so, what will be the impact of that?

The Hon. L. STEVENS: I am advised that the increases for the year covering this report occurred because of the funding of the medical officers' and nurses' EBs, and this year there was not the need to fund those things in the same way.

The Hon. DEAN BROWN: I think they got what was equivalent to effectively a 5 per cent salary increase each year of the EB, so it would have had an increase for this year. Therefore, I wonder why there is a lesser amount this year than for the last financial year.

The Hon. L. STEVENS: EBs have been funded to the full extent in both years, but we can give the member more detailed information on that if that is what he requires.

The Hon. DEAN BROWN: On page 131 of the annual report for the department, I notice an interesting line down the bottom called 'Other'. This is the table 'Recurrent funding to incorporated health services', and each of those services works through what the increase in funding has been for both the country regions and specific areas. However, under 'Other', payments increased from $31.5 million in 2000-01 to $47.2 million in 2001-02. I query the reason for the increase of something like 50 per cent in that 'Other' area and what that $15 million has been used for.

The Hon. L. STEVENS: I am wondering if the member could refer to the relevant page in the Auditor-General's Report.

The Hon. DEAN BROWN: It is on page 131 under 'Annual Report of the Department of Human Services', but it is for the year for which the Auditor-General's Report is prepared. It is therefore part of the actual expenditure of the department and, as I said, there has been a $15 million increase in funding which represents a 50 per cent increase in this line 'Other'. I would like to know what is included. Perhaps you can get the information. I do not expect an answer—

The Hon. L. STEVENS: The member is quoting out of a different report altogether. I just do not have that information with me, and my advisers are not able to provide that information. We will have a look at it, but we cannot do it just off the cuff without the member giving us more detail of what he is looking at.

The Hon. DEAN BROWN: I appreciate that the minister may not be able to do it off the cuff. I just ask if she could supply an answer. It is page 131 of the annual report; it is the second to bottom line under 'Other'; and it is the comparison between the two financial years covered in that report.

My next question relates to page 295 of the Auditor-General's Report and, in particular, under 'Statement of financial position'. Provision of $78.2 million principally related to the Human Services professional indemnity insurance claims, which increased by $30 million with a recognition of incurred but not reported claims. That $30 million increase, which is very substantial, represents an increase of about 65 to 70 per cent: is that due to an accounting change and a reporting period change, or is it because there has been a significant increase in the potential liability that exists within the insurance area of the department?

I appreciate that the department insures for base risk over $1 million, I think under SACORP, and this then covers all other costs and administrative costs in this area. I would appreciate knowing why it has gone up by $30 million in the year?

The Hon. L. STEVENS: The Auditor-General's Department has required that a provision for incurred but not reported claims be recognised in the department's financial statements. The actuary contracted to provide an annual report on the professional indemnity medical malpractice programs liabilities advised that an amount of $30.7 million be recognised in the financial statements. This amount reflects an estimate of claims that potentially have occurred but have not been reported. Reporting of this amount is in accordance with accounting practices and is reviewed annually based on actuarial advice.

The Hon. DEAN BROWN: I am still not sure that that is an adequate explanation for what has been such a huge increase in indemnity liability. I appreciate that the minister may wish to go away and get more information from the insurance arm of the department, but I think we need more clarification as to why it has gone up by such a huge amount. I know that in the previous year we had changed the accounting procedures and that at the beginning of last year we changed some of the insurance procedures. I want to try to understand to what extent there has been a blow-out in liability.

I know that there was one substantial settlement last year, and I wonder whether that has impacted on other settlements. I would also appreciate information on what is the potential tail—because it is a very long tail—of liabilities which would probably cover a period of up to 20 years. I think this is very relevant, because it then comes back to what measures we take in terms of trying to cap liability by changes in legislation. Whilst this parliament has put through a number of measures in terms of public liability insurance, the one area in which those measures have had virtually no impact at all is medical indemnity insurance. It is an issue which I believe is still sitting there unresolved and undealt with largely in terms of legislative change. That is why I am interested to know.

I know that the health ministers set up a working party on this matter, and I would appreciate knowing therefore what the expectation is in terms of the increase in liability from year to year and whether we as a parliament need to be taking steps to start to cap, in a serious way, medical indemnity liability so that the insurance costs are reduced.

The Hon. L. STEVENS: I will just give a brief response and then we will provide further information in due course. Essentially, the member would probably recall that as minister he took the decision to increase the deductibles from $50 000 to $1 million.

The Hon. Dean Brown: Which is what I acknowledge.

The Hon. L. STEVENS: Yes. Therefore, the department is carrying the first $1 million of risk and, in recognising this, we have had to increase the potential liability associated with the risk. I will give further information in a considered answer but, obviously, the member is well aware, as I think everybody in the country is, that there are major issues in terms of medical indemnity related to public liability, but with particular issues in relation to health and medical indemnity. Those issues are being discussed on an ongoing basis at both a state and national level, but we still do not have the answers. Certainly in terms of health there is considerable concern by health ministers that the commonwealth has really not taken the lead that it needed to take in terms of bringing us all together; but there is obviously a lot of work being done. We are working on it as well. South Australia was among one of the first states to bring legislation through its parliament which has happened already, but there certainly needs to be some extra work done in terms of medical indemnity.

The CHAIRMAN: The time has expired for examination of the report of the Auditor-General relating to the Minister for Health. We will now examine the report of the Auditor-General in relation to the Minister for Social Justice, Minister for Housing, Minister for Youth and Minister for the Status of Women, and 30 minutes is allocated for the examination.

The Hon. DEAN BROWN: I refer to page 294; in fact, this was a question I was going to ask of the other minister but, seeing that there is a divided responsibility here, I can equally ask the question now. At the bottom under 'Staffing costs', it states that 79 TVSPs were granted during the year at a cost of $7.1 million. How many of those 79 were granted after 4 March and what was their cost?

The Hon. S.W. KEY: I am advised that after 4 March there were none, so the cost therefore was none.

The Hon. DEAN BROWN: How many separation packages that were not voluntary were granted after 4 March and what was the total cost of those separation packages?

The Hon. S.W. KEY: The advice I am given is that there was a termination of contract, which the deputy leader would be aware of, which was the contract of the CEO. Other than that, there are no packages. However, we will check that point for the deputy leader to make sure that we have given him the correct information.

The Hon. DEAN BROWN: I would appreciate that. There were two components to the question: one was how many and the other was what was the total cost. I accept the fact that none of them was voluntary, so I would like to know the details of the separations that otherwise took place that clearly were not voluntary. During this reporting period of 2001-02 the government abolished the HomeStart loans for regional housing. What alternatives is the government putting up to ensure that there is a means of securing housing in regional areas, particularly in those areas where there are employment opportunities but quite inadequate housing available? The classic examples are Bordertown and Naracoorte, but there are quite a few other regional centres in South Australia that I know were very keen to build regional housing.

In particular, we are looking at housing for low income families or, in some cases, individuals on lower income. They have just moved in, just got the job there, and they probably do not feel secure enough to go out and try to build a home. They do not have the resources to build a home, yet here in many ways is the heart of trying to establish these regional areas. So, can the minister give me some information on what alternative schemes are now available to replace the regional HomeStart loan scheme?

The Hon. S.W. KEY: The question that the deputy leader has raised is really at the heart of policy issues and, although I think it is quite laudable that the deputy leader has asked those questions, I would ask first whether he could point me to the reference in the Auditor-General's Report on that question, and I would be interested to follow up that point through the chair. I do not believe that is part of the examination for today.

The Hon. DEAN BROWN: It is, because we are dealing generally with the allocation of funds to the Department of Human Services for last year, and various other housing authorities. Is it now covered under the South Australian Community Housing Authority? The Housing Trust is certainly covered here, as is the Department of Human Services. I have seen enough of discussion and questioning on the Auditor-General's Report to know that it does not have to deal with just the figures but with the broad policy areas covered in that financial year.

The Hon. S.W. KEY: Although I understand the question and am more than happy to provide information to the deputy leader about the program with regard to housing, particularly in rural and regional areas, I have to say that, as part of the housing plan, one of the areas that we will be looking at is the provision of housing for rural and remote areas. The concern that has been raised by a number of people, including the deputy leader, I think, of employee housing and the connection between accommodation and employment, which is a fundamental issue, is not really part of the Auditor-General's Report. The deputy leader has not given me a reference, so that probably emphasises that fact. I will be more than happy, when we have some more information to hand, to provide a briefing to the deputy leader on this issue. I do agree that it is an important issue.

The Hon. DEAN BROWN: I do not accept that it is not part of this. At page 355 we have a whole section on the Housing Trust, in terms of responsibility. If you look at what the Auditor-General has put into his report in a number of

areas, he does talk about outputs. For instance, in the health area I referred to pages 314 and 315, so this is part of the output, and I am asking: what is the output in terms of housing in country areas? Page 359 talks about the number of trust rental properties, and that is the main housing authority under the control of the minister, in terms of numbers. If you look at page 361 you will see house acquisitions. What I am asking is: how many of these have been in regional areas to replace the regional HomeStart loan scheme and, therefore, what policy initiative is in place? It is very valid in terms of the Auditor-General's Report.

The Hon. S.W. KEY: As I said earlier, I understand the reason for the question. In fact, I probably agree with the importance of it, but originally the deputy leader asked me about HomeStart and he has not actually given me a reference with regard to HomeStart in regional areas. He has given me other references, which I accept. I have already given an undertaking that, as we move further through the housing plan, I will be happy to give the deputy leader a briefing on not only what is being looked at in regional and remote areas but also that connection with employment which, as I understand, was part of the deputy leader's original question. If that does not address the question that the deputy leader is asking without reference, I am not sure what I can do to help him.

The Hon. DEAN BROWN: I am quite happy for the minister to come back with an answer, but I point out that in this reporting period a HomeStart loan scheme for regional areas had been established, and that was done in the latter half of 2001. In the latter part of the financial year 2002 but still in this reporting period, the government scrapped the HomeStart loan scheme. Therefore, I am asking in policy terms, during this period what other schemes has the government developed to replace that scheme which has been scrapped and which would establish housing in those regional areas of South Australia where there is a significant shortage but a high level of demand for new housing, in particular because of some of the industries at Naracoorte and Bordertown, with the abattoirs and vineyard developments, and some of the other areas as well. The demand is there. I want to know what policies have been put in place during this reporting period to replace the scrapped HomeStart loan scheme.

The Hon. S.W. KEY: I again emphasise, firstly, that the questions asked by the Deputy Leader are more appropriate for the estimates committees and, secondly, as we move through the deliberations in relation to the housing plan and the working groups, I am happy to provide more detailed information not only to the Deputy Leader but also to other members with responsibilities in rural electorates. It is important that this is a general discussion. I am sure that the Deputy Leader is aware that a major trust asset strategies plan has been put in place, and it has a five-year time frame to address the balance of supply and demand. That is the most recent advice I have had. I think that most of the Deputy Leader's questions are more appropriately estimates committee questions, or I invite the Deputy Leader to put these questions on notice, if he feels that I am not adequately addressing them.

The Hon. DEAN BROWN: In relation to the Housing Trust one-bedroom cottage flats, what proportion of gross household income was taken as rent last financial year? I am aware that from 26 October this year it is 19 per cent. What was it prior to that applied to last year? I understand that, if the cottage flat does not have a separate bedroom, from 26 October this year the rate is 17 per cent of the gross household income. What was the figure last year?

The Hon. S.W. KEY: I did not hear the reference to the Auditor-General's Report. In answer to the member for Finniss's question, the two rates have gone from 16 per cent to 17 per cent and from 18 per cent to 19 per cent respectively.

The Hon. DEAN BROWN: That is exactly what I was after. I was referring to the whole section relating to the Housing Trust in the Auditor-General's Report. The minister very kindly sent me a letter outlining exactly how the $800 000 savings for the IDSC was to be achieved. Will the minister advise what the savings are for Minda Homes?

The Hon. S.W. KEY: Will the honourable member provide the reference in the Auditor-General's Report for Minda?

The Hon. DEAN BROWN: It is on page 303 under the heading 'Funding for the disability sector'.

The Hon. S.W. KEY: I am advised that TVSPs have made up the major part of the cost savings for Minda. I think the honourable member would know that the whole savings question is not part of the Auditor-General's Report. So, I am indulging the honourable member by answering this question, but I think it is important to try to answer his questions. My advice is that the time frame we are talking about was 2001-2002 (that was, until July this year), and we are talking about TVSPs. I am not sure whether the honourable member or the Hon. Rob Lawson had responsibility for the disability sector at that time, but they made up these savings.

The Hon. DEAN BROWN: I simply wanted to know the savings target for the current year which equated to the $800 000 for the IDSC. Perhaps the minister could get that information for me.

The Hon. S.W. KEY: I am happy to take that on notice, but the shadow minister needs to refer to the Auditor-General's Report. This is not an estimates committee process: it involves the Auditor-General's Report. As I have said, I am more than happy to provide information on specific questions he asks, but these questions are not really appropriate for this session.

The Hon. DEAN BROWN: I refer to page 304 of the Auditor-General's Report in relation to SHINE. Two nights ago, I happened to be reading the annual report of SHINE—

The Hon. S.W. KEY: This is actually minister Stevens' area of responsibility, so I am not in a position to answer for her part of the portfolio.

The Hon. DEAN BROWN: It is very confusing, because some of the lines come under another minister, and I think that is somewhat unfair. I could put that question on notice to be answered by the minister responsible. When there are as many organisations as we are dealing with here, some of them are under another minister. On pages 303 and 304, there is a whole page in very fine print of various organisations that are funded under the Department of Human Services, and it is difficult to know which comes under which area. Perhaps my question could be referred to the minister responsible.

I note that payments for SHINE this past financial year (2001-02) increased very substantially indeed. I also note that the figures for SHINE show that it substantially underspent funds allocated to it for the year. Why was there such a substantial increase in funding for SHINE last financial year compared to the previous year? Can the minister either give some explanation or ask the minister responsible to explain whether there have been special allocations for a new role and

why so much money remained unspent at the end of the financial year, as reported?

The Hon. S.W. KEY: I emphasise that I am more than happy to follow up on that question for the Deputy Leader. However, I understand that this would have been part of his responsibility as the minister at the time. So, the Deputy Leader could probably answer half this question himself. However, although it would be inappropriate for me to make any comments on other minister's portfolios, in this instance I am happy to undertake to get further details for the Deputy Leader.

The Hon. DEAN BROWN: I acknowledge that the original budget was allocated during the period when I was minister. That is why I ask the question. I was not aware that such a significant increase in funding had been allocated to SHINE. I covered only part of the year, and I wonder whether there has been a further allocation to SHINE. No explanation has been given to me why there has been this substantial increase in funding.

Ms CHAPMAN: My question relates to the Office for the Status of Women which, until 1 July 2002, was cleverly concealed in the transport, urban planning and arts division. I have attempted to identify in the notes, in relation to the financial statements for the four months during which the minister had responsibility in this area for the relevant financial year, the actual expenditure and income as distinct from what we had in the budget process, which were the estimates as at 30 June. Where are they disclosed?

The Hon. S.W. KEY: I think that is a fair enough question in many respects. The problem with the member's question in this session is that there has only recently been a transfer of the Office for the Status of Women under the Department of Human Services umbrella. So, it would be very difficult for me to ask any of the advisers here to answer that question. Does the member have a more specific question that she wants to ask me that I could perhaps take on notice—for instance, where the member thinks the reference to the Office for the Status of Women is in the Auditor-General's Report? This is, unfortunately, the wrong session.

Ms CHAPMAN: With respect, we are talking about the four-month period from March to June 2002, which is part of the financial year ending 30 June 2002, which we are here to discuss. It may or may not be that the minister's advisers are fluent with respect to that financial period—but, given that that is the financial period we are here to discuss, I would have thought they would be. I am not here to ask the minister necessarily where that information may be in the transport report. If the minister does not know, she does not know: I suppose that is the position. If the minister's advisers simply do not know—

The Hon. S.W. Key: Do you know?

Ms CHAPMAN: I could guess that, in relation to the income and expenditure as identified, it is in there somewhere. A large amount of money is identified in relation to the total of that area—the $1.660 million that is allocated to this important area is in there but, of course, it has not been identified specifically in the financial statement. I will rely on what was provided by the Treasurer at the time of the budget, when he provided us with an estimate of the income and expenditure for that financial year. My first question is, in relation to that year: what amount of money did you have by way of asset of this sub-department as cash or deposits on call as at 30 June 2002?

The Hon. S.W. KEY: I would like to make a couple of points. First, as the honourable member would be aware, the Office for the Status of Women was under the umbrella of a different set of portfolios, which she has already identified. In addition, that transfer has occurred fairly recently, and we are examining the Auditor-General's Report for 2001-02. With respect, I think the member's question is not appropriate for this session, because I do not have the advisers here. I am happy to provide information to the member as she has requested, because I think it is important for all the information about the Office for the Status of Women to be made available to parliament, and certainly to the member, as shadow minister. I am happy to give that undertaking. But my memory of both estimates and the Auditor-General's examination process is that there is some onus on the person asking the question to cite the reference: it is not for the minister. I invite the member, if she does want to ask those questions, to do so in future.

Ms CHAPMAN: Let us have a look at the financial position as at 30 June 2002: page 849 of transport, urban planning and the arts, and the cash assets, which are described as $86.148 million as at 30 June 2002. How much of that was in bank accounts for the Office for the Status of Women?

The Hon. S.W. KEY: I thank the honourable member: I just emphasise that I am not trying to be difficult. She heard what I said in relation to her previous question. I am happy to take that on notice and provide that information to the member, as I said, in response to her first question.

Ms CHAPMAN: Can the minister identify the nature of the accounts in which it is invested—whether there is a fixed deposit account, a cash on call account, or whether there is an account in the Treasury department, in the Consolidated Account? Can the minister identify that and, if not, can she take the question on notice?

The Hon. S.W. KEY: As I said, I am quite happy, in relation to both the first and second questions, to obtain that information for the honourable member.

Ms CHAPMAN: From my observation of the accounts, a significantly greater balance of funds is held in cash or deposits in the total budget and, indeed, relying on the information provided at the time of the budget, there is a significantly greater amount in those accounts as at 30 June 2002 than there was at 30 June 2001. Does the minister have any explanation as to why there should be such a significant extra amount? I am talking about an extra amount of some $30 000.

The Hon. S.W. KEY: I can only repeat what I have said in answer to the member's previous questions. I will supply as much information as I can.

Ms CHAPMAN: We note the announcement in the last day or so of the establishment of the Premier's Council for Women, with its operation to be effective as from February next year. Did the previous women's council meet at all between February and June 2002?

The Hon. S.W. KEY: Can the honourable member describe the reference in the Auditor-General's Report on that point?

Ms CHAPMAN: Again, I refer to page 849 in relation to 'Expenses from ordinary activities', under either 'Employee expenses' or 'Other expenses', which will cover the expenses relating to the operation of the women's council, which had a budget of $40 000, plus $60 000 in support, plus another $37 000, from memory, which involves in-kind services. That was an item of expenditure and, accordingly, I ask whether that committee met between March and June and, if it did not, whether its members were paid any money.

The Hon. S.W. KEY: I think the member for Bragg draws a very long bow here. I do not see the women's council listed here anywhere. I respect what she is saying: that on page 849 it does come under the transport, urban planning and the arts portfolio area. As I explained, my understanding of this examination under the Auditor-General's Report is for the previous financial year, when in fact the Office for the Status of Women came under that portfolio. I will make two points—and I am doing so because I respect the member's question, rather than acknowledging that it is part of the Auditor-General's Report. As she probably knows, the previous committee finished at the end of June this year, as I understand it. The Premier and I thought that it was important, because of the valuable work that had been done by that committee, to make sure that it had the opportunity to finish its work. There may have been a couple of meetings after that date, just to tidy up some of the good work that had been done by that committee (which, as I understand it, reported to the Hon. Diana Laidlaw). From that time, a number of the subcommittees also reported to the Office for the Status of Women, and I was advised of their deliberations and campaigns as a result. I think the member for Bragg and I both agree that the committee has been a very important part of the work for the Office for the Status of Women and, as I understand it, meetings took place right up until the committee finished, probably some time at the end of June, but it may have been a little later.

The CHAIRMAN: That concludes the Auditor-General's Report in relation to the Minister for Social Justice, Minister for Housing, Minister for Youth and Minister for the Status of Women. We will now examine the Auditor-General's Report in relation to the Minister for Urban Development and Planning, Minister for Local Government and Minister for Administrative Services. Thirty minutes are allocated. I point out to members that they will not get an individual call; they will just ask questions and hopefully the minister will respond.

The Hon. DEAN BROWN: Mr Speaker, I draw your attention to the state of the committee.

A quorum having been formed:

The Hon. M.R. BUCKBY: The Auditor-General has not made any comment in relation to Planning SA, but in looking through his report I noticed a couple of lines that I thought might just be worth teasing out. The Planning SA deposit account has a balance of $2.964 million compared to $3.849 million in the previous year. Will the minister explain the reasons why the amount in that account has reduced by some $1.17 million?

The Hon. J.W. WEATHERILL: No, I cannot provide that information today, but I will provide a detailed answer to the member.

The Hon. M.R. BUCKBY: The report also identifies that some 42 employees of the department took TVSPs during the year. Will the minister advise how many of those were from Planning SA?

The Hon. J.W. WEATHERILL: No, I cannot, but I will undertake to provide an answer to the member.

The Hon. M.R. BUCKBY: I have another question on the financials, although I understand that you may not have the information tonight. A line there appertains to planning related fees, and the figure shown is $1.158 million. I notice that there was a reduction of $117 000 over the year. Can you bring back an answer on what makes up those planning related fees? This is on page 858, under item 9, the second item down from the top of the page: 'Fees and charges for services'. It shows planning related fees of $1.158 million versus $1.275 million the previous year.

The Hon. J.W. WEATHERILL: I will undertake to provide a full answer, but I know that in part those fees would comprise fees that are paid to Planning SA on the lodging of a major project application. That figure would reflect a lesser number of those fees over the reported period, and other fees may well be capable of being collected by Planning SA in relation to its role as a planning authority. So, it would be those fees—I suspect they are fees in relation to the Development Assessment Commission. The only planning related fees that Planning SA would be concerned with would be those other than council related, so I think it would be the major project applications and applications to the Development Assessment Commission. However, I will undertake to provide a full answer.

Mr BRINDAL: Perhaps you can guide me. I see that the Local Government Financing Authority has a number of executives and that in 2002 one of them was on a salary in excess of $220 000 and that two others were on salaries in excess of $110 000. Given that the fund is guaranteed by the Treasurer of this state and is a considerable financial benefit to local government, will the minister tell me how this government, which is supposed to be frugal, justifies such excessive salaries for such relatively junior officers within the system of government?

The Hon. J.W. WEATHERILL: It is probably an unwarranted assumption to suggest that these are relatively junior officers. I think that the best response to this proposition would be for me to provide the honourable member with a clear understanding of the nature and role of this executive position, because I think if he understood that and the funds for which such a person is responsible he would begin to understand that this is far and away a position that could not be described as a junior position. Indeed, I know that equivalent positions within the state public sector are likely to attract very similar salaries, but I undertake to provide greater clarification for the honourable member. I think his assumption that this is a junior officer enjoying a salary of over $220 000 is unwarranted.

Mr BRINDAL: I made the point that they were relatively junior positions. The minister might answer this question: as this comes before this parliament under the auspices of his ministry, is he indeed the minister responsible? If he is the minister responsible, how direct is his contact? As the minister who bears the responsibility for this authority, how much direct contact does he have and is this one of his very senior officers? In answering the question, the minister might detail to the house how much the minister gets—because I do not think the minister, who is responsible for this officer, gets $230 000.

The Hon. J.W. WEATHERILL: I was the Minister for Local Government. As of midday today, I ceased to hold that high office and the Hon. Mr McEwen (the member for Mount Gambier) now holds that esteemed office. He follows in the footsteps of some well regarded ministers for local government. In respect of the Local Government Financing Authority, it is a statutory authority. Its relationship to the minister is not the same relationship that many statutory authorities (which exist within government) bear to their minister. There is an independent board. In relation to the board there exists a representative from the Treasurer and, indeed, representatives from a range of council entities. Like many relationships that exist in the local government sector, it involves the status as exercising a service role to ensure that financial manage-

ment services are carried out in the most effective way possible. I think that adequately answers the honourable member's question.

Mr BRINDAL: The minister's department, which is the Department for Transport, Urban Planning and the Arts, I presume includes local government. Is local government included?

The Hon. J.W. WEATHERILL: Yes.

Mr BRINDAL: The minister has a net cash provision of operating facilities of $170.371 million, as detailed on page 863. In the year 2000, the minister had 22 employees above the salary of $100 000 a year. In fact, he has only one person in his whole department who earns between $240 000 and $249 000. In other words, the Local Government Financing Authority has $40 million-odd— with one person on that remuneration—yet the minister's whole department can be run by one person in that salary band and has something like four and a half times the budget—and, presumably, a lot more employees. Will the minister detail the logic of his having only one person in that band, when someone with a quarter of the responsibility has one, too. It strikes me as not being very sensible.

The Hon. J.W. WEATHERILL: As I mentioned before, the answer is most likely to lie in relation to the duties and responsibilities that are attracted to that position. As the honourable member would be aware, there is often a cause within government to attract people from the private sector who have the necessary skills to carry out a function on behalf of government. In the area of—

Mr Brindal interjecting:

The Hon. J.W. WEATHERILL: Well, the honourable member offers himself to run the Local Government Financing Authority, but we prefer the skills of proven money managers. Those people are highly marketable commodities, in terms of their capacity to attract salaries within the private sector, and indeed to attract them to government does require a need to pay commensurate salaries. It is most likely that the explanation for the relativities which the honourable member questions lies in that.

Mr BRINDAL: Page 859 refers to the Office of Local Government deposit account, which dropped from $428 000 in the 2001 financial year to $231 000 this year.

The Hon. J.W. WEATHERILL: A number of transactions have affected that balance, and I undertake to provide to the honourable member an answer that explains that.

Mr BRINDAL: On page 864, under 'Consultancies', 23 are listed for 2002. I acknowledge that in 2001 it was 52, so there are fewer consultancies. Will the minister detail how many consultancies have been undertaken since he was minister, the nature of these consultancies and the results of those consultancies, especially any consultancies in regard to the North Terrace precinct?

The Hon. J.W. WEATHERILL: The important question to bear in mind is that we came to the last election on a promise of halving the number of consultancies that have been expended in government. Here we have a really spectacular example of the government fulfilling one of its key promises. We had 52 consultancies under the former minister, and 23 under the new minister—a promise kept and delivered on behalf of the people of South Australia.

Mr BRINDAL: I repeat the question: how many consultancies were undertaken during your ministry, which consultancies were undertaken during your ministry, and what were the results of these consultancies? I acknowledge that the minister has done very well. I just asked which ones the minister did and how much they cost.

The Hon. J.W. WEATHERILL: Unfortunately, my term of office extends beyond the reported period. This is the Auditor-General's Report in respect of the 2001-02 financial year. It is virtually impossible to disaggregate which consultancies have occurred during my period in office. The period with which we are concerned involved 23 consultancies. That is all I can offer.

Mr BRINDAL: Let us see if we can get a satisfactory answer in respect of this question. One of the costs detailed is the minister's salary, and I believe the minister's office and administration. What was the cost in the last financial year of the administration of the minister's office?

The Hon. J.W. WEATHERILL: I do not have the answer to that question with me. It is administered under the Department for Administrative and Information Services, but I will supply an answer to the honourable member.

Mr BRINDAL: I will be very interested to see how much the minister costs to run. Under the same line there is mention of the local government tax equivalent regime. I remember that as being a scheme whereby local government entities—I think they were old section 200 or section 199 entities that were not required to pay tax—deposited the equivalent tax that they should pay into a scheme under the federal government's requirements for competition neutrality. Those funds were then available for application to the scheme. I ask simply: how much is now in the scheme? Is it accumulating, remaining static or depleting? During the honourable member's ministry—I will not trouble him with mine—what uses are those funds being put to?

The Hon. J.W. WEATHERILL: That scheme is administered largely by local government.

Mr Brindal interjecting:

The Hon. J.W. WEATHERILL: It is administered by a committee that I understand is largely dominated by the interests of local government. Of course, from the point of view of local government, it is expressed to be money that is collected from the council entities. A reportage is provided by that government structure on this scheme. I think it is known as a research and development scheme. I am more than happy to supply details of the research grants that those funds have been applied to during the relevant reporting period.

Mr BRINDAL: Obviously the next question, of course, relates to the catchment management subsidy scheme. The scheme was reviewed and reported on, and it is an item of administration under the minister's line. What has happened with that money? What will happen with that money in the future? What future plans does the minister have for that account?

The Hon. J.W. WEATHERILL: The honourable member should be aware that that is actually the responsibility of the Minister for Environment and Conservation. It is not my responsibility.

Mr Brindal: That was my responsibility.

The Hon. J.W. WEATHERILL: It might have been your responsibility as minister for water resources, but certainly it is not my responsibility.

Members interjecting:

The CHAIRMAN: Order! The member for Unley will come back to the purpose of the committee.

Mr BRINDAL: Sir, flood mitigation is mentioned on page 864, and, in light of the minister's previous answer on the catchment management subsidy scheme, if the Auditor-

General says that one of his administered items is flood mitigation and if he also still holds the authority under the South-Western Suburbs Drainage Act 1959—as it says he does here—how then is he not responsible for the catchment management scheme? I point out to him that the Auditor-General thinks he is responsible for that, because it is listed as an administered item at item 35 on page 864. Either the minister is misleading the house and saying that he is not responsible for something that he is responsible for, or the Auditor-General is misleading the house, or the minister has mislead the Auditor-General. Could the minister explain to this committee who is responsible for this scheme? The Auditor-General says he is.

The Hon. J.W. WEATHERILL: The simple matter here is that the Minister for Environment and Conservation has responsibility for the catchment management subsidy scheme. I must say, though, that in my role as Minister for Local Government, it has been a matter about which councils have made regular representations, and it has been a matter that we have placed firmly on the agenda for the minister's local government forum. So, in a sense, we have accepted responsibility for dealing with the issue. However, the ministerial responsibility for dealing with the matter is most certainly the responsibility of the Minister for Environment and Conservation.

Mr BRINDAL: Obviously, I would never hesitate to accept the minister's word. But I will be writing to the Auditor-General to clarify this matter, because he has clearly given this house misleading information. I have wasted about four minutes asking about something for which the minister says he is not responsible, and the Auditor-General in his writing clearly says that he is responsible. I accept the minister's word, but the Auditor-General needs to qualify it and provide us with accurate information.

The Hon. J.W. WEATHERILL: If the member feels disadvantaged by the fact that the Minister for Environment and Conservation is not here, I offer to take that question on notice and respond to him, if that is what he pleases.

Mr BRINDAL: I thank the minister for doing that, but I will still contact the Auditor-General because I do not like being sold a pup.

The Hon. D.C. KOTZ: At page 12 of the Auditor-General's Report under 'Controls opinion' the Auditor indicated concern about an inadequate reconciliation process between the Business Unit's ledger and the department's Corporate Ledger. The reliability and integrity of a system operation that produces financial data could be in question. DAIS has indicated to the Audit Unit that a systems upgrade will resolve those issues, which is to be completed in 2003. As the minister accepted a massive $21 million funding cut throughout seven of his 10 departments, has the funding for this vital upgrade been allocated to enable DAIS to comply with the assurances resolution, and how much of that funding has been allocated?

The Hon. J.W. WEATHERILL: This is a serious question, and one that actually does draw on the Auditor-General's Report, rather than the long bows that have been drawn. Contained within the body of the question asked is, indeed, the solution. It states in the last paragraph that DAIS has indicated that reconciliation issues are to be addressed through a systems upgrade to be completed in 2003. So, the Auditor-General has been satisfied that DAIS has the means, the capability and the willingness to address the issues he raised. Secondly, the implication in the question is that, given the cuts that have occurred within DAIS, will they be capable of performing that? I am advised that it is possible to achieve these reconciliations to meet the Auditor-General's queries within existing resources.

The Hon. D.C. KOTZ: I refer to page 39, Volume I of the Auditor-General's Report—if you are listening, minister. Forensic Science is a department under your responsibility, minister. Again, with the huge funding cuts suffered throughout your portfolio, forensic services did not miss out, with a $326 000 cut diminishing the capability of what is an important department and placing it at risk of being able to provide independent pathology and scientific analysis services to the justice system and the community. The minister was briefed on significant cost pressures that this department will face now and over the next few years as DNA sampling and testing will increase dramatically with new legislation. Will the minister explain the current status of this department and advise this committee of any new funding allocated to enable this significant department in the first instance to survive and, secondly, to do the job it was set up to do on behalf of all South Australians?

The Hon. J.W. WEATHERILL: The question of Forensic Science services—and, indeed, the provisions we have made within the budget concerning the Forensic Science Unit—are obviously a matter of great public interest. We strongly support the role of DNA testing in being able to solve some of the more intractable crimes that confront the community. The honourable member refers to certain cuts that have occurred in relation to the global budget on forensic services and is fearful that that will have an effect on the day-to-day work of Forensic Science in its ability to process DNA sampling.

We have made it absolutely clear that any cuts that are to be found will be quarantining those important forensic services that deal with the solving of crime through the DNA testing program. There is the issue of what has occurred during the reporting period, and we are confident that what has gone before has not affected, and will not affect, the capacity to deal with the existing DNA testing. Additional moneys were provided within the budget for DNA testing. There is a net reduction across forensic science as a whole as a consequence of the overall budget savings target, but the net decrease in funding to forensic science will not affect the capacity of the government to deliver on its promises in relation to the necessary DNA profiling work.

The next step in the equation is what the member asks about the new legislation. The new legislation may have passed, or will soon pass, the house but, when and if it does, the new government has given a commitment that it will be adequately funded to meet the additional requirements that will meet DNA testing, as required by the legislation. The honourable member has noticed and observed publicly that there will be an additional burden on the Forensic Science Department to process additional DNA samples to meet the requirements of the new legislation. The new government has made clear that that funding will be provided.

The Hon. D.C. KOTZ: It is a shame we have only one minute left, as I would like to ask more questions. If funding is not provided for this, then DNA testing and sampling cannot occur. You have admitted that there are decreases across the whole budget, and at this point no funding has been allocated by this government for the new legislation, which will increase DNA testing.

I refer to pages 11 and 12 regarding LOTS. The Auditor-General in his report comments on the ongoing resolution of management issues pertaining to the future management and

funding arrangement of the land ownership and tenure system known as LOTS. Issues have been discussed between DAIS and DEH in recent years, and an interagency working group was established to finalise outstanding arrangements; and all business operations were to be covered by formal management arrangements to examine the functional alignment of land administration information systems and management information systems between the two regimes. What has been the result of these investigations and the time lines required to implement changes? What is the future of LOTS according to Labor government policy today?

The Hon. J.W. WEATHERILL: I thank the honourable member for her question, which is also important. The LOTS system will be maintained. The communication and dialogue that was commenced during her time as minister will continue between the Department of Environment and Heritage and the Land Services Group within DAIS. The Auditor-General in his annual report noted that the Land Services Group in DAIS was unable to demonstrate full control of a number of statutory functions associated with the Surveyor-General, as well as the access and use of its information systems and associated revenues. As some matters remain outstanding, the Auditor-General has continued to raise these issues in his annual report.

In relation to the matters raised by the Auditor-General, the heads of agreement between DEH and DAIS were signed and implemented. The heads of agreement establish the roles and responsibilities of each agency with regard to some land administration function systems and information. The Surveyor-General's statutory functions of geodetic services and geographic names were transferred to the Land Services Group. The functions and systems of the survey database and the digital cadastral database remain with DEH. Service level agreements for the provision of services between DEH and DAIS are agreed. The agreements include accounts receivable, survey database and IT services. Land Services Group commenced distribution of land information retail products and implemented interim arrangements for the small number of value added resellers for property sales data.

The final agreements between Land Services Group, DAIS and DEH for data distribution and management were signed in August 2002 and the scope of these agreements is LOTS and its distribution systems, including Property Assist, section 7 and LOTS for remote user network. The heads of agreement between DAIS and DEH was extended for a further period of 12 months.

The CHAIRMAN: Order! The time for this examination has expired. The committee has considered the Auditor-General's Report and concluded its examination.

SITTINGS AND BUSINESS

The Hon. J.W. WEATHERILL (Minister for Urban Development and Planning): I move:

That the time for moving the adjournment of the house be extended beyond 10 p.m.

Motion carried.

LOCAL GOVERNMENT (ACCESS TO MEETINGS AND DOCUMENTS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

SCHOOLS, OB FLAT PRIMARY

The Hon. P.L. WHITE (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: On 21 November 2002 the Chief Executive of the Department of Education and Children's Services received a letter from the governing council of OB Flat Primary School requesting that the school be closed from the end of the 2002 school year. I have agreed to the request and, in accordance with section 14A(2)(b) of the Education Act 1972, I inform the house that the OB Flat Primary School will close its doors for the final time on Friday 13 December 2002.

This follows concern about the viability of programs, given low projected enrolments for the next five years. There are currently no estimated student enrolments for 2003. I am advised that the majority of parents recommended the closure when it became clear that the school's ability to viably provide curriculum from 2003 was questionable. Parents whose children will continue primary school in 2003 have enrolled their children at other schools.

I thank the school community for its positive and collaborative approach to determining the school's future. I wish the OB Flat families every success as they continue their education in neighbouring schools. I would also like to recognise the contributions that principals and staff (both past and present) and parents of students have made to this school. It has enhanced the lives of young South Australians in the South-East region of our state.

CONTROLLED SUBSTANCES (CANNABIS) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

STANDING ORDERS SUSPENSION

The Hon. M.J. ATKINSON (Attorney-General): I move:

That standing orders be so far suspended as to enable me to move a motion for the rescission of an order of the house without notice.

The DEPUTY SPEAKER: I have counted the house and, as an absolute majority of the whole number of members of the house is not present, ring the bells.

An absolute majority of the whole number of members being present:

Motion carried.

CRIMINAL LAW (FORENSIC PROCEDURES) (MISCELLANEOUS) AMENDMENT BILL

The Hon. M.J. ATKINSON (Attorney-General): I move:

That the order making the consideration of the amendments of the Legislative Council in the Criminal Law (Forensic Procedures) (Miscellaneous) Amendment Bill an Order of the Day for tomorrow be rescinded.

Motion carried.

The Hon. M.J. ATKINSON: I move:

That the amendments be taken into consideration forthwith.

Motion carried.

Consideration in committee.

The Hon. M.J. ATKINSON: I move:

That the Legislative Council's amendments be agreed to.

Mr Chairman, my understanding is that the other place has moved an amendment to this DNA testing bill. It has also moved a schedule of amendments supported by both the government and the opposition; amendments that were to be considered in this place but were not considered owing to the inadequate notice which the government gave the opposition. When that adequate notice was given, the opposition dealt constructively with those amendments and they have now been made by agreement between the government and the opposition with only the Democrats dissenting; and that is my favourite kind of legislation.

The further amendment that has been made at the instigation of the opposition is, as I understand it, to require police, when taking a DNA sample from a person suspected of a serious offence (a serious offence for the purposes of the act), to inform the suspect of the crime of which he is suspected. So, it is an amendment in this case to enhance the liberties of the subject, and the government is prepared to agree to that amendment. We have checked with the South Australian police and they have no objection to that amendment, and the Police Association did not wish to comment. That is the substantive amendment that is before us, and I urge the committee to support it, as both the Liberal Party and the Labor Party have in another place.

Ms CHAPMAN: I support the amendments and thank the Attorney for his comments. The opposition has taken the view that it is very important, in relation to the procedure to be undertaken for this new era of criminal detection and identification, that we ensure that the rights of a suspected person are appropriately protected. These amendments cover a procedure of appropriate notice to them of the suspected offence, the notice that if they do not comply with the direction a warrant may issue for their arrest, and other such directions that are important. This requires that they be given written notice, and the written notice must identify particulars as to the forensic procedure that is to be carried out, the directions in relation to the custody of the person while the forensic procedure is being carried out, and any other incidental matter.

This records in writing those directions which detail some accountability regarding the determination of the senior police officer who has the decision-making role as to whether the procedure is undertaken. Importantly, it secures and helps to protect those in the category of suspects, where it is agreed by both the government and the opposition that a procedure be introduced. I suggest it goes so as far as to protect police officers, because causing this to be committed to writing and for appropriate notice to be given means that they, too, have a record of the procedure being undertaken, which helps to protect them against any false accusation of misbehaviour in relation to that process. On behalf of the opposition I commend the amendments to the house.

The Hon. D.C. KOTZ: As the member for Bragg has rightly pointed out, the opposition is supporting the amendments to this bill and supporting the bill in principle. However, I am quite sure that the Attorney-General is still aware that we have considerable concerns as to funding, which has not yet been appropriated for this piece of legislation. It disturbs me even more that in questioning the Minister for Administrative Services, who has the responsibility for the Forensic Science Unit, he again admitted to this house tonight that there have already been cuts to the Forensic Science Unit as part of the across-portfolio savings that the Labor government has chosen to put upon every portfolio across government. The minister for Administrative Services, in his responsibility for this area, acknowledges that those cuts have already been made.

In that capacity the minister would also have had briefings through his department and from the Forensic Science Unit which would have advised him that, if the unit was to work efficiently and appropriately, there are very dangerous cost pressures that were alive and well coming into this budget line. Unfortunately, the government has chosen to ignore those cost pressures.

I refer to what I documented earlier in this house: the fact that in the last financial year DNA testing and sampling doubled and, therefore, there is a huge backlog waiting for funding to reduce it. With the introduction of this bill, vast amounts of money are required, and on two occasions now, both from the Attorney-General and from the Premier's office, it has been admitted that this bill has not yet been costed, nor has there been an appropriation of funds for what is an extremely important piece of legislation for the people of this state.

The Labor government, in its election promises and throughout this year, has continually stated that this bill is one of the major law reforms in the justice system, yet we have here a bill that at this point does not have any funding. I just hope that, with the support of the opposition and the other members in this institution of parliament who have supported the Labor government in producing this bill, they will come to the party—that they will solve the problem of appropriation and stand in this house and tell us that they have received an appropriation that will enable this significant bill to be implemented through the appropriate places and to support the coronial and justice provisions that this bill will provide.

The Hon. M.J. ATKINSON: The member for Newland's contribution was interesting but not, I think, relevant within standing orders to what we are currently deliberating upon. Nevertheless, I think it worthy of response. The Australian Labor Party went to the general election with a program to massively increase DNA testing in South Australia. At some point leading up to the election campaign, the Liberal government switched its position 180 degrees and matched our promise on DNA testing, namely, to DNA test the entire prison population, among other things. I suppose that was owing to the departure of the previous Attorney-General, the Hon. K.T. Griffin.

Some months after we came to office, I became aware (principally through the newspaper) that police in South Australia wanted much more DNA testing than what had been promised by the government party and the opposition party. In the weeks that followed, I became aware of the police position and that of the Police Association, and I listened carefully to what they had to say. I think it is reasonable to say that I adopted their position totally, and that is what is reflected in the bill. So, there will be more DNA testing than was expected at the time of the general election. The budget was some months ago: this debate developed months after the budget was done and dusted.

The Hon. D.C. Kotz: So, why isn't it funded?

The Hon. M.J. ATKINSON: The member for Newland interjects, 'Why isn't it funded?' I am assured by the Premier and the Minister for Administrative Services that it will be funded.

The Hon. D.C. Kotz interjecting:

The Hon. M.J. ATKINSON: The budget was months ago. The budget could not have taken into consideration a development in the law that came months after the budget. I have gone along with the police and the Police Association in the drafting of this law. The member for Newland called upon me to embrace those changes. I have done that, and now the member for Newland rounds on me and says, 'But you haven't funded it in the budget.' It is quite simple: it is because it came after the budget. I am assuring the house that it will be funded, because it is an important commitment of the government. The member for Newland is right to say that it would be a most unsatisfactory outcome if, owing to this law, a massively increased number of DNA samples were taken in South Australia and they were not processed into DNA profiles promptly. I agree with the member for Newland: thy will be done!

The Hon. D.C. Kotz interjecting:

The Hon. M.J. ATKINSON: The opposition in the other place was offered a full briefing and encouraged to ask questions of the Director of the Forensic Science Centre, Dr Hilton Kobus. I believe that opposition members in another place availed themselves of that opportunity, and I think they are satisfied with the answers. That is why this bill is here and we are agreeing on it. I thank the opposition for their cooperation on the bill, and I ask the member for Newland not to be too hard on me.

Motion carried.

SCHOOLS, KOONIBBA ABORIGINAL

The Hon. P.L. WHITE (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: On 27 November, during question time, the member for Bragg asked me a question about a replacement building at Koonibba Aboriginal School. I now have the information requested by the honourable member. The department offered the Koonibba community the option of either a new dual classroom that would be completed by April 2003 or the relocation of transportable rooms to the school that would be in place for the beginning of the school year 2003. The Koonibba Aboriginal School community has chosen the two transportable classrooms, and the department is arranging for the rooms to be moved during the school holidays in time for the commencement of the school year.

SCHOOLS, MEADOWS PRIMARY

The Hon. P.L. WHITE (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: On 27 November, during question time, the member for Heysen asked me a question about Meadows Primary School. I now have the information requested by the honourable member. The statement 'that the town bore water is contaminated and unfit to drink' is inaccurate. The council's environmental health officer wrote to the Principal on 19 July 2002 informing her of results of water testing undertaken at the school. The advice from the Department of Human Services and Mount Barker District Council is that the water supply to the school is from a town bore located adjacent to the school and 'is not intended to be used for drinking as it is from an uncontrolled source'.

The advice from the Department of Human Services and the District Council of Mount Barker to the Meadows Primary School is that the water is suitable for hand washing and consumption of low volumes should not present a health risk. Drinking water for students is supplied from a rainwater tank at the school. SA Water does not supply the school with potable reticulated water, and there are no plans in the near future to supply this. The District Council of Mount Barker is the supplier of the bore water and advises that it is continuing to work on the quality of the water supply to the town. Many of the children attending the school would be accustomed to this situation of drinking only rainwater at home as the problem exists throughout this area.

The asset management adviser for Meadows Primary School has provided information to the school about the need to establish an education program for children about not drinking the water from toilet handbasin taps. The Principal has followed up the advice, contacting the Manager, Inter-agency Health Care, for assistance to develop an education program.

ADJOURNMENT

At 10.38 p.m. the house adjourned until Thursday 5 December at 10.30 a.m.