LEGISLATIVE COUNCIL

Wednesday 3 July 1996

The PRESIDENT (Hon. Peter Dunn) took the Chair at 2.15 p.m. and read prayers.

ASSENTS

Her Excellency the Governor, by message, intimated her assent to the following Bills:

Bank Merger (BankSA and Advance Bank),

Competition Policy Reform (South Australia),

Country Fires (Audit Requirements) Amendment,

Electricity Corporations (Schedule 4) Amendment,

National Electricity (South Australia),

Public Finance and Audit (Powers of Enquiry) Amendment,

Statutes Amendment (Mediation, Arbitration and Referral),

Wills (Effect of Termination of Marriage) Amendment.

QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 51, 86 to 89, 91 to 95, 102 and 105.

SCHOOL FIRES

51. **The Hon. CAROLYN PICKLES:**

1. Which schools have been damaged by fire since 1 January 1994?

2. What was the cost of repairs or estimates of damage, including replacement of buildings and teaching equipment and materials, as a result of each fire?

3. Which fires resulted in charges being laid against persons for arson and which fires resulted in convictions being recorded?

4. What is the capital value of all school buildings?

5. What is the recurrent budget for school security for 1995-96?

6. What is the capital budget for improving school security for 1995-96?

The Hon. R.I. LUCAS:

1 and 2. The following table provides the estimated liability for major school fires from 1 January 1994 to 31 December 1995. The estimates are provided since not all accounts have been finalised at this time.

School	Date of Fire	Cause	Building	Content	Other	Total
McRichie Cresc PS	9/1/94	Arson	22 000	1 720	000	23 720
Paralowie R-12	11/3/94	Arson	88 000	30 863	18 749	137 612
Stradbroke PS	3/4/94	Arson	4 500	000	1 000	5 500
Kidman Park PS	19/4/94	Arson	30 000	9 412	000	39 412
Craigmore South PS	29/4/94	Arson	1 636 000	249 000	660 000	2 545 000
Seacliff PS	14/5/94	Arson	000	8 800	000	8 800
Semaphore Park PS	7/6/94	Arson	13 289	324	4 400	18 013
Croydon HS	7/7/94	Arson	38 270	1 138	9 553	48 961
Croydon PS	11/7/94	Arson	21 000	000	000	21 000
Salisbury North West PS	16/7/94	Arson	4 084	000	1 025	5 109
Croydon PS	19/7/94	Arson	2 450	2 308	2 756	7 514
Gawler East PS	24/7/94	Unknown	000	2 793	270	3 063
Minlaton AS	28/7/94	Accidental	103 417	19 163	7 582	130 162
South Downs PS	11/8/94	Arson	4 500	2 026	000	6 526
Brighton HS	19/8/94	Arson	14 950	383	35 741	51 074
Highgate PS	19/9/94	Unknown	4 700	176	000	4 876
Karoonda AS	1/10/94	Unknown	000	7 690	000	7 690
Port Lincoln JPS	2/10/94	Unknown	2 210	000	000	2 210
Underdale HS	3/11/94	Arson	13 825	3 775	4 000	21 600
Braeview PS	6/11/94	Arson	35 100	21 900	6 900	63 900
Highgate JPS	23/11/94	Unknown	4 200	000	000	4 200
Para Vista PS	19/12/94	Unknown	4 600	923	000	5 523
Salisbury North West PS	25/1/95	Arson	147 000	56 290	42 722	246 012
Black Forest PS	14/2/95	Unknown	000	2 656	000	2 656
Salisbury North West PS	17/2/95	Arson	185 000	45 000	64 081	294 081
Enfield HS	5/3/95	Arson	194 000	72 000	80 000	346 000
Ardtornish PS	6/3/95	Arson	5 657	000	1 703	7 360
Henley Beach PS	27/3/95	Arson	2 450	000	000	2 450
Ridley Grove PS	27/4/95	Arson	6 150	000	1 718	7 868
Ridley Grove JP	7/5/95	Arson	3 000	000	297	3 297
Modbury HS	10/5/95	Arson	563 500	85 503	62 000	711 003
Strathalbyn HS	23/5/95	Arson	692 000	212 000	149 200	1 053 200

Salisbury North West PS	25/1/95	Arson	147 000	56 290	42 722	246 012
Parndana AS	26/5/95	Unknown	3 180	000	000	3 180
Northfield HS	6/6/95	Arson	334 500	76 000	54 500	465 000
Salisbury North West JPS	7/6/95	Arson	11 000	7 416	1 288	19 704
Ridley Grove PS	2/7/95	Arson	10 000	000	970	10 970
Adelaide HS	5/7/95	Accidental	13 000	000	000	13 000
Port Adelaide Girls HS	23/7/95	Arson	481 000	56 000	46 000	583 000
Elizabeth Downs JPS	10/8/95	Arson	4 739	000	000	4 739
Riverland Special	10/8/95	Arson	5 462	5 004	000	10 466
Parafield Gardens JPS (1)	11/8/95	Arson	9 000	10 000	000	19 000
Parafield Gardens JPS (2)	12/8/95	Arson	34 250	28 000	11 500	73 750
Parafield Gardens JPS (3)	13/8/95	Arson	35 250	3 000	000	38 250
Woodville Special	6/9/95	Arson	10 000	7 619	000	17 619
Hallett Cove R-10	9/9/95	Arson	461 000	48 000	61 000	570 000
Jamestown HS	23/9/95	Accidental	300 000	89 000	59 500	448 500
Craigmore Sth PS	14/10/95	Arson	840 000	117 000	253 000	1 210 000
Parafield Gardens HS	21/10/95	Arson	23 000	45 000	32 000	100 000
Norwood/Morialta HS	12/11/95	Arson	30 000	42 000	17 000	89 000
Cowandilla PS	19/11/95	Accidental	12 500	5 000	2 500	20 000
Glossop HS	19/11/95	Arson	4 255	000	000	4 255
Croydon HS	26/11/95	Arson	1 500	000	500	2 000
Surrey Downs Kind	9/12/95	Arson	17 000	8 997	4 000	29 997
Wynn Vale PS	17/12/95	Arson	467 000	46 401	38 000	551 401
Ferryden Park PS	23/12/95	Arson	2 300	000	200	2 500
Taperoo HS	30/12/95	Arson	7 500	1 500	1 000	10 000
TOTAL 1994 and 1995			6 963 288	1 431 779	1 736 654	10 131 721

Summary of Major School Fires (Estimates) 1996

School	Date of Fire	Cause	Building $	Content $	Other $	Total $
Murray Bridge HS	12/1/96	Arson	2 750	000	000	2 750
LeFevre HS	1/2/96	Accidental	30 000	6 000	4 000	40 000
Davoren Park CC	22/2/96	Arson	8 000	000	000	8 000
Para Hills PS	21/5/96	Accidental	5 000	000	1 000	6 000

3. During the period January 1994 to December 1995 five persons were apprehended and proceeded against in relation to the following major school fires.

- Northfield High
- Riverland Special School
- Hallett Cove R—10
- Craigmore South PS
- Glossop High School

Two adults were charged during this period. One was convicted in 1994 the other in 1996.

Three juveniles were apprehended for major arson related offences during this period.

The juveniles had sanctions imposed upon them under the Young Offenders Act 1993. The sanctions imposed on the offenders were deemed to be of sufficient severity to deter them from repeating the offence.

4. The capital value of school buildings is as follows:

Education	$2.42B
Children's Services	0.06B
Total	$2.48B

5. The recurrent budget for 1995/96 school security is $2 105 000.

6. The capital budget for 1995/96 to improve school security is $1.27M.

EDUCATION, SPECIAL

86. **The Hon. CAROLYN PICKLES:**

1. Is the Minister satisfied with the level of Special Education services provided to students of Kimba Area School?

2. Does the Minister consider that the formula for provision of Special Education services to schools adequately take account of the situation where one student requires a major part of Special Education services in a particular school, thereby leaving other 'special needs' students a consequently diminished share of Special Education services?

The Hon. R.I. LUCAS:

1. Given the difficult financial circumstances facing South Australia, I am satisfied that our overall level of special education resources is as much as we can afford at the moment. When financial circumstances allow, it is hoped overall levels of resources could be improved.

2. The formula for allocating teacher time was constructed to ensure resources are directed to students with the greatest needs. There are five broad support bands described below.

Review—BAND R

The learning outcomes as documented in the Negotiated Curriculum Plan require review. This is a formal process conducted by a service provider (district support teachers, psychologists/guidance officers, speech pathologists and/or inter agency personnel) with the student's parent(s) and relevant school personnel. The outcome of the review is a negotiated agreement that provides direction for future services and/or support. The outcome may be:

- Student no longer requires services. Student information pertaining to annual census return and data collections is not collected.
- A review once per term will occur when a student is approaching a transition point in their schooling.

· Increased support will be negotiated with school personnel, or an educational option or additional services will be negotiated with relevant school principal or regional services.

Consultancy Support—BAND C

The class/subject teacher(s) and/or SSO require assistance in the development of programs to support students with disabilities. Assistance is provided in program planning, assessment of teaching and learning strategies; classroom organisation and management and use and maintenance of special equipment. One to one, small or large group training and development is part of this process. All staff need to be aware of the needs of students with disabilities and their role in ensuring the access of students with disabilities to a broad range of curriculum choices.

Additional Support Necessary to Access Several Areas of Study—BAND A

Includes review and consultancy support. Direct support to the student is required for several areas of study. These study areas are critical to and impact on the student's ability to access and participate in the other required areas of study. A variety of models may be used:

· co-teaching
· group work
· purposeful programs—mobility training, augmentative communication, speech and language program
· in-class support

In other areas of study the teacher is able to accommodate the student's learning requirements through adopting classroom methodology and assessment practices to increase the student's participation and attainment.

Direct Support Necessary to Access Most Areas of Study—BAND D

Includes review, consultancy and additional support. Direct support is required by the student in most required areas of study. The student's disability/impairment affects his/her ability to access the area of study and the teacher will require additional support to develop and implement a program relevant to the student's learning needs. Additional assistance may also be needed to meet the school's duty of care obligations and/or to provide a safe working environment. This support will incorporate a range of models as outlined under additional support and may also include the provision of SSO assistance to access areas of study that may place the student at risk or that are considered essential to facilitate participation.

Intensive Support Necessary to Maintain Attendance at School—BAND I

Includes review, consultancy support and direct support in most areas of study. Intensive support is required to enable the student to access and participate in schooling. School organisational and/or procedural changes are required such as restructuring the student's learning environment and creating different class/teacher arrangements to maintain access and attendance at school. Access to increased teacher and/or SSO time is required because of the nature of students' physical, health and personal care needs; communication requirements, and/or their behaviour management plan. More than two agencies and/or services are involved in planning and follow up.

Therefore it is expected the student at Kimba Area School identified as requiring intensive support (Band I) would be allocated 24 school services officer (SSO) hours per week and 0.1 full time equivalent (FTE) teacher time per week.

The remaining 0.2 FTE teacher time and two hours SSO time per week is available to support five students, three of whom require Band A support and two of whom require Band D support. Deployment of this support is the responsibility of the principal.

Four students are not provided with above formula resources. However their teachers are supported by disabilities consultants, speech pathology and hearing impairment services.

OUTWORKERS

87. **The Hon. T.G. CAMERON:** When will the Minister for Industrial Affairs heed the recommendation contained in the First Annual Report of the Employee Ombudsman 1994-95 (page 33) and amend the Industrial and Employee Relations Act 1994 to clarify the status of outworkers as employees?

The Hon. K.T. GRIFFIN: This recommendation of the Employee Ombudsman in his first Annual Report of the Employee Ombudsman 1994-95 is made within the context of his exploration of three options for considering the contractual arrangements of outworkers.

The recommendation is made on the basis that many outworkers have convinced themselves that they are self-employed contractors and as a consequence they may ignore publicity material believing that it was not intended for them. The recommendation is consequently made by the Employee Ombudsman that with an amendment to the Industrial and Employee Relations Act 1994 a clarification of some kind could be given to outworkers to ensure that they understand themselves to be employees.

The Government does not believe that the objective of the Employee Ombudsman can be best achieved through this recommendation. The Government accepts the position put forward by the Employee Ombudsman that many outworkers believe themselves to be self-employed contractors and that they consequently may ignore publicity material specifically directed at outworkers. However, the provisions of the Industrial and Employee Relations Act 1994 are sufficiently clear and, in the Governments' opinion do not require further modification to establish that people believing themselves to be self-employed contractors are at law outworkers.

The Minister refers the Hon. T.G. Cameron to section 5 of the Industrial and Employee Relations Act 1994 which defines the circumstances in which a person is considered to be an outworker (which is used to deem the existence of a contract of employment, which in turn allows the provisions of the Act to apply). Section 5 establishes two broad groups of outworkers, being firstly persons or body corporates working on processing or packing articles or materials or carrying out clerical work and secondly, a person or body corporate who acts as an intermediary relating to the work of outworkers.

The Minister is not aware of any complaints either to the Employee Ombudsman or the Department for Industrial Affairs which would give rise to the belief that the existing definition of outworkers contained within section 5 is insufficient.

In relation to the problem identified by the Employee Ombudsman about some outworkers believing themselves to be self-employed contractors, the Minister will request the Employee Ombudsman and the Department for Industrial Affairs to consult with each other relating to the distribution of publicity material which might assist in clarifying the position of such people.

88. **The Hon. T.G. CAMERON:** In order to protect outworkers and the conditions they work under, when will the Minister for Industrial Affairs amend the Industrial and Employee Relations Act 1994 to confer on the Employee Ombudsman power to inspect, without complaint, the premises of persons who employ outworkers?

The Hon. K.T. GRIFFIN: The Hon. T.G. Cameron's question stems from a recent recommendation of the Employee Ombudsman. The context of the recommendation is as set out at page 33 of the First Annual Report of the Employee Ombudsman 1994-5 wherein the Employee Ombudsman suggests three options to allow the functions of the Employee Ombudsman in relation to the contractual arrangements of outworkers to be better serviced.

The option is mentioned that it might be possible to—

'seek an amendment to the Industrial and Employee Relations Act (1994) conferring on the Employee Ombudsman power to inspect without complaint similar to those of inspectors under the Occupational Health, Safety and Welfare Act 1986. To avoid problems associated with entering a person's home without a warrant or permission, such powers of inspection could be restricted to the premises of the persons who employ the outworkers.'

The recommendation of the Employee Ombudsman overlooks the powers which the Employee Ombudsman has conferred on him under section 104 of the Industrial and Employee Relations Act 1994 by virtue of the Employee Ombudsman's status as an inspector. Section 104 provides that:

i) an inspector may at any time, with any assistance the inspector considers necessary, without any warrant other than this section—
   a) enter a place in which a person is or has been employed; and
   b) inspect and view any work, process or thing in the place; and
   c) question a person in the place on a subject relevant to employment or an industrial matter.

The inspector is required to produce and identity card; may require the production of various documents which may be taken away for examination copying and may require an employer to reasonably facilitate the exercise by the inspector of his powers.

On this basis, it would appear unnecessary and in fact duplicative, for there to be an amendment to the Industrial and Employee Relations Act specifically conferring on the Employee Ombudsman power to inspect premises at which work is performed by outworkers.

89. **The Hon. T.G. CAMERON:** If a complaint by an outsourced worker to the Employee Ombudsman leads to an employer being forced to pay the complainant the appropriate rate etc, what has the Minister for Industrial Affairs done to ensure the worker is not further victimised by the employer?

The Hon. K.T. GRIFFIN: The Minister draws the attention of the Hon. T.G. Cameron to the provisions of section 223 of the Industrial and Employee Relations Act 1994. This section provides that an employer must not discriminate against an employee by dismissing or threatening to dismiss the employee from, or prejudicing or threatening to prejudice the employee in, employment for a number of reasons which include the employee having the Employee Ombudsman take action on the employee's behalf.

This provision is expressed in the mandatory and a breach of the provision attracts a Division 4 fine, which is presently a fine of up to $15 000. This is an amount equal to the highest level of any offence under the Industrial and Employee Relations Act 1994.

Accordingly, an outsourced worker who had been dealing with the Employee Ombudsman and who was later discriminated against in their work would have the opportunity to seek prosecution of the employer for unlawful conduct.

Section 223(3) provides that a prosecution for an offence under the section may be commenced by the employee against whom the offence is alleged to have been committed, or an inspector. By virtue of the provisions of section 64, the Employee Ombudsman is an inspector and may therefore lay a complaint to the Court that an offence has been committed.

It is the Minister's opinion that if the Employee Ombudsman was working with a particular outworker or group of outworkers and their employer to arrange for award or enterprise agreement coverage, and victimisation of the outworkers was to occur, that the provisions of section 223 would also apply to that circumstance, by virtue of the protection granted to persons who seek the benefit of an award or enterprise agreement.

UNFAIR DISMISSAL CLAUSE

91. **The Hon. T. G. CAMERON:** When will the Minister for Industrial Affairs recommend that the Industrial and Employee Relations Act, 1994 be amended to delete the bracketed phrase, 'other than in proceedings for unfair dismissal' and replace it with 'if the employee is not otherwise represented' or 'if it is in the interests of justice that such representation be provided' and in doing so, offer some measure of protection for employees?

The Hon. K.T. GRIFFIN: The question refers to comments within the First Annual Report of the Employee Ombudsman 1994-95, at page 31, where the Employee Ombudsman discussed the operation of the general functions of his office as set out in section 62(1) of the Industrial and Employee Relations Act 1994. Section 62(1)(e) requires the Employee Ombudsman to:

'represent employees in proceedings (other than proceedings for unfair dismissal) if—

i) the employee is not otherwise represented; and

ii) it is in the interests of justice that such representation be provided.'

It is not the Government's intention at this stage to move to adopt the recommendation of the Employee Ombudsman in this respect. This is for the reason that the intention of Parliament when section 62 was framed was quite clearly to provide an onus on the Employee Ombudsman to provide representation in respect of all industrial matters, but not unfair dismissal matters. The clear reasoning of Parliament when the Bill was under debate was to ensure that the resources of the Employee Ombudsman and his staff were not unnecessarily directed to numerous unfair dismissal matters, at the expense of not providing proper representation to employees in relation to other industrial matters.

With a volume of unfair dismissal matters in South Australia approaching 1500 per year, Parliament was concerned to ensure that ample opportunity was given to the Employee Ombudsman and the staff of the office to provide representation to employees in respect of other industrial proceedings.

Although mindful of the need of employees to have access to representation services for *inter partes* matters, it was the Government's view that sufficient resources within the community already existed for the representation of dismissed workers, particularly bearing in mind the relatively simple and non legalistic nature of initial conciliation proceedings in unfair dismissal claims under the State industrial relations system.

At this stage the Government does not have an intention to review this aspect of the legislation.

EMPLOYEES' REMUNERATION

92. **The Hon. T.G. CAMERON:** What has the Minister for Industrial Affairs done to ensure that employers and employees have been made fully aware of section 94 of the Industrial and Employee Relations Act 1994, which states that paying an employee over the Award in one aspect of remuneration does not permit an employer to underpay in another without an approved enterprise agreement to that effect?

The Hon. K.T. GRIFFIN: Section 94 of the Industrial and Employee Relations Act 1994 states that 'an award prevails over a contract of employment to the extent the award is more beneficial to the employee than the contract.' Section 81 prescribes a similar provision in relation to enterprise agreements.

The Department for Industrial Affairs and the Office of the Employee Ombudsman have both taken general steps to ensure that the community is aware of this long standing provision of South Australia's industrial relations legislation.

Section 94 was a feature of the preceding legislation, the Industrial Relations Act (SA) 1972 and has been for many years a basic tenet of the operation of the industrial relations system and the operation of awards.

The Minister can assure the Hon. T.G.Cameron that the publicity material of the Department for Industrial Affairs and the Employee Ombudsman stress the fact that the terms of an enterprise agreement have no effect until such time as the agreement is approved by the Enterprise Agreement Commissioner.

Inspectors of the Department for Industrial Affairs are required on a daily basis to advise employers of their obligations under relevant State awards.

EXTERNAL MEDIATORS

93. **The Hon. T.G. CAMERON:**

1. Has the Minister for Industrial Affairs as yet introduced the use of external mediators as recommended by the Employee Ombudsman in his First Annual Report?

2. If not, why not?

The Hon. K.T. GRIFFIN:

1. The use of external mediators has not yet been introduced by the Minister for Industrial Affairs or by the Department for Industrial Affairs.

2. The question of the Hon T.G. Cameron is derived from page 20 of the First Annual Report of the Employee Ombudsman 1994-95 wherein the Employee Ombudsman makes comments about the capacity of Government agencies to deal with various employment issues. The recommendation is then made by the Employee Ombudsman that certain disputes within the public sector could be more effectively dealt with through the use of external mediators which have been selected by the parties from a panel established by the Commissioner for Public Employment, the unions with members in the workplaces concerned and the Employee Ombudsman.

The issue of the use of mediators within the South Australian industrial relations system generally is one which has been raised with the Minister by the President of the Industrial Relations Commission. The Minister has consulted informally with members of the Industrial Relations Advisory Committee. Although various options have been considered on a confidential basis no decisions have been taken at this stage.

In relation to the specific issue raised by the Employee Ombudsman, namely the use of mediators in the South Australian Public Service, no steps have been taken as yet to consider their use in specific employment disputes. This has been on the basis that there are already sufficiently well established dispute settlement procedures within the State public service which allow for the proper and effective resolution of an employees complaint.

WORKERS' COMPENSATION

94. **The Hon. T.G. CAMERON:**

1. Is the Minister for Industrial Affairs aware of the allegation made in the Employee Ombudsman's Report (page 20) that there

have been a number of cases where some Government agencies, in breach of the Workers' Rehabilitation and Compensation Act, are targeting people in receipt of Workers Compensation benefits when Targeted Separation Packages are allocated?

2. Has the Minister for Industrial Affairs investigated these allegations and if not, why not?

The Hon. K.T. GRIFFIN: The Minister is aware of the allegations raised by the Employee Ombudsman and has been advised by the Commissioner for Public Employment that:

- The TVSP scheme, approved by Cabinet, is administered by individual agencies in accordance with guidelines issued by the Office for the Commissioner for Public Employment.
- Before agencies can access the scheme they need to seek approval from the Commissioner for Public Employment. Approval is subject to the agency providing a workforce plan that identifies surplus positions and justifies the cost benefit of the number of packages to be offered.
- The guidelines require agencies to consult with appropriate unions, job representatives and employees on the nature of workforce reductions to be achieved within the agency.
- Individual employees whose positions have been identified as surplus can request an offer of a TVSP but no offer can be made to employees who have not requested one.
- Agencies may invite employees whose substantive positions are surplus to request an offer but once again the agency can not make the offer to an employee who has not requested one.
- Employees whose positions are not surplus to requirements can also request an offer of a package, but an offer would not be made unless their position can be filled by an employee whose position is surplus to requirements either of that agency or of the broader public sector.
- The TVSP scheme recognises the government's commitment to a non-retrenchment policy and participation by employees is strictly voluntary.
- It is acknowledged that more employees request a package than agencies are able to offer, due to the need to provide ongoing services, and because of skill shortages in certain areas eg. Data entry and word processing.
- During the financial year ended 30 June 1995 in excess of 5000 employees accepted a separation package and voluntarily resigned. The fact that there were only 31 complaints in respect to the scheme most of which were about not receiving a package, and were in any case satisfactorily resolved or withdrawn suggest that the administration of the scheme is sound.
- The main concern of the Employee Ombudsman was that employees in receipt of workers compensation were being targeted by agencies. This he acknowledged is unsubstantiated. However, as indicated earlier, no employee can be offered a package without first requesting an offer. It is true that some employees on worker's compensation have requested offers, but in accordance with conditions associated with the scheme they will only be offered a package if they settle their worker's compensation claim and a net workforce reduction can be achieved.

As a result of this advice being received by the Commissioner for Public Employment no further investigation has been required.

EMPLOYEE OMBUDSMAN

95. **The Hon. T.G. CAMERON:**

1. Is the Minister for Industrial Affairs aware of the problems cited in the recent Employee Ombudsman's Annual Report (page 40) that the key to the effectiveness of its operations lies in the fact that it is not seen as being a Government agency and certainly not an appendage to the Department for Industrial Affairs, yet the Offices does not have full control over its resources, including staff (does not even have its own cheque account)?

2. What is the Minister doing to ensure the Employee Ombudsman's Office continues to be seen as an independent advocate for employees rights?

3. Further, will the Minister ensure the Employee Ombudsman's Office is supplied with its own cheque account?

The Hon. K.T. GRIFFIN:

1. The Minister supports the comments of the Employee Ombudsman that one of the keys to the effectiveness of his offices operation is the fact that it is not seen as a Government agency and certainly not an appendage to the Department for Industrial Affairs.

Discussions between the Department for Industrial Affairs and the Employee Ombudsman have been to the effect that because the Office of the Employee Ombudsman is very small, it is more efficient for certain administrative functions to be conducted by staff who are external to the Office of the Employee Ombudsman. This includes the operation of an accounting service with the Department for Industrial Affairs, which has been the subject of an administrative arrangement made in co-operation with the Employee Ombudsman.

2. The Office of the Employee Ombudsman will continue to be an independent advocate for employees rights and the Minister has no intention of introducing any arrangements which might compromise this objective.

3. See answer to question 1.

PUBLIC RELATIONS CONSULTANTS

102. **The Hon. R.R. ROBERTS:** Since 1 January 1994—

1. Has the Minister for Employment, Training and Further Education and Minister for Youth Affairs, or any of his officials, engaged the services of any public relations firm or individual?

2. What is the name of the firm or individual?

3. What was the nature of the service provided?

4. When was the service provided?

5. How much was paid for each service?

The Hon. R.I. LUCAS: The following information is provided in relation to the services of public relations firms or individuals engaged by the Department for Employment, Training and Further Education since 1 January, 1994:

Youth SA

Consultant:	Judith Bleechmore
Service:	Establish the inaugural youth media awards
When:	October 1995 to June 1996
Cost:	$15 000

Regency Institute of TAFE

Consultant:	Ray Goldie
Service:	Design and delivery of brochure for LEAP project—Gardens of the Future
When:	August 1995—October 1995
Cost:	$6 000
Consultant:	Danvers Consultant
Service:	Writing, preparing press releases, media newsletters, other promotional materials as directed for International College of Hotel Management
When:	March 1995—January 1996 January 1996—December 1996
Cost:	$22 880
Consultant:	Kristine Peters
Service:	Coordination, marketing, implementation—Taste of TAFE
When:	June 1994—July 1994 August 1995—November 1995
Cost:	$6 725
Consultant:	Danvers Consultant
Service:	Writing, preparing press releases, media newsletters—Commercial Cookery program
When:	June 1994—December 1996
Cost:	$8 000
Consultant:	Brian Richardson
Service:	Coordination and promotion—XPOSED '95
When:	September 1995—October 1995
Cost:	$2 200
Consultant:	Kristine Peters
Service:	Public relations activities associated with XPOSED '95
When:	August 1995—September 1995
Cost:	$4 000
Consultant:	Palmers Education & Recruitment Services, Indonesia
Service:	Represent Institute in Indonesia & promote award courses for international students, conduct advertising campaigns
When:	February 1995—December 1997
Cost:	$10 000
Consultant:	Above & Beyond Consultants, India
Service:	Represent Institute in New Delhi & promote award courses for international students, conduct advertising campaigns
When:	February 1995—December 1997
Cost:	$10 000
Consultant:	Einstein Da Vinci Company
Service:	Collation, writing and presentation of Regency Hotel School and International College of Hotel Management—Tourism Award Submission

When:	April 1996—May 1996
Cost:	$5 500
Consultant:	A & T Migration Consulting, Taiwan
Service:	Represent Institute in Taipei & promote award courses for international students, conduct advertising campaigns
When:	November 1995—December 1997
Cost:	$10 000
Consultant:	AKWHAO, Korea
Service:	Represent Institute in Korea & promote award courses for international students, conduct advertising campaigns
When:	November 1995—December 1997
Cost:	$10 000

105. **The Hon. R.R. ROBERTS:** Since 1 January 1994—

1. Has the Minister for Emergency Services, Minister for Correctional Services and Minister for State Services, or any of his officials, engaged the services of any public relations firm or individual?
2. What is the name of the firm or individual?
3. What was the nature of the service provided?
4. When was the service provided?
5. How much was paid for each service?

The Hon. K.T. GRIFFIN:

Department for Correctional Services

The Department for Correctional Services has engaged the services of two public relations firms.

In 1994, the department employed the services of a graphic designer Cathy Charnock, to assist in the publication of the Department's quarterly magazine. In 1995, a firm called 'Communications Network' was employed to take over this role.

These public relation firms were employed to assist with the printing and publishing of the department's internal quarterly magazine.

The total cost for the services provided by Cathy Charnock in 1994 was $9 790. The cost for the services provided by Communications Network in 1995 was $7 936, and to date in 1996 the cost has been $1 934.

Metropolitan Fire Service

The SA Metropolitan Fire Service has engaged the service of one public relations firm.

On behalf of the SAMFS, Jojak Advertising and Publishing's services were engaged to promote and arrange the placement of advertising for the quarterly SAMFS 'Turnout!' magazine. Prior to March 1996, the proceeds from advertisements were directed by Jojak to cover the cost of production only, with the SAMFS covering the cost of postage and packaging. Since 1 March 1996, however, the cost of postage and packaging is included in the above arrangement and the complete production and distribution of the magazine is achieved at no cost to the SAMFS.

The cost for this service, prior to March 1996, for the postage and packaging was approx $3 600. Since March 1996 the cost has been nil.

Country Fire Service

The Country Fire Service has engaged the services of three public relation firms.

In October 1995, the Country Fire Service engaged the services of Stephen Middleton Public Relations firm to assist them in organising the media functions to promote the 1995-96 CFS media/bushfire prevention campaign. The total cost of this service was $750.

From February 1996 to June 1996, Visible Management's services have been engaged to assist the CFS in producing the 1997 150th CFS Anniversary Program and to oversee the development of the marketing plan in collaboration with the CFS and a marketer, and to assist in generating sponsorship.

The cost to date is $15 012.65. However, in addition to a total fee of $25 000 (for period of 26 February 1996 to October 1996), a commission of 10 per cent shall be paid for any cash sponsorships generated by Visible Management.

From April 1996 to June 1996, the CFS have engaged the services of Downer Koch Marketing to work in conjunction with themselves and Visible Management in producing the 1997 150 CFS Anniversary Program. The program will consist of two stages. These stages will be to develop marketing and plan events and final implementation of the campaign.

The cost to date is $9 450. However, in addition to a total fee of $49 000 (for period of 15 April 1996 to 27 December 1997) a commission of 10 per cent shall be paid for any cash sponsorships generated by Downer Koch Marketing Pty Ltd.

SA Ambulance Service

The SA Ambulance Service has engaged the service of one public relations firm. During the period of July to November 1995, Burson-Marsteller's services were engaged to provide a public relations perception analysis as well as prepare press releases for the various campaign launches, in October 1995, of the SA Ambulance Service, Ambulance Cover, Paramedic implementation and General awareness. The total cost for this project was $10 204.43

Department for State Government Services

The Department for State Government Services has engaged the services of four public relation firms.

From May to August 1995 Fleet SA engaged the services of Direct Marketing to improve the marketing of the public vehicle auctions at Seaton. This included mailing brochures to major vehicle dealers throughout Australia and included some telemarketing. The total cost for this service was $11 849.

Fleet SA also engaged the services of McGregor Marketing from December 1995 to June 1996 for market research purposes. The cost for this service was $1 000.

Forensic Science is taking part in the formation of a business network comprising of the three South Australian Universities, the Defence Science and Technology Organisation and two private companies (Amdel and SGS). The network is in the process of being established to provide scientific testing services to the manufacturing sector. The Department of Manufacturing, Industry, Small Business and Regional Development is facilitating this process. The company C Rann and Associates has been contracted to publicise the network to potential clients, and is currently providing that service. The total cost of contribution from Forensic Science is $2 000 towards the campaign.

With the formation of Services SA, the Department engaged the services of Corporate Profile in October 1995 to design the new corporate logo and style manual. The cost for this service was approximately $5 500.

The Government Office Accommodation Committee also engaged the services of Corporate Profile in May 1996 to design their logo and covers for publications. The cost was approximately $1 500.

Office of the Minister for Emergency, Correctional and State Government Services

Since 1 March 1995, under the Whole of Government contract, Warburton Media Monitoring were commissioned by the Premier to monitor all forms of media, and provide a list of references made, to each of the Ministers.

The cost for the service to the Emergency Services, Correctional Services and State Government Services portfolio's is approximately $23 024.90 per annum. This amount is shared by all agencies within the Minister's portfolios as follows:

Department for Correctional Services	25%
Metropolitan Fire Service	20%
Country Fire Service	20%
SA Ambulance Service	15%
Department for State Government Services	20%

Since June 1995 the Office of the Minister for Emergency Services, Correctional Services and State Government Services has employed the services of Imedia Press Clipping Service to provide a press clipping service to this office. The average monthly cost for this service is $242.06

AUSTRALIAN NATIONAL

The Hon. DIANA LAIDLAW (Minister for Transport): I seek leave to make a ministerial statement about Australian National.

Leave granted.

The Hon. DIANA LAIDLAW: For the record, I wish to read the press release that was issued mid-morning by the Federal Minister for Transport, the Hon. John Sharp, relating to media reports that 900 rail workers face the axe in AN and then to outline the South Australian Government's anxieties and actions in relation to the troubles that are confronting AN's business operation and work force. Mr Sharp's media statement reads as follows:

Today's Adelaide *Advertiser* story on the future of Australian National highlights the chronic problems within the organisation. For some years AN's board and management have been engaged in a long-term job shedding program under redundancy arrangements agreed with the union movement. In the face of declining business and revenue and with spiralling debt, AN had planned to continue its program of staff reductions in 1996-97 and, depending on how its business plans worked, this could reach 900 redundancies.

I would add that today's *Advertiser* article indicated that there would be at least 900 redundancies and that, at the very least, that statement should have been qualified by saying that, depending on the business plans that AN is developing, redundancies could reach 900. The press release continues:

This follows on from around 750 redundancies in 1995-96, 300 staff in 1994-95, and 500 in 1993-94.

That amounts to a total of 1 150 jobs that have gone from AN between 1993-94 and 1995-96. The statement continues:

The 900 job losses identified in today's *Advertiser* had been earmarked as part of this process by the AN board and management last year under the Labor Government. They are not related to the [current Federal] Government response to the Brew report—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW:—which was commissioned by me in April in response to warnings by the AN board of soaring debts. No Government response has yet been made to the Brew report and no response will be made or announced until after the Government has had a chance to examine the findings by Mr Brew.

The formation of the National Rail Corporation by the former [Federal] Labor Government in 1991 cut out the profitable heart of Australian National, presenting AN with a difficult commercial operating environment.

Decisions which should have been taken by Labor were not taken, and as a result AN has faced declining business.

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: The press statement continues:

Unlike my predecessor, Laurie Brereton, and former Finance Minister Kym Beazley, a Coalition Government will take decisive action to bring certainty to the AN work force and arrest the slow bleeding of this organisation. I am currently consulting with interested parties—

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order on my right!

The Hon. DIANA LAIDLAW:—prior to taking this matter to Cabinet. As I said to the Adelaide *Advertiser*—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: They do not want to listen, Mr President, and they should, because jobs are at stake.

The PRESIDENT: Order! I remind members that this is a ministerial statement, and I would prefer that they did not interject so that I can hear the statement. The Minister for Transport.

The Hon. DIANA LAIDLAW: I am interested that you are keen, Mr President, and I would not have expected less because I know that you come from a region where rail is important and you would know of many people with jobs at Port Augusta. That seems to be in contrast to members opposite. I return to the statement, and read from the final paragraph of Mr Sharp's statement, as follows:

As I said to the Adelaide *Advertiser*, if we do absolutely nothing there would be more jobs to go—around 900—that's a decision made by the current board and the current management—

and a decision that was made during the term of the previous Labor Government. The South Australian Government cannot accept that the present Coalition Government leaves AN in limbo, as did the former Labor Government.

The Hon. Anne Levy interjecting:

The Hon. DIANA LAIDLAW: Because this is so current it is handwritten and will be part verbal.

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: For the past 2½ years as Minister for Transport, I implored the former Minister for Transport, the Hon. Laurie Brereton, and then shadow Minister for Transport, Mr Sharp, to help AN resolve its future following the establishment of National Rail, but National Rail was established by cutting out (as the Federal Minister has said) the profitable heart of AN such as the Pasminco ore business between Broken Hill and Port Pirie. Yet Mr Brereton refused to endorse, first, one and then a second business plan which was prepared by AN at that time that would today be providing direction to AN. That direction is absolutely vital, as we would all agree, to the future security of the organisation and its employees. So operating without any sense of direction and security for the past three years, AN's board since 1993-94 has shed 1 550 jobs across Australia. As part of this ongoing process it appears that the AN board and management last year resolved that up to a further 900 jobs may be lost across Australia during this financial year.

This is the first advice that the South Australian Government has received that the job losses could be so high. However, I have acknowledged in this place on a number of occasions in the past two months that jobs would be lost in South Australia due to decisions by National Rail last September and, again, in January this year to award to New South Wales and Western Australia contracts to build 120 new locomotives and to award to Goninans in Melbourne the contract to maintain these new locomotives for a period of 15 years. I should add that Australian National did tender for some of this business but did not win any; other parts of these contracts (such as the 15 year maintenance contract) have been awarded without tender but are part of the new locomotive arrangements.

According to National Rail's public statements last year, these three contracts collectively would create about 1 400 new jobs throughout Australia mainly through subcontracting. Many of these so-called new jobs are being created at the expense of existing jobs in AN in South Australia. None of this mess and anxiety in relation to AN has anything to do with the current Federal Government or the Brew inquiry. It is a situation which both the Federal Government and the State Government have inherited and been left to deal with because the former Keating Government and, in particular, the former Minister for Transport, Mr Brereton, refused to take any responsibility for the future of AN when resolving to establish NR. That is a view that is also held by the trade union movement in this State which has more knowledge and interest than members opposite in the future of this business. The frustration of the South Australian Government—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: —has been compounded by the refusal of the former Bannon Government to participate as a shareholder in NR. Members will recall that the Liberal Party in opposition called for the Bannon Government at the time to participate as a shareholder and to invest equity in NR. By refusing to do so at the time, South Australia has been frozen out of critical decisions such as the new locomotive construction and maintenance contracts that are now threatening to compromise both established rail jobs in South

Australia and the Commonwealth taxpayers' investment in AN workshops at Islington and Port Augusta.

I have been in regular contact with Mr Sharp, his officers and Mr Brew during the past two months; I spoke to Mr Sharp on Monday of this week and will be doing so again before the Brew inquiry recommendations are forwarded to Federal Cabinet. The Federal Government is well aware that the South Australian Government will fight to secure a productive and prosperous future for rail in this State. We are determined to do so, because we want to capture the benefits of the proposed Alice Springs-Darwin railway. It is hardly in the interests of this Government or anyone in this place or of rail jobs in general to be pushing for the establishment of the Alice Springs-Darwin railway with an investment of $100 million of State funds only to find that there is not a secure, strong, prosperous rail business in this State. So, we have a strong interest in this restructuring of Australian National that has been ongoing since the establishment of National Rail.

In this regard the Government also welcomes the Development Allowance Authority Bill that was introduced in Federal Parliament within the last fortnight and, in particular, the transport infrastructure bond provisions in that Bill, because we believe that the infrastructure bonds will be a critical part of facilitating private sector investment in the Alice Springs-Darwin railway. In respect of that Bill, the Australian Democrats moved, with the ALP's support, to delete provisions for infrastructure bonds for private road development. Fortunately, they did not do so for rail; therefore the option remains active for private sector investment in the Alice Springs-Darwin railway, a matter that the Premier, when in Singapore, explored with a number of investors last week and will explore further with the Prime Minister when he is in Adelaide later this week.

The State Government will continue to take an active, strong interest in terms of fighting for jobs in the rail business in AN and in establishing a strong future for rail associated with the Alice Springs-Darwin railway. That is a commitment that this Government has made to the work force and makes to this House.

LEGISLATIVE REVIEW COMMITTEE

The Hon. R.D. LAWSON: I bring up the twenty-seventh report 1995-96 of the committee.

STATUTORY AUTHORITIES REVIEW COMMITTEE

The Hon. L.H. DAVIS: I bring up the report of the committee on a review of the Rundle Mall Committee and move:

That the report be printed.

Motion carried.

QUESTION TIME

EDUCATION INQUIRY

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services a question about the Senate education inquiry.

Leave granted.

The Hon. CAROLYN PICKLES: On 30 May the Australian Senate referred a number of terms of reference to the Senate's Employment, Education and Training References Committee concerning the implications of private and commercial funding of Government schools. These references include: the nature and extent of fundraising; State and Territory regulation of these activities; the purpose for which these funds are used; and the implications for equity. The findings of the inquiry by the Senate will undoubtedly highlight issues facing South Australia in this area, and should provide a national snapshot for consideration by the select committee that I have proposed to examine this issue in South Australia.

There have now been inquiries on this issue in Tasmania and New South Wales as States recognise the problems of existing funding arrangements for our schools. The Senate inquiry now emphasises the need for South Australia also to address this issue. My questions are: will the Minister make a submission to the Senate inquiry and, if so, will he table a copy? Does the Minister now agree that there is a need to examine school funding arrangements?

The Hon. R.I. LUCAS: The Government will consider the position as to whether it makes a submission to the Senate inquiry. We generally make submissions, but I do not think it has always been the case. If the Government decides to make a submission, I will be happy to make a copy available. As to the final question, I do not believe there is a need for a national inquiry in relation to this particular issue. Each of the States is in a position through their departments and Governments to make these sorts of judgments and inquiries and to make decisions. It is not the responsibility, in my judgment, for the Democrats and Labor Party senators nationally, or anybody else, to in effect be dictating what occurs in South Australia. We are a sovereign State and can certainly make judgments about our own particular concerns and problems without the benefit of the views of Democrat and Labor senators nationally.

ASSET MANAGEMENT

The Hon. R.R. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services, as Leader of the Government in the Council, and representing the Premier and the Treasurer, a question about asset management.

Leave granted.

The Hon. R.R. ROBERTS: Members would be aware that just 12 months ago, on 30 June last year, the Pipelines Authority contract for the management of the transport of gas in South Australia was signed. I was contacted this morning by an official of the Australian Workers Union who advises me that he was advised that last week Tenneco Gas was resold. I am told it was sold to a firm called El Paso, which is also an American firm. I am advised that Tenneco was the second largest transporter of gas in America, and that El Paso is the third largest. My questions are as follows:

1. Will the Premier confirm or deny that last week Tenneco Gas sold the former Pipelines Authority of South Australia operations to the United States company El Paso?

2. Is the Premier aware of the sale price achieved by Tenneco, given that one year ago last week the Government announced that Tenneco had purchased the Pipelines Authority of South Australia from the Government for the sum of $304 million?

3. What long-term guarantees did Tenneco give the South Australian Government at the time of its purchase of the Pipelines Authority of South Australia in relation to its future in this State?

4. Will the Premier assure this Chamber that contracts in relation to pricing and supply signed by Tenneco with SAGASCO, ETSA and other former Pipelines Authority customers will be fulfilled by the new owner, El Paso?

5. Will he give a similar commitment to the employees that the arrangements entered into with Tenneco will be honoured?

6. What arrangements does the Government have with El Paso for it to establish its headquarters in Adelaide?

7. What guarantees can the Premier give that United Water will not sell its rights to manage South Australia's water supply to another overseas company, or that EDS will not on-sell its rights to manage the Government's data processing operations to another firm?

8. What mechanisms does the Government intend to implement in future contracts to ensure that taxpayers will get some relief from having their pockets picked by foreign companies in this State?

The Hon. R.I. LUCAS: I will refer the honourable member's questions to the Premier and bring back a reply.

SOIL CONTAMINATION

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister representing the Minister for Housing, Urban Development and Local Government Relations a question about Bowden-Brompton soil contamination.

Leave granted.

The Hon. R.R. ROBERTS: Two articles appeared in the *Weekly Times* Messenger (which covers the western suburbs) of 26 June relating to soil contamination in the Bowden-Brompton area. I will first quote from the article on page 4, headed 'Pandora's box of legal claims', before citing the article on page 1. That will give a better sense of continuity for members to understand not only the problem but also the questions I shall ask in relation to seeking a solution. The article, by Vicki Cirillo (who contacted me for a comment), states:

> Owners of houses built in Bowden and Brompton during the 1980s may be living on contaminated land unawares, the Environment Protection Authority (EPA) says.

I believe she may mean residents of houses rather than owners, because there are some trust houses as well as some privately owned houses in that area. She continues:

> The EPA contaminated sites senior adviser Paul Lindon said houses built before guidelines governing the development of former industrial sites were introduced about five years ago, could be sitting on contaminated land.

One of the problems that I see in relation to the questions that the Messenger Press journalist Vicki Cirillo raises is that it is now some 15 years since the issue of contaminated land was first raised. I know that it is not a problem that sits purely at the feet of the current Government but that it also faced the previous Government. It was not handled very well during those days; after planning permission was given, houses were built and the contamination remained, so the problem has been handed on. Some contaminated soil was removed from some sites but, as both these articles indicate, the contamination fear remains.

On page 1 of the *Weekly Times* the article headed 'Contamination fear: response' states that residents have a number of fears and that some residents have made an application for Housing Trust houses in other areas of the metropolitan area, because of their fears that some health risks may be associated with the contamination. Quotes in the article suggest that even those who are dealing with those problems in the area at the moment are not handling them particularly well. The previous article quotes Mr Lindon from the EPA, as follows:

> Mr Lindon said the extent of contamination was unknown, and there were no plans to resume testing to find out.

The front page article states:

> An independent consultant reviewing previous tests on Florence Crescent is expected to finish this week.

So, I suspect from that that a formal testing program has been carried out by either the previous Government or this Government in relation to identifying the contaminants. It appears to me that, with tenants being moved out of their houses at the moment and with those statements being made it is not certain what the contaminants are and whether the levels of exposure are dangerous. My questions to the Minister are:

1. What contaminants exist in the soil that has been developed in the Bowden-Brompton area for parks and housing?

2. At what exposure rates do these contaminants pose a health risk to residents?

3. How many residents have been at risk?

4. How have they been exposed?

5. What advice has been given to current residents and those who have been moved out in relation to those health problems that may exist?

The Hon. DIANA LAIDLAW: I will refer the honourable member's question to the Minister and bring back a reply.

LINE MARKING

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport a question about line marking operations.

Leave granted.

The Hon. T.G. CAMERON: The Department of Transport recently called for and let contracts for its line marking operations. I understand that the successful tenderers were Supalux, a Western Australian based company, Linecorp, a New Zealand based company, and Collex Waste Management, which, I understand, is owned by a French company.

The Hon. M.J. Elliott: CGE.

The Hon. T.G. CAMERON: Thank you. I have been advised that locally based and owned small companies with line marking experience were overlooked. I have also been informed that the line marking work is falling behind schedule; that none of the new contractors has started work; and that one of the new contractors is having metal templates used in line marking operations made in Victoria. My questions to the Minister are:

1. Why were locally based and owned companies overlooked for this contract?

2. When will the contractors commence line marking operations?

3. Will the Department of Transport be maintaining a skeleton staff of line markers during the phasing in of contractors?

4. How many temporary staff have been laid off or transferred to the new contractors; and how many permanent

staff have been, or will be, redeployed or have accepted a TSP?

The Hon. DIANA LAIDLAW: I do not have at hand the detailed information that the honourable member seeks, but I will obtain the answers to all those questions and bring back a reply.

KANGAROO ISLAND TOURISM

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services, representing the Minister for Tourism in the absence of the Attorney-General, a question about Kangaroo Island tourism.

Leave granted.

The Hon. M.J. ELLIOTT: Kangaroo Island is described by Tourism SA as one of South Australia's premier tourism destinations, with 30 per cent of the island under the management of the Department of Environment and Natural Resources. The region is renowned for its unique environment, wilderness, wildlife and coastal scenery. There is, however, increasing concern that the tourism trend is moving away from tourism quality and yield to volume tourism. This means high volume, high impact and high cost of delivery.

The worst of people's fears is the possibility of vertically-integrated tourism, that is, where one company brings the tourists in, runs them around the island in its own buses, stops at its own shops and centres and brings them home again. This is the sort of tourism that has developed in some parts of Queensland and is totally at odds with the regional tourism plan, which supports the island's development as an ecotourist destination.

This form of tourism offers maximum economic benefits to local communities while minimising the negative environmental impacts. It attracts a high yield and provides quality experiences through nature-based services which can be delivered at a manageable cost. The benefits to the local community would be substantial through the creation of local employment, the development of infrastructure and direct conservation benefits through entry fees to parks.

I understand that many Kangaroo Islanders are concerned about the Government's commitment to quality tourism development in line with their regional sustainable development document, which is integral to the ongoing tourism management on the island. Kangaroo Island's Sustainable Development Committee has been waiting for 12 months so far for this strategy to be endorsed by the Premier.

I understand that there is international interest in the management of nature-based tourism on Kangaroo Island. I have also been told that, if we are serious about managing tourism in South Australia, we must do it properly so as to maximise the longer-term benefits to the State. My questions to the Minister are:

1. What is being done to monitor the impacts of Kangaroo Island tourism and determine what impacts are positive and desirable and what is not?

2. When will the South Australian Government endorse the region's sustainable development plan?

3. Are the Minister and the Government committed to promoting tourism which is low impact and nature-based?

The Hon. R.I. LUCAS: I will refer the honourable member's questions to the Minister and bring back a reply.

TARIFFS

The Hon. T. CROTHERS: I seek leave to make a precised statement before asking the Minister for Education and Children's Services, representing the Premier, a question about new job creation and other associated matters in South Australia.

Leave granted.

The Hon. T. CROTHERS: On page 4 of the *Advertiser* of 19 June this year the Premier, Mr Brown, was quoted as saying that the State Government was creating 'literally thousands of new jobs as part of its restructuring of the economy'. This and other comments were made by the Premier in response to the release of a report entitled 'State Watch' from the Centre for Economic Studies. The Premier also said that thousands of jobs in new areas such as tourism, information technology and the wine industry were being created. Further on in the article he said:

> We for too long have had manufacturing industry which has been dependent on tariffs.

Yet again he said:

> The issue had been tackled 10 years late because of Labor Governments.

Members may find interesting some of the comments of State Watch, which led to the comments made by the Premier. So, for the purposes of *Hansard* I will place on record a couple of them: first, a surge in investment would be required to cut into the State's high unemployment numbers; secondly, the State Watch report said that a doubling of exported manufactured goods since the late 1980s was impressive, but growth had now slowed. Further, the report also stated that South Australia was either on the way to stronger growth or would be simply muddling along if economic reforms did not occur to the extent necessary.

It has been put to me by some people that Mr Brown has been repeatedly claiming credit to the exclusion of all other entities who could, with some vigour, be claiming some of the credit due in those areas mentioned by the Premier, and to that end these questions may, in the interests of clarification, assist the Premier:

1. Does the Premier acknowledge that Australia's high tariff walls were the prodigy of the late Jack McEwen, some time Leader of the National Party (I think it was called the Country Party then), a partner in the then Coalition Government and the Party which is still a partner in the present Howard Coalition Government?

2. Does the Premier acknowledge that the reduction of our tariff barriers was first started by the Whitlam Government of 1972-75 and carried on by Senator Button, a one-time Minister for Industry in the Hawke and Keating Governments?

3. How detrimental to the present State Liberal Government will be the cash cuts induced by the Federal Liberal Government of approximately $180 million over the next three years in the State's endeavours to attract new industry to South Australia?

4. Does the Premier acknowledge that the strong rise of the State's manufacturing goods exports, commenced, as per the Centre for Economic Studies statement, when the Australian Labor Party held government both here in South Australia and federally?

5. Does the Premier acknowledge that employment increases in the wine industry are largely due to the industry's own initiative in the field of wine exports, aided and abetted by the Federal Labor Government's refusal to increase

Federal Government excise imposts on wine and the assistance given to Australian exports by the body set up by Senator John Button, namely, Austrade?

6. In what way is the Brown-led Government currently assisting the South Australian wine industry, and will he detail such assistance? If he is not prepared to do so, will he explain why not?

7. Is the Premier prepared, in the interest of all South Australian electorates' representatives in this Parliament—

The Hon. L.H. Davis interjecting:

The Hon. T. CROTHERS: Stop whining—to list specifically all the new jobs which he claims his Government is solely responsible for bringing into South Australia since 10 December 1993 and, if he is not prepared to do this, again, why not?

The Hon. R.I. LUCAS: I will be delighted as always to refer the honourable member's seven questions to the Premier.

The Hon. L.H. Davis interjecting:

The Hon. R.I. LUCAS: As my colleague the Hon. Mr Davis is suggesting, the honourable member's interest in economic matters certainly well prepares him for being the shadow Minister for Economic Affairs for the Labor Party.

BROTHELS

The Hon. ANNE LEVY: I seek leave to make a short statement before asking the Minister for Education and Children's Services, representing the Minister for Police in another place, a question about police evidence.

Leave granted.

The Hon. ANNE LEVY: I understand that the police group known as Operation Patriot has been raiding brothels for quite a period in Adelaide. I make no comment whatsoever on this decision to target brothels. However, I understand that when the raids occur the police commonly remove all the condoms and safe sex information that they find on the premises. I hope members would agree with me that the brothels should be congratulated on having condoms and safe sex information on their premises as an important public health initiative.

I understand that when the police seize the condoms and safe sex pamphlets they say that it is required for evidence in the prosecution case which they will launch against the people whom they have arrested. I also understand that when goods are taken by police as evidence for a court case such goods are to be returned to the owners of the property as soon as the court case is completed, that is, unless the goods seized are in some way illegal and should not be held by any individual.

I am sure that the police and all would agree that condoms and pamphlets on safe sex are not illegal material and, in consequence, should be returned to the owners as soon as the court case resulting from the arrest has been concluded and this evidence is no longer required. I am also given to understand that this is not occurring: that the goods seized as evidence are not being returned.

I ask the Minister for Police, through the Leader of the Government in the Council, whether he can give information on whether condoms and safe sex information are being seized from brothels in South Australia. Are these condoms and safe sex information pamphlets being returned as soon as they are no longer required as evidence and, if not, why not?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Minister and bring back a reply.

MIGRANTS, SKILLED

The Hon. P. NOCELLA: I seek leave to make a brief explanation before asking the Minister for Education and Children's Services, representing the Minister for Multicultural and Ethnic Affairs, a question about independent skilled migrants.

Leave granted.

The Hon. P. NOCELLA: The recent decision by the Federal Government to alter the safety net regulations with regard to independent skilled migrants coming to this country, which decision came into effect as from 1 April this year, has created a number of difficult situations for those independent skilled migrants who were given a visa prior to the introduction of these regulations.

In practice, in the normal course of events, a visa is issued to the prospective migrant, wherever he or she or the family happens to be, and a certain amount of time elapses between the issuing of the visa and the actual time of arrival of the migrant. This is due, of course, to the need to settle one's affairs, sell a house, and terminate job and employment contracts prior to making arrangements to migrate permanently to this country. A number of people who were given visas to migrate to Australia in the independent skill category at the end of last year and the beginning of this year, came to this country in the belief that they would be taken care of by the welfare safety net if they had difficulties in finding employment.

The change in the rules has created a situation whereby in this State we have a number of independent skill migrants and their families who, not being able to find employment, have exhausted the financial means available to them at the time of arrival, having arrived after 1 April, and they have now lost all means of financial survival, even after pursuing avenues such as asking for support from their own communities, such as the Russian and Ukrainian communities. A number of cases with which I have come into contact personally are cases of real hardship, and they were caught in the previous situation where there was a six-month initial period during which no welfare payment would be paid other than in proven hardship cases.

After 1 April, the policy was introduced that there would be a period of two years during which no welfare payment would be made, and the special benefit circumstance in hardship cases was abolished, which has created a number of difficult circumstances. That is at odds with the stated policy announced at the beginning of June by the Government to introduce programs aimed at boosting the South Australian population by means, amongst others, of encouraging independent skill migrants to come to this State. My questions are:

1. Will the Minister intervene with his Federal colleague the Minister for Immigration and Multicultural Affairs to address urgently the onshore cases that exist in this State?

2. Will the Minister press the point with his Federal colleague that recipients of visas granted in the last six months should be made aware that the rules have been changed so that, if they wish, they have the opportunity to alter their plans to come to Australia and may go to other countries where conditions may be more favourable?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Minister and bring back a reply.

EDUCATION, FEDERAL POLICY

The Hon. P. HOLLOWAY: I seek leave to make brief explanation before asking the Minister for Education and Children's Services a question on Federal Government education policy.

Leave granted.

The Hon. P. HOLLOWAY: The Federal Minister for Education (Dr Kemp) recently announced that the Federal Government will relax the rules on the establishment of new private schools. In particular, the Coalition proposes to remove the requirement that new private schools should have at least 50 students before they can receive Commonwealth grants, which would enable the establishment of new private schools even where those new schools will affect the viability of existing public schools. This brought predictions in the press that the changes would lead to a steady decline in the number of public schools at the expense of private schools.

According to press reports, Dr Kemp told Parliament that annual savings of about $1 800 from State and Territory budgets were identifiable for each student educated in a non-government rather than a Government school. Dr Kemp said that the favourable impact of this on stretched budgets, as well as the principle that parental choice should be encouraged, were reasons to make the rules governing Federal funding of non-government schools more flexible. In view of that, my questions are:

1. Does the Minister support the new Federal policy to increase support for private schools at the expense of public schools?

2. What impact does the Minister believe the new Federal policy will have on the demand for teachers in the public school system?

3. What action, if any, has the Brown Government taken to ensure that Federal Government savings as a result of these new policies, that is, the $1 800 per student, are not appropriated by the Federal Government but will be retained in the State education system?

The Hon. R.I. LUCAS: Until we see the details of the possible new policy that the Commonwealth Government has, we will not be in a position to make a definitive comment. I have seen the reported comments of the Minister in relation to the abolition of the old policy, but the proposition that the State Government has put to the Minister is that, in effect, the Commonwealth Government cannot have no policy. There must be some policy in relation to the Commonwealth Government's relationships with non-government schools generally, and we have had some early discussions with the Minister in relation to that. It may well be that, in the next two weeks at the ministerial council meeting (MCEETYA), there might be an opportunity for informal discussion in relation to the possible directions of the Commonwealth Government in this area. We obviously have an interest in this matter.

As to the freedom of choice issue, that is something that the State Government has always supported. Parents ought to have the opportunity of choice, that is, the freedom to choose between quality schooling in both Government and non-government schools, and that parents should be free to choose between both sectors. We do not believe that people should be imprisoned within one sector or another, but that they should have the opportunity to choose between quality schooling in both Government and non-government schools.

We are lucky in South Australia that we spend more money per student than any other State in Australia, so the quality of our schools in terms of facilities and provision of teachers outranks all other States in Australia. We are fortunate that this State Government is prepared to commit that degree of expenditure to our Government education system. I am sure that, if they did not adopt a purely partisan political stance, all members would be prepared to acknowledge that commitment from the State Government and the increase of $60 million in the most recent State budget for education in South Australia as another example of how this State Government generously provides for Government schools in South Australia.

Members interjecting:

The Hon. R.I. LUCAS: I am sure the Hon. Terry Roberts would warmly endorse that degree of commitment that the State Government is giving to Government school education. The State Government is committed to quality outcomes in Government schools and non-government schools. We have control over Government schools and, as we have demonstrated in the most recent State budget, we are prepared to provide the resources to provide quality education in our Government school system.

In relation to non-government schools, we will have formal and informal discussions with the Commonwealth Minister and officers will have discussions, as well, to see what continuing role the Commonwealth Government might see for itself. The State Government will need to make some decisions in relation to its own planning and control processes in relation to Government and non-government school education in South Australia.

The final point I make to the Hon. Mr Holloway is that the biggest issue in terms of Government and non-government schooling at the moment is that a continuation of the current state of industrial strikes and disruption in the Government schools by the leadership of the union movement will only continue the number of families who choose to send their children to non-government schools. I have put the union leadership on notice and said to them that they will bear the entire responsibility for any movement between Government and non-government schools that might be seen in the Government-non-government school statistics this year and the coming years because it has been their actions—and their actions alone as the leaders of the union movement—in causing and creating industrial and strike action that is, in effect. creating the potential for parents to say, 'We will not see this in the non-government school system and we will choose to send our children to non-government schools.'

That is a sad reason for parents to choose a Government or non-government school education for their children: it ought not be on the basis of being driven out of the Government school system by the actions of a few militant union leaders who are intent on continuing strike and industrial action within our Government schools in South Australia.

PLAYFORD POWER STATION

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Minister representing the Minister for Infrastructure a question about safety procedures at the Playford Power Station at Port Augusta.

Leave granted.

The Hon. SANDRA KANCK: Subsequent to questions that I asked in this place on 21 March this year concerning the death of a subcontractor on 2 March at the Playford Power Station, ETSA commissioned an internal inquiry into the reasons for the incident. Disturbingly, my office has been

informed that though the report is now complete senior ETSA officials have endeavoured to have the findings of the report watered down. My understanding is that the report, as it was originally presented, made the inadequacies in ETSA's safety practices and systems so clear that ETSA management could not but have taken immediate action. I also understand that a police investigation has been launched into the incident. My questions to the Minister are:

1. Is the Minister satisfied that ETSA management has in no way attempted to alter the report of its internal committee of inquiry into the death of the ETSA subcontractor on 2 March 1996?

2. Will the Minister personally ensure that all possible steps to prevent a repeat of the incident of 2 March are taken by ETSA, including compliance by ETSA employees with the police investigation?

3. Will the Minister table in Parliament a copy of the inquiry into the subcontractor's death; if not, why not?

The Hon. R.I. LUCAS: I will refer the honourable member's question to the Minister and bring back a reply.

STATE HISTORY CENTRE

The Hon. ANNE LEVY: I seek leave to make a brief explanation before asking the Minister for the Arts a question about signs on North Terrace.

Leave granted.

The Hon. ANNE LEVY: Across the road from Parliament House outside Government House is a directory to all the buildings and items of tourist interest along North Terrace, plus a map of all the buildings and institutions along the terrace. For the building next door to this one, there is a number (I think it is No.4 but I could be mistaken) and the index indicates that building No.4 is the State History Centre; that building was closed as the State History Centre more than 12 months ago.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: Thank you, Mr President. As I was saying, the State History Centre has not been in the building next door to this one for over 12 months.

Members interjecting:

The PRESIDENT: Order! The honourable member has a right to ask her question.

The Hon. ANNE LEVY: Thank you, Mr President. I am not sure whether the information on the sign is the responsibility of the city council or the Government, but it would—

The Hon. L.H. Davis: You were in government for 13 years and you didn't know and you were the Minister!

The Hon. ANNE LEVY: He is at it again, Mr President.

The PRESIDENT: Order!

The Hon. L.H. Davis: No wonder you lost office.

The PRESIDENT: Order!

The Hon. ANNE LEVY: Thank you, Mr President. The sign on North Terrace is the responsibility of the city council, but it has been—

The Hon. L.H. Davis: You just said you didn't know.

Members interjecting:

The PRESIDENT: Order!

The Hon. ANNE LEVY: Thank you, Mr President, for the thirty-fifth time. The sign is the responsibility of the city council, but obviously it has not been changed, although the State History Centre is no longer where indicated and has not been there for over 12 months. I ask the Minister:

1. Has she officially informed the city council that the State History Centre is no longer in the building next door to this one so that it can take the appropriate action to correct the sign?

2. If not, will she do so as a matter of urgency?

3. Will she offer financial assistance for the changing of the sign because the necessity for its change is due entirely to her actions and does not in any way result from anything the city council has or has not done?

4. Does she not agree that it looks extremely sloppy for any tourist or resident seeing the sign to know that it is more than 12 months out of date?

The Hon. DIANA LAIDLAW: I rise fearfully to my feet but also fascinated by the question. It reminds me of questions that the Hon. Legh Davis repeatedly asked when on the Opposition benches. At one stage I believe that a sign for the Constitutional Museum was on the corner of North Terrace and King William Street, yet the name had been changed to Old Parliament House seven years earlier. I suppose that, at the rate at which the Adelaide City Council works in terms of changing its signs, we are doing quite well, in that it is only 18 months since the change of the nature of use of Old Parliament House to an extension of this Parliament. I will bring the matter to the attention of the Adelaide City Council. I am not sure that I will do it as a matter of urgency, because there are other matters of some considerable urgency, including Australian National and future jobs, matters that do not seem to be addressed with the same sort of urgency by members opposite as signs in North Terrace. But I do not deny that the question should be raised and the issue addressed, and I will take up this matter with the Adelaide City Council.

The Hon. Anne Levy: You haven't done so in 12 months? You haven't found the time to do it in 12 months?

The Hon. DIANA LAIDLAW: It is not that I have not found the time to do it. While I was very pleased to see the signs go up, I had not noted any matter of urgency in my addressing the matter with the Adelaide City Council. The way in which the Adelaide City Council operates, I suppose that this is one matter that may attract its attention and probably cause considerable debate and some further division.

PREGNANCY, TERMINATION

In reply to **Hon. ANNE LEVY** (20 March).

The Hon. DIANA LAIDLAW: The Minister for Health has provided the following information.

1. The South Australian Health Commission did not make a submission to the NHMRC. Some individual health units funded by the South Australian Health Commission may have provided submissions to the draft report.

2. See answer to Question 1.

3. The South Australian Health Commission awaits with interest the final report of the NHMRC. The NHMRC report constitutes guidelines or recommendations to Commonwealth, States, Territories, health authorities, other health agencies and professional bodies. The NHMRC report is national in scope and orientation. It does not distinguish the different service arrangements operating in each State or Territory. Therefore, once the final report is released by the NHMRC, the South Australian Health Commission will examine this report and consider the relevance of its recommendations to this State and any implications for existing service arrangements.

4. The South Australian Health Commission will be interested in reviewing the recommendations relating to the Federal Government and its decision-making responsibilities particularly where these decisions may impact on arrangements in this State.

ROAD FUNDING

In reply to **Hon. P. HOLLOWAY** (21 March).

The Hon. DIANA LAIDLAW: In my earlier response to the honourable member's supplementary question I undertook to seek an assurance from the Federal Minister for Transport and Regional Development that he would not change current policy and apply a toll on national roads. I have been advised that the Federal Government has no plans to impose tolls on the National Highway. However, the role that the private sector may play in the provision of transport infrastructure is one which the Federal Government will consider as it pursues greater efficiencies and value for money from its road funding program.

AUSTRALIAN NATIONAL

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Transport a question about her statement on AN.

Leave granted.

The Hon. T.G. CAMERON: The Minister's statement read to the Chamber from her notes, without any written explanation to this side of the Chamber, indicated that the Minister foreshadows a number of negative impacts on the South Australian economy and its work force if the Federal Liberal Government carries out its restructuring of AN. My questions to the Minister are:

1. What steps will she be taking to stop the Federal Government from carrying out its management plan?

2. What alternative plan has the State Liberal Government put before the Federal Minister to prevent the decimation of the South Australian work force of AN?

3. What steps is the Minister taking to organise a delegation of local and State Government representatives to state a South Australian case to the Federal Liberal Government regarding AN?

The Hon. DIANA LAIDLAW: The case for the State Government has been presented to the Federal Government on numerous occasions, as was confirmed in the letter which I wrote to Mr Sharp and which was read in full to the Estimates Committee. If the honourable member would like me to read—

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order! The honourable member was heard in silence.

The Hon. DIANA LAIDLAW: —that letter again I certainly will, because this outlines very clearly the State Government case in terms of the Brew inquiry. So, for the honourable member, I will read this yet again. It is addressed to Mr Sharp, dated 12 June 1996, and reads as follows:

Your decision to establish the Brew inquiry to audit the financial operations of Australian National (AN) Commission and the Australian National Rail Corporation (NR) has the potential to lead to a major restructuring of rail operations in Australia with significant implications for infrastructure, workshop facilities and employment in South Australia. Accordingly, I have appreciated the opportunity over the past six weeks to meet on three occasions with you and your officers, and on a separate occasion with Mr Brew, to reinforce the South Australian Government's determination to ensure that the State continues to play a proud and productive role in the rail freight and passenger business well into the next century.

Your undertaking that the Commonwealth will work through all the complex issues on a Government to Government basis and not act in haste or unilaterally is particularly welcome. This will provide an unprecedented opportunity for the State Government to influence the outcome, and we are keen to do so in the context of the Railway (Transfer Agreement) Act 1975 and on condition there is no expectation that the State will meet any costs associated with AN's accumulated and pending debt problems and longstanding redundancy program. Not since the sale of the State's non-metropolitan rail system to the Commonwealth in 1975 has the South Australian Government had a similar opportunity to plan strategically for an efficient and cost effective transport network that meets the State's aggressive economic development agenda.

This frustration has been compounded by the former Bannon Government's decision not to participate as a shareholder and board member of National Rail, a decision that has frozen South Australia out of critical decisions which now threaten to compromise both established rail jobs and the Commonwealth/taxpayers' investment in AN's workshops at Islington and Port Augusta. In this context, I highlight NR's move in September 1995 and January 1996 to award contracts in New South Wales and Western Australia for the supply—and maintenance over 15 years—of 120 new locomotives, 'creating up to 1 600 new rail jobs' in these States. While AN itself—

Members interjecting:

The Hon. DIANA LAIDLAW: I am reading out the position of the South Australian State Government, and that is what I was asked.

The Hon. T.G. Cameron: Why don't you answer the question?

The Hon. DIANA LAIDLAW: I am. You asked me what the position of the South Australian Government is and I am reading it, as I advised you in the past and as has been advised to the Federal Government. I continue:

While AN itself acknowledges the need for further reform, the South Australian Government maintains that Australian National—

Members interjecting:

The Hon. DIANA LAIDLAW: You don't want to listen. I continue:

is still best placed, alone or in partnership, to use its resources, skills base and proven expertise to perform a strong and constructive role in a revitalised rail network. The South Australian Government is keen to seize the opportunity to secure a productive, prosperous future for rail in this State and so fully capture the benefits of the proposed Alice Springs-Darwin railway line—incidentally, a project which the Commonwealth Government undertook to construct in 1911! I look forward to working with you to address all the issues arising from the Brew inquiry in order to maintain jobs and to achieve the best rail outcome for South Australia and in the national interest.

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: It is fascinating to see the carry-on from members opposite: members of the same Government that was never able to achieve the Alice Springs-Darwin railway, which would have secured the jobs of rail workers.

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order!

The Hon. T.G. Cameron interjecting:

The Hon. DIANA LAIDLAW: The same Government that could not participate with equity or as a shareholder in National Rail when it had the opportunity to do so.

The Hon. T.G. Cameron interjecting:

The PRESIDENT: Order! The honourable member was heard in silence, and I think it is a responsible action if he listens to the answer in silence.

The Hon. T.G. Cameron: I haven't got an answer yet.

The PRESIDENT: Order! The Minister for Transport.

The Hon. DIANA LAIDLAW: His carrying on suggests that he cares about what is going on in terms of AN's restructuring. I know that he is new to the job and that will perhaps give him the benefit of the doubt, but he certainly does not have the history and possibly did not have the influence with the former Bannon Government to have ensured that the Federal Government (the Keating and Hawke Governments) did something to ensure that AN had a secure future. It has been left in limbo, and we are left to pick up the pieces now. In terms of picking up those pieces, it is absolute-

ly critical that the Alice Springs-Darwin railway proceed, because that, more than any other measure, will guarantee the future of rail jobs in Port Augusta. That must be the prime objective of members opposite. It is certainly the prime objective of this Government.

The Hon. R.R. Roberts interjecting:

The Hon. DIANA LAIDLAW: He has let it go down the drain by establishing NR and not providing a business plan, despite two attempts by Australian National to have Mr Brereton secure the future of this Government. Therefore, this project with the transport infrastructure bonds—

The PRESIDENT: Order! Time for questions has expired.

The Hon. DIANA LAIDLAW: —is critical, and that is what we are working to achieve.

MATTERS OF INTEREST

INFORMATION TECHNOLOGY

The Hon. R.D. LAWSON: I wish to inform the Council of some of the developments in the field of information technology in this State since the election of the Brown Liberal Government. In late December 1993, a little more than three weeks after its election, the new Government established the IT 2000 task force under the chairmanship of Professor Craig Mudge. That task force was established with a charter to provide strategic advice on all significant information technology issues affecting the Government and the economic development of South Australia.

The task force developed the IT 2000 Vision which was endorsed in March 1994, and its final report was issued in June of that year. The IT 2000 Vision is the first fully integrated comprehensive strategic IT plan of any Government in Australia. The approach endorsed in the IT 2000 report was one that would lead South Australia, as we approach the year 2000, to have a software and services sector in the information technology field achieving 40 per cent of its revenue through exports, and a world class information technology area in a number of niche areas. It also called for multinational IT companies to invest in South Australia as part of their global strategy, something which had not been occurring to that time.

The report identified a number of critical success factors, and one of those was identifying a number of niche markets, not by Government or an expert committee but by the industry itself. Those niche areas have now been identified. They include electronic services, spatial information systems, multimedia and IT education.

I should mention some of the key achievements relating to the growth of information industries in this State. First, there was the formation of the Department of Information Industries which encompasses the industry development and Government use aspects of information technology, telecommunications and multimedia. The Minister responsible for this department is the Premier himself, and its activities are governed by a Cabinet subcommittee, including not only the Premier but the Treasurer and other key Ministers.

The strategy has led to the attraction to this State of a number of initiatives which have led to a substantial number of new jobs. For example, the outsourcing of much of the information technology activities of Government to the company EDS has led to a number of very positive benefits in this State, such as the establishment here of the EDS Asia Pacific Resources Centre, and to a substantial information processing centre, one of only 15 in the world. It will lead to the contribution to and establishment of an information industries development centre in which some $4 million will be invested over a period of three years. It has led to the establishment of the 'Creation of Channels to Asia' program for the marketing of local products from small companies in the Asia Pacific region. It has also led to the relocation of the General Motors Australian processing from Victoria to South Australia.

The telecommunications contract for the whole of Government was let on 18 June to AAPT, a company which will not only offer substantial discounts to the whole of Government for telecommunications use, but will also, as an extraordinary initiative, allow private sector businesses to participate in the highest level of telephone discounts available in this country. The Government is to be congratulated for these and many of the other initiatives in the field of information technology since its election.

PARLIAMENT, BICAMERAL SYSTEM

The Hon. T. CROTHERS: Today I rise to address the issue of the bicameral system of Parliament in South Australia. I have noticed lately that some remarks have been attributed to the Premier in the local press in respect of the potential for the abolition of the Upper House of the South Australian Parliament. I further note that, with one exception, all of the States that currently exist under the Federation, as well as the Federal Government itself, operate bicameral parliamentary systems. That exception, not surprisingly, is the State of Queensland, which has a single House or unicameral parliamentary system. I might add—and it is something again of which I am inordinately proud—that the abolition of the Upper House in that State was brought about by a State Labor Government in the 1920s.

I suspect that those statements attributed to the Premier were inspired leaks. I think they were leaks designed to do a number of things, one of which was to threaten the Democrats or try to coerce them into a position of support for the Government's position, as it evolves in this House by way of legislation. If that is so, then it is to be very much regretted in even a bicameral parliamentary system. But more important than that is the fact that the inspired leaks might have been aimed at, and designed to bring into line, some of the dries of the Liberal Party. That equally is just as regrettable as the Democrat position.

For many years when in Government, the Labor Party had to deal with an Upper House. In fact, whilst it has been in Government, from Dunstan through to Bannon, and with other Leaders and Premiers, we have never had the numbers in the Upper House, and we have had to live with that. I can well remember that a Liberal Leader in this place, the Hon. Ren DeGaris, always referred to this place as a House of review. It was not his point of view, but simply a question of numbers. When things are different, at least as far as the Premier is concerned, they are not always the same!

I well recall having been a participant in the ALP's campaign to remove the gerrymander that had been imposed

in this State during the time of Tom Playford. He was a very good man for this State, let me add, but he nonetheless imposed an electoral gerrymander in this State in the 1930s, and it took some time to get rid of it. It was based on the property franchise of people in respect of determining whether or not they could vote for the Upper House. Even when we got rid of the electoral franchise, people still had to enrol separately for the Upper House, as is the case today. In those days, if you did not have LC opposite your name on the electoral roll, you did not get a vote here either.

This Liberal Government still tries to reintroduce an electoral gerrymander. I thought the issue of one vote, one value had been fought and won by the Labor Party many years ago, but for the third time we see the Liberal Government, through the agency of its Ministers, introducing a so-called voluntary voting Bill into this Council. That is nothing more than another electoral gerrymander aimed at subverting the one vote, one value principle that had been fought for and won by the Labor Party in this State many years ago.

The ALP has a proud history in respect of this matter. We have twice tried to introduce Bills into this Parliament to abolish the Upper House. I note that that hoary old Liberal Democrat, Steele Hall, has dusted off his policies about the abolition of the Upper House. If the Liberal Party wants to take us on in an election over this issue, we will accommodate it; let the Premier be in no error about that!

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

AGRICULTURE

The Hon. J.C. IRWIN: I wonder whether the Hon. Trevor Crothers would agree with me that today we still do not have one vote, one value. It is pleasing to note that, since I last spoke in late May, most of this State has had some very good, drenching rains. My part of the world in the South-East has recorded four inches in June, two inches of which fell in late June. I acknowledge that that rainfall has not been exactly the same all over the State, but from what I hear it has been very good. It is good to note that, even though the rains are late, even at this stage there are good prospects for an average grain yield, which is always acknowledged as a boost for the economy of the State.

The wool market is still depressed, with growing alarm over what to do with the wool stockpile. My plea is for the wool industry to be consistent and signal to the world that it will make a decision and stick to it; it has not been good at doing that. The stockpile must be reduced by a predetermined and obvious amount each month. The wool industry must retain some form of stockpile, in my opinion—let us say, something below the one million bale mark—to even out the supply and demand situation that is always with us. As sheep numbers have declined quite dramatically, there will obviously be a major supply problem in the not too distant future, whatever the price of wool is.

I am pleased and amazed to observe lamb prices in South Australia nearing the $100 per head mark. Of course, this sort of price will not hold with the flush of lambs coming onto the South Australian market, but at least, with both merino lambs and British breed lambs, we are seeing the bottom and average prices per head coming up, giving producers a reasonable return for this commodity.

To give just one example of input costs which I have to carry on my farm and which have to be covered by commodity input returns, I will quote only my latest fuel bill. It specifies 500 litres of bulk petrol at 84¢ a litre and 1 100 litres of diesel at 76¢ a litre. This is only 150 miles, or 300 kilometres, from Adelaide. Petrol alone is 13¢ to 14¢ above the recent Adelaide selling price. Discounts are certainly available, but they apply to me only if I pay that bulk commodity bill—in my case, $1 700—within seven days. That is just one small example of the input costs that I must bear. I have an off-farm income, thank goodness, but my neighbours do not, and they must bear that cost.

Beef prices remain depressed, with a fairly glum outlook. It annoys me to see the price of beef remaining high in the butcher shops, with the producers getting the blame for it. I would hazard a guess that most beef/wool producers around me (and again, this is in the South-East, where they are beef/wool, not grain, producers) did not break even financially in the 1995-96 year. I know that their anger is directed at those who benefit from cheap, subsidised, high quality products (beef and lamb) while they themselves go backwards financially.

I will put this in perspective with some research that came my way recently. In 1993-94, for which the latest agricultural figures are available, agriculture contributed $2.2 billion—or 4 per cent—to the gross State product of South Australia and 3 per cent to the gross domestic product of Australia. In contrast, the manufacturing sector has remained markedly stable since 1970, at around 18 per cent to 20 per cent of GSP.

The agricultural sector has fluctuated as a percentage of GSP. It peaked at 10 per cent in 1979-80, then declined to contribute approximately 4 per cent during the early 1990s, falling to its lowest level in 1990-91, when it accounted for 3 per cent of GSP. This suggests that the importance of the agricultural sector relative to the growing sectors of finance and insurance and property and business servicing is diminishing. I put to you, Mr President, and my colleagues in here that there lies the problem for Australia and South Australia. All those growth areas I mentioned are service areas, whereas agriculture generates real products.

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

SAMCOR

The Hon. R.R. ROBERTS: I speak on a matter of real concern to South Australia, and that is the slipshod manner in which this Government has conducted the sale of State assets over the past two or three years. In particular, I point to the sale of the SAMCOR premises. In anybody's assessment this would have to be described as an absolute shambles. It is of great concern not only to the work force out at SAMCOR but also to the primary producers of South Australia who rely on SAMCOR as a killing works with an export licence.

Before the Liberal Party came to power it stated that it would conduct a review. It always expressed the philosophical point of view that it would like to get rid of SAMCOR. We saw the farcical inquiry and (surprise, surprise), as usual, it came up with the proposition that we ought to get rid of SAMCOR. Then followed the gradual run down of SAMCOR. The record is appalling. In the past few weeks the Opposition has been advised that major producers and processors in this State have been denied access to the works because they were not meeting total market expectations for throughput through the abattoirs. Clearly, these factors

combined mean that work was being denied to workers out at SAMCOR and opportunities for the production of quality meats in South Australia were being denied to South Australian producers.

So, the decision was made to sell the facility out at SAMCOR, and the process of packaging the unit together for sale began. I am advised that there were three major bidders for this proposition. One was a Canadian company, one was a Russian company and the other an Australian company. It appals me to look at the record and see how this Brown Government kowtows to overseas companies and makes allowances for them while ignoring Australian companies.

Austral Meats put forward to this Government a proposal to take over and manage SAMCOR and provide services for processors in South Australia. That company was not even invited to do due diligence; the other two companies were the preferred bidders. These foreign companies were given preference over the Australian company.

Also, we have gone through another saga out there at SAMCOR. We saw the farce of this Council's passing the Bill to sell SAMCOR. Then, at that time, after we agreed to sell it, the export licence was lost. What happened then? We spent millions of dollars to get the export licence back, and I am told that extra work has been done out there, at taxpayers' expense. Over this process we have found that the Russians have dropped out, leaving only the Canadian firm, Better Beef, whose proposal was being considered. Indeed, I am told that Mr Des Lilley, the present Manager of SAMCOR, has been promised a position with Better Beef.

It seems strange to me that Better Beef came to this country to buy SAMCOR, but when it arrived—and to everyone's surprise—it changed the proposition. Now it will not buy SAMCOR: it will go back—and surprise, surprise—it will provide a similar service to the one proposed by the Australian company. What is wrong with that is that Austral has not had the opportunity to undertake its due diligence on the proposal. Yet, their competition, having had the benefit of their proposal, has now come up with a similar proposal and they have been excluded. They have not been able to tender and modify their arrangements. As recently as last week I was informed that a number of people in South Australia are willing to participate and provide a high quality service kill in South Australia, but they are being denied that opportunity.

My constituents are concerned that this whole process has been tainted. It is reminiscent of all the sale processes of assets in South Australia and it is to be condemned. Time does not allow me to go on—I could probably speak on this subject for at least an hour—but it is of great concern to me as a South Australian that this Brown Liberal Government kowtows to foreigners and completely ignores Australian businesses and Australian companies: it is a shame.

The PRESIDENT: The honourable member's time has expired. I call on the Hon. Bernice Pfitzner.

QUEEN ELIZABETH HOSPITAL

The Hon. BERNICE PFITZNER: There is a perception in the western metropolitan area, where there are significant numbers of disadvantaged people, that all is not well with the Queen Elizabeth Hospital—a hospital that has served the western community well in health services, medical research and the training of health professionals. This concern about the Queen Elizabeth is promoted further by communication from the Medical Staff Society of the Queen Elizabeth Hospital. In their communication, the medical staff have identified that the QEH has been amongst the most cost-efficient hospitals in Australia. This efficiency has attracted a Federal surgical demonstration site grant. This efficiency has been further put to test by the Queen Elizabeth Hospital's keeping up its services when since 1992 staff members have been reduced by of 600 FTEs; admissions have risen; increased surgical targets have been met; and the average length of stay has decreased. The QEH is a university teaching hospital, training—

The Hon. Diana Laidlaw: Is this the quote from the doctors?

The Hon. BERNICE PFITZNER: Yes, from the Medical Staff Society. It is a university teaching hospital, which trains over 100 medical students, 70 interns and RMOs and which has nearly 60 accredited specialist training positions. The QEH has been carrying out over 150 research projects, including new treatments for cancer, asthma, epilepsy, arthritis, heart attacks and so on—an impressive list of common medical diseases.

With these necessary stringent changes the senior medical staff find that the spectre of full privatisation and outsourcing has diminished the morale of the hospital staff, so much so that key medical staff are relocating to the Flinders, the RAH and interstate where the perception is that those hospitals will be fully supported. These departures have the further effect of jeopardising accreditation by the specialist colleges of the Australian Medical Council, and we have the perception of spiralling downgrading of the QEH.

The hospital has served the western metropolitan area so well. It was not upgraded during the 13 years of the ALP Government, yet the hospital was set in ALP heartland. I have worked as a community medical practitioner in this area and know full well the high standard of service that this hospital provides.

The Health Minister has responded to these perceived concerns by way of a pamphlet which is entitled 'The QEH Teaching Hospital—World Class' and which puts to the community that, although it was recommended in the 1994 commission of audit to downgrade the QEH to a 'cottage hospital', this has not been done. Instead, the hospital has been amalgamated with the Lyell McEwin to form the North-West Adelaide Health Service, and the CEO of the QEH has won the position of the CEO in the combined services.

We also note that a number of initiatives have been put in place to underline the confidence that the Government has in the QEH. Such initiatives include: $5 million to develop a new site facility; $1.5 million to develop a new cardiac catheter laboratory; and $1.2 million for elective surgery, allowing for an extra 830 cases to be done, and so on.

The final Government statement gives the QEH development project total commitment to maintain the hospital as a major teaching hospital and to continue to deliver world quality health services. However, negative perceptions and doubts still remain that the QEH is not getting full Government support. These doubts are generated by the observation that most of the funding appears to be for capital works, not much mention is made of the ongoing status of research projects; senior staff in the Accident Emergency Department and Anaesthesia Department are leaving, making world-class service difficult to deliver; accreditation and specialist training is in doubt; and the position of the present and excellent CEO is also in doubt.

I hope that these perceived concerns will be addressed specifically—some people believe that they are—and that

assurances that the world-class standards of this excellent hospital in relation to service, teaching, training and research will be maintained.

NATIVE VEGETATION

The Hon. T.G. ROBERTS: In my capacity as shadow spokesperson for the environment, I raise my concerns in relation to clearance of remnant vegetation around the State and, in particular, the fresh applications that are now before the Native Vegetation Clearance Council to clear a large area of native trees in the Lucindale area. Some of the few areas of this State containing remnant vegetation, large stands of native trees and their incorporated ecosystems, including native animals, are the South-East, Kangaroo Island, the southern portion of Eyre Peninsula around Port Lincoln and, to some extent, the Mid North and Mount Lofty Ranges, including the Fleurieu Peninsula.

Unfortunately, because this is a very dry State pressure is being put on these areas because of their consistently high rainfall to clear not only the remnant vegetation but also other areas for agricultural, horticultural, silvicultural and viticultural purposes. The Native Vegetation Clearance Council is under enormous pressure to grant applications for further clearances. The problem is that each application appears to be seen separately and not as a major part of an integrated ecosystem.

The areas around Port Lincoln and in the South-East have many similarities, given that they have a consistent rainfall and plenty of sunshine, making them attractive areas for vines and for other agricultural and horticultural pursuits. However, this only adds to the pressure on the existing vegetation. An overall management plan needs to be developed where competitive use programs are studied and the best economic options examined so that we use our land in the best possible way while protecting the interests of the environment.

What we have emerging at the moment is competitive use not only for the land resource but also for the underground water supply and, in some cases, service water where it exists. Competitive use disputes are now starting to emerge in agricultural regions. For example, one on the West Coast has emerged of late. I am handling one to the best of my ability in the Eight Mile Creek area, and this is to do with competitive use for agricultural purposes, not just for the protection of the environment. As the shadow Minister for the Environment, I take the environment as the key area to protect and then I work back from there for the best possible land use programs.

Unfortunately, once the area has been determined for a particular use, it is very difficult to retain any semblance of order in relation to the protection of the environment, particularly with remnant vegetation. The disputes starting to occur now are mainly around access to underground water and draw down and I refer to a dispute emerging in the Tatiara area where an application has been granted for a licence to grow strawberry clover in an area where, traditionally, the underground water supply has been used for people living in housing and the draw down effect on the underground water supply for the agricultural use is impacting on the domestic use.

The Government needs to take into account the pressures being placed on our natural resources and take an overall protection view for our fauna, flora and vegetation to ensure that the integration of development is not impeded by the disputes taking place and that best possible use is being made of the available land and water and the risks are minimised by overall management plans for these areas so that we can avoid the confrontation for which we appear to be heading.

WINE AUSTRALIA

The Hon. L.H. DAVIS: On Saturday 15 June I attended the official opening of Wine Australia at Darling Harbor in Sydney. This exhibition over four days at the impressive Convention and Exhibition Centre featured 37 wine regions from the six Australian States. It was the largest wine exhibition ever seen in Australia. There were 160 000 bottles of wine drunk, 40 wine regions, 8 000 labels and around 60 000 tasting glasses for the 30 000 people who attended over those four days.

The 10 000 square metre Exhibition and Convention Centre was an ideal setting for this wonderful exhibition and publicity given to the wine industry in Australia. Whilst there were many journalists and wine buyers from overseas, it was principally designed to attract people from Sydney and other States of Australia. Each State had a specific area with its regions represented. In addition to wine tasting there was a taste theatre with master classes, seminars on Australian wines, demonstration rooms where leading chefs displayed the regional foods of such notable regions as the Barossa Valley and Rutherglen. A wonderful array of food was available, including yabby pate from Victoria, South Australian oysters, blue cheese from Gippsland and even crocodile from Queensland.

At Wine Australia, the President of the Australian Wine Foundation, Mr Len Evans, released an ambitious 30 year strategic plan for the wine industry. Wine exports are forecast to grow from 120 million litres, with a value of $400 million currently to 600 million litres worth $2.5 billion in the year 2025. Of the current Australian production of 600 million litres, about 20 per cent or 120 million litres is exported and 75 000 hectares of land are currently under vine. If this target for the year 2025 is achieved, Australia will become the fifth largest producer of wine in the world, compared with its present ninth position.

By the year 2010—just 14 years away—the United States is projected to be our major export market for wines, increasing from a current $74 million in annual value to nearly $400 million. That would mean that it would overtake the United Kingdom as the principal source for wine exports. UK exports are projected to double from $202 million currently to $375 million in the year 2010, and Germany is forecast to become our third largest recipient for wine exports rising to $250 million in the year 2010 from a mere $10 million in 1996. Japan's exports are also expected to surge to $115 million in the year 2010. Those four countries, if these projections are achieved, will earn $1.13 billion in export earnings in the year 2010 out of a projected $1.7 billion for wine exports.

The wine industry, as we know, has been very profitable and in a significant expansionist phase in recent years. In Victoria, 3 000 hectares per annum have been planted in each of the past five years. There has been a boom in land suitable for vines. The famous Coonawarra *terra rossa* land has been selling for up to $40 000 per hectare without any development. Wine tourism is also becoming increasingly important and hundreds of millions of dollars are spent in the various key wine regions around Australia, particularly in South Australia, Victoria and New South Wales where wine lovers actually meet wine makers at their cellar, drink their wines,

stay at local bed and breakfast accommodation and sample the product of the region—one of the most exciting developments in tourism in Australia in recent years.

STATUTORY AUTHORITIES REVIEW COMMITTEE: RUNDLE MALL

The Hon. L.H. DAVIS: I move:

That the report of the committee on a review of the Rundle Mall Committee be noted.

The Statutory Authorities Review Committee, established in May 1994 (just a little over two years ago), first became interested in the subject of the Rundle Mall Committee in July 1994. We formally agreed to inquire into and report on the role and function of the Rundle Mall Committee with particular reference to the effectiveness of the structure and function of the committee for ensuring consideration of the public interest in Rundle Mall and also for the need to examine whether the Rundle Mall Committee should continue to exist.

Twenty years ago Rundle Street, as it was then known, was a thriving retail precinct and Adelaide, after some inquiry and many committees, decided to convert Rundle Street into a mall. The trolley buses and the cars were removed and the pedestrians took pride of place in this premier retail precinct of Adelaide.

The Hon. M.J. Elliott interjecting:

The Hon. L.H. DAVIS: There were trolley buses: I can vouch for that.

The Hon. M.J. Elliott interjecting:

The Hon. L.H. DAVIS: No, I said that they were there: you are not listening. That is fairly typical of the Democrats—read *Hansard* tomorrow. The Rundle Mall became the first mall in a major city in Australia and it was regarded as a model for many other malls that subsequently followed. The Queen Street Mall in Brisbane was closely modelled on Rundle Mall. Over the last decade, sadly, Rundle Mall has lost that pride of place. It is reflected in the decline in retailing. It is also reflected in the tired appearance, which is commented on so often by both locals and visitors alike.

Inquiring into this matter of Rundle Mall, the committee took evidence from members of the Rundle Mall Committee. In the lead-up to the evidence, which was taken only a few weeks ago, we found that we received disappointingly slow responses from the Minister for Housing, Urban Development and Local Government Relations, along with other requests for information from the various interested parties. We noted also that the Rundle Mall Committee had for some time been asking for reform of its structure. Indeed, since April 1994, the Rundle Mall Committee had been requesting a revamp of its structure.

In looking at the history of the mall, the committee found that from the early 1980s there had been suggestions that the Rundle Street Mall Act should be repealed and that another structure be created. It was reviewed again in the mid 1980s, and nothing happened. This seems to have been the pattern over the past 15 years. There have been various concerns about the appropriateness of the structure, the upkeep of the mall and the promotion of the mall, but sadly little has happened.

The committee, which consists of three Government members and two Opposition members of the Legislative Council, brought down a unanimous recommendation that the Rundle Street Mall Act should be repealed and, specifically, the Rundle Mall Committee should be abolished. We accepted that the Adelaide City Council should continue to have responsibility for the operation, maintenance and control of the Rundle Mall and to have responsibility for the development of the physical infrastructure associated with the mall.

The committee also recommended that Adelaide should follow the lead, particularly of Brisbane and Melbourne, in creating a specific marketing authority for the city centre as a whole rather than just specifically for Rundle Mall, and that this body should be structured in such a way as to preserve and represent the interests of stakeholders in the City of Adelaide, and that, of course, represents the State Government and its institutions, the Adelaide City Council and the range of private sector interests in the city of Adelaide.

The committee quite properly stopped short of making a specific recommendation on this matter, conscious that other developments are afoot in this area, but it is true to say that the committee was impressed with the optional structures that exist in Melbourne and Brisbane. The committee believed there were unacceptable delays in obtaining information to assist with this inquiry and we said that this delay 'may be indicative of a failure on the part of the Minister and the department to fully recognise the urgent need for reform to the present arrangements for the development, promotion and management of the mall'.

The Rundle Street Mall Act of 1975 provided there should be six members on the Rundle Mall Committee. As I mentioned, the committee took evidence from those members, namely, Mr Geoff Pitt, an experienced retailer who is Chairman of the Rundle Mall Committee; Mr Terry Papadopoulos, Property Manager with Karidis Corporation; Mr Frank Karagiannis, who is Managing Director of the Renaissance Tower; Sheila Saville, who is the Media and Advertising Manager with the South Australian Tourism Commission; Mr David Biven, from Retail Asset Management; and Helen Larner, who is the State Manager of Sheppards Jewellers, situated in Rundle Mall. Dominic Pangallo, the energetic Rundle Mall manager, was also in attendance, along with Heather Jones, the Rundle Mall administration officer.

It is fair to say the committee was impressed by the frankness of the information that was obtained from the members of the Rundle Mall Committee. It was clear from the correspondence we received and the evidence given that they had been anxious to effect a restructuring of the operation and promotional activities of Rundle Mall. One of the points they made was that the functions of the Rundle Mall Committee are not set out clearly in the Act. The Rundle Street Mall Act gives the council powers relating to the operation, management, promotion and development of Rundle Mall, with the power to delegate those powers to the Rundle Mall Committee. We received evidence that the council had made a partial delegation of these powers and that was 'to do all things necessary for or incidental to the operation, management and promotion of the Rundle Mall in accordance with council policy'. One of our problems was that we were led to understand the council did not have a specific policy in relation to Rundle Mall.

In practice, the Rundle Mall Committee had become responsible not only for the marketing of the mall but also for

the general management and control of the mall. There was a blurring between council responsibility and the responsibility of the Rundle Mall Committee—one of the ongoing problems which surfaced when evidence was given to the committee. There is power in the Act for the council to collect rates over and above the annual rates struck by the council for the specific purpose of the promotion and maintenance of the mall, and the current special rate is set at 1.6¢ in the dollar for properties that face onto the mall and .82¢ for other properties in the mall precinct. The committee also received evidence that the income raised by these special rates had fallen in recent years from a peak amount of $650 000 in 1991-92 to $527 000 in 1994-95, a fall of roughly 20 per cent, and that reflected diminished property values in Rundle Mall. That in turn impacted on the amount of money available for the promotion of Rundle Mall.

I have mentioned there have been a number of reviews of the Rundle Mall Committee. In 1985, the Government indicated that it was interested in repealing the Rundle Street Mall Act, and a draft report was prepared in 1986, but that did not proceed. In February 1994 there was another report on the Rundle Mall, this time by a joint State Government-council working party, which was responding to concerns about the deterioration in the physical appearance of the mall and its future as a major shopping precinct in the face of increased competition from major regional shopping centres, but, again, nothing has happened to date from that review.

We were aware that the Minister commissioned a report on the Act from the department and that he received a report in early 1995. The report concluded that the responsibility for the day-to-day operation, management and control of the mall should be exercised by the council, and that is a point of view with which the Statutory Authorities Review Committee concurs.

The report concluded there was a lack of coordination in the efforts to promote the city and there was the need for the creation of a peak body with both council and State Government involvement to oversee the strategic development of the city square mile. Again, that was a conclusion with which the committee agreed, and I will develop that point a little later.

We did receive advice from the responsible Minister, the Hon. Scott Ashenden, in May 1996 that it is the intention of the Government to repeal the Act as part of its local government legislative program. The Minister indicated he was awaiting the final recommendations of the Adelaide 21 project, scheduled to be released within a matter of a few weeks, before moving to deal with the matter of marketing and promotion of the city centre.

Certainly, one is aware of the refurbishment of the Rundle Mall which is currently occurring, but the issue that was of concern to the Rundle Mall Committee, and I think to the general public at large who have taken an interest in this as is reflected in letters to the editor and comments from visitors, is that the city council and successive State Governments have allowed the mall to deteriorate to an alarming extent. It has been a very laid-back, lacklustre approach to maintaining the premier retail precinct in pristine condition.

The Adelaide 21 Interim Report makes quite clear that the maintenance of the essential fabric of the city is of vital importance to the energy and the attractiveness of the city for not only the local residents but also visitors. If that fabric deteriorates, it takes away from the energy and enthusiasm of both the residents and visitors. It becomes a talking point and means the city centre can unravel. It can mean—and in fact it has occurred in Rundle Mall—there will be pressure on the central retail precinct as regional centres continue to push through very aggressive advertising campaigns for more of the retail dollar.

I was alarmed with some of the evidence that the committee received from the Rundle Mall Committee. We received evidence there had been a halving in the level of pedestrian traffic in the mall since it opened 20 years ago, from 150 000 people a day to around 70 000 people a day, that fewer people were coming into the city square mile, that there had been a fall in overall employment in the city centre, that there had been a significant reduction in the mall's share of retail expenditure and, as I have already mentioned, there had been a fall in the marketing budget of the mall because of falling city property prices.

The committee received evidence from a member of the Rundle Mall Committee, Mr Karagiannis, and I quote:

> Rundle Mall is in a diabolical state. In the past 15 days we have lost three jewellers from the mall and another shop. That shows how big the problem is. I have been in the mall approximately 20 years. The past 15 years have become almost impossible for the small retailer.

That evidence was disturbing and generally reflects the strong need for a restructuring of the present promotional body for the mall. As I have mentioned, the council had no specific promotional policy for the mall. Our committee believed that the past failure of the council to establish a specific policy for the operation, management and promotion of the mall had undoubtedly contributed to the difficult trading conditions which have been encountered by the mall retailers in recent years.

The Rundle Mall Committee in written and verbal evidence to the committee made several specific points. First, there was the problem with the Act of 1975 which failed to clearly divide responsibilities between the Rundle Mall Committee and the council in terms of the development, management, operation and promotion of the mall. As I have already indicated, the Rundle Mall Committee did not believe it was appropriate it should be performing some of the street management functions in addition to some of the street marketing functions. There was also a failure within the Act to properly recognise and represent the key stakeholders in the mall. The Rundle Mall Committee also provided evidence which showed expenditure on the promotion of the mall in 1995 was less than that spent on the marketing of the Myer Centre alone, and it was less than spent by Westfield on the promotion of its shopping complexes in South Australia.

One of the other defects in the Act which was brought to our attention by the Rundle Mall Committee was the fact that the Act was unduly restrictive in the sense that it required the committee to promote the mall. Placing parts of Adelaide into separate compartments and fragmenting the overall marketing promotion of Adelaide was detracting from the ability to market the city as a whole. Rundle Mall as the premier retail precinct and North Terrace, which runs parallel to Rundle Mall, as the premier cultural precinct have very little interaction in terms of joint marketing and promotional activities. They thought this was a disadvantage and I agree with that point.

The Rundle Mall Committee expressed the view it would be better to develop promotional activity for the city recognising the need to promote all precincts—North Terrace, Rundle Street East, Rundle Mall and Gouger Street, for example—as important precincts in the city of Adelaide, attractions to both local residents and visitors alike. They argued very strongly for repeal of the Rundle Street Mall Act,

the abolition of the Rundle Mall Committee and the development of an alternative structure.

Our committee believed that the Melbourne and Brisbane models were useful models to follow. We have not made a firm recommendation in this respect. We recognise the Rundle Mall Committee, in addition to giving evidence to us, had also provided a report to the Minister suggesting a number of structures that could be utilised in establishing a body to market the city centre. The Rundle Mall Committee suggested the most suitable of these structures would be a company limited by guarantee, run on a 'not for profit basis', to market and promote the mall and the city, with the coordination of the marketing of individual city precincts.

That seems to be the model which has also been supported in both Brisbane and Melbourne. The Queen Street Mall in Brisbane spends $1.85 million annually for promotion, which is about four times the amount that is spent on the promotion of Rundle Mall. The committee felt that was a valid comparison because Brisbane with a population of approximately 1.2 million people is marginally larger than Adelaide with its population of approximately one million people. The Queensland Street Mall Act provides for funds to be raised by special rates from tenants and nearby tenants of the mall. There is also provision for an advisory committee (which consists of representatives from the council, persons nominated by the Minister and persons involved in the retail area) to help the council with information and advice in relation to the operation and management of the mall.

Half the moneys raised by the Brisbane City Council are used to maintain the Queen Street Mall and the other half of the special rates raised are directed to fund the activities of the Brisbane City Heart Business Association, which represents the stakeholders of the city: city retailers, professional people, property owners, restaurateurs and general business operators.

There have been a number of changes associated with the marketing of Melbourne. Melbourne, which had been inward looking, which had perhaps developed an inferiority complex following its losing of the battle for premier city of Australia to Sydney during the 1970s and early 1980s, had lost its focus and sense of identity. It is true to say that, with the development along the Yarra south bank, Melbourne has new energy, new direction and new enthusiasm.

Part of the rejuvenation of Melbourne has been made possible by the formation in 1991 of Melbourne City Marketing, which was a private, non-profit organisation, a corporation that had as its main purpose the marketing and promotion of the Melbourne city centre. This was established with tripartite financial support from the Melbourne City Council, the Victorian Government and the private sector. But, as from 1 July 1996 (just two days ago) Melbourne City Marketing has been bundled in with the Melbourne Convention and Tourism Authority to create a new body, the Melbourne Convention and Marketing Bureau. This newly created bureau has taken over the functions of these two bodies and, as its name implies, will not only market the city of Melbourne but will also spearhead the drive for convention traffic into Melbourne, given that Melbourne is in the course of developing a major new convention centre adjacent to the Crown Casino. We have received information that the Melbourne Convention and Marketing Bureau will have an annual budget of $7 million.

The Adelaide 21 Project interim report argues very similarly to what the Statutory Authorities Review Committee concluded: that it is important to take a global approach to the marketing of the city of Adelaide. This interim report had taken evidence from some 400 business, professional and community leaders in preparing its interim report. Opinions expressed by these 400 people to the Adelaide 21 Project team included the following observations:

> The distinctive character of the city centre is being eroded and its appearance has become tired.

That certainly is true of Rundle Mall:

> Cooperation among local State and Federal Governments needs major improvement.
>
> The strategic importance of the city centre is not sufficiently recognised, understood or valued.

This final report from the Adelaide 21 Project team will give both the State Government and the Adelaide City Council much food for thought and, hopefully and most importantly, provide a strategic plan to ensure Adelaide city becomes again the jewel in South Australia's crown.

In conclusion, the Statutory Authorities Review Committee believed there was strong merit in a tripartite approach to the challenges of Rundle Mall; that the State Government, along with the Adelaide City Council and the private sector, should take a joint approach to the marketing not only of the mall but of the city of Adelaide as a whole. As we say in our concluding remarks, the State Government should ensure that, irrespective of the final structure of the body, be it a statutory authority, private company, controlling authority or some other entity, it is structured in such a way to ensure that key stakeholders in the city centre are properly represented.

The Hon. ANNE LEVY: I rise to endorse the remarks made by the Hon. Mr Davis, Chair of the Statutory Authorities Review Committee. This has been a very interesting exercise undertaken by the committee, looking into the Rundle Mall Committee, which certainly is a statutory authority, being a body established under statute. The Hon. Mr Davis noted the difficulties that the committee had in obtaining information, which was not extensive information, but information necessary to undertake its review. As he noted it, I thought I would give a little more detail to the Chamber of what is set out more fully in the report itself.

The committee decided in, I think, July 1994 that the Rundle Mall Committee was a statutory authority that it should investigate. The initiative came from me as a member of the committee, and I indicate that at one time I was a member of the Rundle Mall Committee, back in 1978 and 1979, appointed as a ministerial representative. Consequently, my interest in the committee has continued ever since. We first wrote to the department seeking information on 13 September 1994. No response was received. So, a further letter was sent on 19 October, which elicited a response on 27 October saying that a report was being prepared for the Minister, that it was expected to be finished in a couple of weeks from then and that they would keep us informed.

It was 14 February 1995 before we received information that the report was finally finished and had been presented to the Minister, and that we would hear from them further as to its contents in a couple of weeks. We wrote again to the Minister, I think it was, on 2 March 1995 and, while this letter was acknowledged on 16 March, no further reply was received. So, the Presiding Member wrote again to the Minister on 11 May 1995 and received a response from the Minister dated 1 June 1995, saying that he would shortly respond regarding the contents of the report, which he had had since February. When we had no further correspondence,

the Presiding Member wrote again on 7 July 1995 to the Minister.

Finally, on 10 September 1995, the committee received a copy of the report. If we look back through those dates, we will see it was three days short of exactly one year before we got what we had set out to get on 13 September 1994. It took us 12 months to get a copy of that report, which was certainly very germane to the inquiry into the mall which we wished to undertake.

On 2 May this year we requested of the Minister the Government's response to the report and when it would be implementing recommendations from it. He responded a few days later saying that it would be one or two months before a reply could be furnished to us. It is now two months since that letter was sent, but we still have no response to our inquiries. The committee unanimously felt frustrated, irritated and ignored by the lengthy delays and the difficulties of getting any information out of the Minister and his department, and felt that the strongest criticism should be levelled at both the Minister's office and the department for their complete lack of cooperation with a statutory committee of the Parliament.

In contrast, I should add that, whenever our committee wrote to the Rundle Mall Committee, it responded quite rapidly, providing such information as we requested, as did the Adelaide City Council. On several occasions the city council was asked for information, and quite rapidly provided that information with the utmost courtesy. The contrast between the way in which the parliamentary committee was treated by the city council and the Rundle Mall Committee on the one hand, and by the Minister and his department on the other hand, was most marked, and not to the advantage of the Minister.

While the Statutory Authorities Review Committee was concerned with the Rundle Mall Committee itself, it did have to look at the Rundle Mall Act which established the committee in the first place and, more importantly, established the mall. It is generally agreed that most of that Act is now redundant. Since the passing of the Local Government Act in 1975, there have been major changes thereto, and many of the powers set out under the Rundle Mall Act are now available to any council under the Local Government Act. I refer particularly to the power to set up controlling authorities, the power to levy special rates, and similar matters which did not exist back in 1975.

It has been agreed in many of the reviews of the Rundle Mall Act that some parts of it are still not replicated in the Local Government Act and, if the Rundle Mall Act is repealed, there will need to be provision in the Local Government Act or some other Act for these powers to enable the Rundle Mall to continue operating as it does at the moment. I refer here to the power of the council to restrict vehicles in the mall—that power is not held by any council anywhere else in the State—and also its specific by-law making power for Rundle Mall itself.

As has been pointed out in numerous reviews, if the Rundle Mall Act is to be repealed, arrangements will need to be made for repayment of the loan which was authorised under the Rundle Mall Act. A loan of up to $8 million could be taken by the city council to develop Rundle Mall. Although it did not take a loan of that magnitude, the loan has not been fully repaid yet and, under current arrangements, will not be repaid for another 10 years. Hence, repeal of the Act would require arrangements to be made.

The Hon. Legh Davis has indicated the results of many of these reviews of the Act which have occurred in the last 20 years. There is unanimity that the Rundle Mall Committee in its current form should be abolished, although there also seems to be general agreement that it should be replaced by some new body, and the argument tends to be how broad the functions of, and representation on, that new body should be.

The report to the Minister does suggest that the city council does not spend on the Rundle Mall area anything like the sum raised in rates from that area. I am not talking about the special rate but just the general rates. This does seem a gratuitous comment to me as ward accounting principles have long been abolished in local government. The idea that a particular area should have spent on it the totality of the rates raised in that area is not a principle on which either local or State Government has operated for most of this century. The ward accounting principles are not seriously entertained in any financial circles at this time.

The report to the Minister certainly indicated that the Government should be interested in the promotion of the city centre as a whole: that it is not just a city council responsibility but is of interest to the whole of the State and, consequently, the State Government should be interested in this matter and represented on any new body which replaces the Rundle Mall Committee.

The Hon. Mr Davis has mentioned the Rundle Mall Committee evidence, which the Statutory Authorities Review Committee was certainly very pleased to receive. I stress that the Statutory Authorities Review Committee did not invite representatives of the Adelaide City Council to appear and give evidence although, as I indicated earlier, its officers did provide information to the committee rapidly and courteously whenever requested to do so.

The Rundle Mall Committee in many ways was critical of the Adelaide City Council. While its criticisms are set out in the report presented to Parliament today, we are keen to state that this is the opinion of the Rundle Mall Committee and is not necessarily the view of the Statutory Authorities Review Committee. We do not want to take part in city council bashing. As we did not seek the opportunity to have specific responses from the city council, it would be unfair to do other than repeat other people's criticisms without making any judgment in the matter ourselves.

One matter which arises if the Rundle Mall Committee is to be replaced by some other body is the question of the resources which that other body should have. The report to the Minister considered that the special rate should not be continued. However, the Rundle Mall Committee itself felt fairly strongly that the special rate should continue, in order to ensure that any new body had adequate funds.

In Brisbane, a special rate is struck for the benefit of the Queen Street Mall. In Melbourne no special rate was struck for Melbourne City Marketing, which depended entirely on subscriptions and donations. I certainly share the apprehension of the Rundle Mall Committee that without a special rate there may not be sufficient resources for any new body to operate effectively. It is pointless to spend a lot of time devising an ideal structure with ideal functions if the resources available are not sufficient to carry out the responsibilities which one wants to give to the new body.

The issue of whether a special rate continues to be struck in the Rundle Mall precinct will obviously affect the structure, functions and responsibilities of any new body because, if the city council is raising special rates, it has a responsibility to its ratepayers to see that those funds are expended

wisely, efficiently and effectively. So, if a special rate continued, the city council would have a responsibility to oversee that money and consequently, quite rightly, would want a say in its expenditure; and any new body receiving ratepayers' money would have to be accountable to the city council for the expenditure of that money. I cannot imagine that anyone in this Parliament with an interest in accountability of government would resile from the principle that, if the council is raising the money by special rates, it has responsibilities and accountability for that money.

On the other hand, if no special rate is struck, any new body relying purely on membership subscriptions and donations is responsible only to its own members for the expenditure of money, and neither the city council nor the State Government has any particular interest or responsibility as to how the money is spent. I am not suggesting that it would not be spent wisely in either case, but we do need to take account of the different lines of responsibility and accountability when public money is involved; be it taxpayers' money or ratepayers' money, accountability is a most important principle.

I will quote a few points from the conclusions (which were unanimous) of the Statutory Authorities Review Committee report presented today, as follows:

· the State Government has a strong interest in a vital city centre and consequently SARC [the Statutory Authority Review Committee] believes the State Government should play an active role in the establishment of a body to market and promote the city centre;

The Government cannot wring its hands and say, 'This has nothing to do with us; we accept no responsibility at all.' I hope the Minister will take note of this report, as he did not take note of our lengthy correspondence. The document also observes:

· the State Government should ensure that adequate financial arrangements are in place to guarantee this body is successful;

· SARC does not preclude the possibility of the operations of such a body being funded by some form of compulsory special rate on city properties raised by the council. It should, however, be recognised that use of such a special rate raises the issue of council's responsibility to ensure the proper expenditure of those funds. On the other hand, lack of a compulsory rate may limit the resources available to the new body and so restrict its effectiveness;

· the State Government should ensure that irrespective of the final structure of the body—be it a statutory authority, private company, controlling authority or some other entity—it be structured in such a way to ensure that key stakeholders in the city centre are properly represented;

· the definition of key stakeholders whose interests are to be represented on such a body should be a broad one which encompasses the council, the State Government, retail traders, cultural and educational institutions, the tourism and hospitality industries and other businesses and groups with an interest in the development of a vital city centre. . .

Rundle Mall is too important to the existence, morale and functioning of the City of Adelaide and hence the State of South Australia to be left merely to the retailers who have their businesses in the Mall. It is something which should involve all sections of the community, from the State Government down. I certainly hope that the Government will take note of the unanimous recommendations of this report and that in the not too distant future something will finally happen about Rundle Mall.

The Hon. A.J. REDFORD: I rise in support of the motion and commend the report to all members. I am sure that all members share the concerns about the future of the City of Adelaide that are apparent when one reads this report. Indeed, one becomes extremely concerned at some of the stories coming from the Town Hall regarding factional fighting amongst council members at the very time when the future of the city is under question. Rundle Mall is a vital part of the city, and I have no doubt that the bulk of interstate and overseas tourists visit it. It is a vital part of our tourist industry as well as a vital part of our retail industry.

I would be remiss if I did not say that the report should be put in an appropriate context. Whilst certain witnesses have made criticisms of the Adelaide City Council, the committee gave no invitation to the Adelaide City Council to respond to them. The committee felt that the issue was of such importance and urgency and that there had been considerable delay—all of which has been outlined by the Hon. Legh Davis and the Hon. Anne Levy—that it should proceed to table the report without delay.

Indeed, it is interesting when one reads the report to see that not one review of the Rundle Mall Committee in the past 15 years has not recommended its abolition but, notwithstanding that, it seems to survive and staggers from one report recommending its abolition to the next. It is not a matter for Party politics to say who is to blame: the important point is that the matter be dealt with with some priority and some urgency.

My principal reason for speaking on this matter arises from a comment occurring at page 18 of the report, as follows:

The Rundle Mall Committee also presented evidence to the Statutory Authorities Review Committee which shows the expenditure on the promotion of the mall in 1995 was less than that spent on the marketing of the Myer Centre alone and that spent by Westfield Limited on the promotion of its shopping complexes in South Australia. The Statutory Authorities Review Committee was eager to examine the amount spent on marketing, in the context of the total number of daily pedestrians in the precinct for Rundle Mall and Westfield Shopping Towns. However, the management of Westfield Shopping Towns declined to provide pedestrian numbers data, claiming commercial confidentiality.

The committee received evidence from the Rundle Mall Committee setting out the numbers of pedestrians and the number of shoppers attending the mall on a daily or weekly basis. We also had information concerning their marketing expenditure. The Statutory Authorities Review Committee also had information about the amount of expenditure (in marketing terms) by Westfield at its various locations. The committee members were asked to make inquiries of Westfield regarding the numbers of pedestrians so we could put that information into some context, and Westfield declined to provide that information.

I am amazed that an organisation such as Westfield—an organisation which has been the subject of severe criticism in this Parliament, both in this place and in another place, particularly in the context of the retail tenancies legislation, an organisation which has led to enormous numbers of complaints by retail operators and small business people and a body which, I suggest, has single-handedly caused a Joint Parliamentary Select Committee into Retail Tenancies to take place because of the practices it adopts—effectively turns around and thumbs its nose at a committee of this Parliament. I approached the member for Mitchell, who has an office in Westfield at Marion, and asked him whether or not he had any information about the numbers of pedestrians passing through the Westfield Shopping Centre at Marion. He told me—and he has given me permission to refer to this—when he was looking at siting an office in the tower at Westfield that Westfield gave him all that information as a promotion saying that this is a wonderful place to have a premises. I am told by other retailers that, every time they approach Westfield, or Westfield approaches them regarding taking up

a lease in those premises, Westfield waves in front of their noses the extent of the pedestrian traffic passing through Westfield Shopping Centre.

But when a committee of this Parliament wants that information, Westfield suddenly comes up with this concept of commercial confidentiality. It ill behoves an organisation that has about 70 to 80 per cent of the retail space available in this State—certainly an oligopoly and verging on being a monopoly—to thumb its nose at a parliamentary committee. Certainly, I had no preconceived notion about Westfield but, as a member of this Parliament, I am extremely annoyed and angry at the way in which Westfield seeks to thumb its nose at a parliamentary committee. I would have thought an organisation which has been subjected to the type of criticism which it has received over the past couple of years ought to have a good hard look at itself and perhaps be more supportive of a major institution, that is Parliament, in endeavouring to look at various problems that confront this State.

Turning to a more positive note, I received a media release by the Rundle Mall Committee in response to the report. The media release states:

> The findings of the Statutory Authorities Review Committee were strongly supported by all members of the Rundle Mall Committee, according to the committee's chairman, Mr Geoffrey Pitt. Mr Pitt commended the Statutory Authorities Review Committee's work on the legislation which was clearly redundant and required repeal. 'The findings are totally consistent with the views presented to it by my committee members who have been particularly pro-active in working towards the introduction of changes which will improve the marketing of the mall as an integral part of marketing the city,' Mr Pitt said.

I digress to say that that is in stark contrast to the approach adopted by Westfield in dealing with a committee of this Parliament. The press release continues:

> Mr Pitt said that it was no longer feasible for the mall or other city precincts to be promoted in isolation from each other and there was an urgent need for the efforts and resources of all stakeholders to be coordinated by an umbrella organisation which has prime responsibility for marketing the city with an adequate capital base to do that job effectively. The experience in other capital city CBDs suggests that the coordination of the city's marketing efforts will provide the best means of packaging and promoting the many attractions the City of Adelaide offers. Rundle Mall, as the heart of the city, will always be a major focus because of unique concentration of retailing activity, but it should also be an important link and support to other precincts for the promotion of significant city events and attractions to metropolitan Adelaide.

At the risk of appearing to be part of a mutual admiration society, I wholeheartedly endorse the comments made by Mr Pitt. Personally, I very rarely go to Rundle Mall, even though we are only a few short steps away.

The Hon. R.I. Lucas interjecting:

The Hon. A.J. REDFORD: The Hon. Rob Lucas interjects and says, 'That's the problem.' If he knew my current financial commitments, he would realise that it would not be a big boost to the retail economy if I began splashing my money around there. On the few occasions I have been to the mall, it was looking tired—and I am sure the Hon. Legh Davis would have mentioned that in his contribution, and perhaps I am pinching his words. The promotion of the mall, when one looks at it in the context of Rundle Street East, is disappointing. Last year we brought in Sunday trading, principally at the behest of the traders in Rundle Mall. They have the greatest opportunity in relation to Sunday trading. I have not seen any promotion marketing Sunday shopping in the context of visiting our recently opened Art Gallery, our Museum and the various other attractions that we have close by on North Terrace.

It would seem to me, as an amateur marketeer—before the Hon. Legh Davis interjects—that a good marketing program could be developed around families visiting the mall to shop on a Sunday and then participating in visiting the Museum, the Art Gallery, the library, or the various other attractions on North Terrace. That has not happened and the retailers in Adelaide have missed opportunities in that regard because of the defects in the marketing program. I commend the discussion and conclusions. I agree that it is not the role of this parliamentary committee to provide specific conclusions and we did not make any specific recommendation as to what would be the most appropriate structure for any new marketing or promotion authority. That is a matter for the Minister and his department with full consultation of all key stakeholders, namely, small retailers throughout the city, the City Council, workers in the city and city residents (those few who are still there). Through a proper consultation period the city has a great opportunity.

On occasions I have visited the United States, and it would be sad to see Adelaide turn into a city centre like Los Angeles or Indianapolis where you go down the main street of the city proper and see what were formerly large retail centres boarded up and vacant. The city has almost become what is termed 'a doughnut', where all the activity and life of the city occurs outside the centre of the city and the city centre has really become a commercial centre. There is a real risk that that could occur in Adelaide and, without strong action on the part of the State Government and the Adelaide City Council, I have grave fears for the future of the centre of Adelaide. I commend the motion.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

EQUAL OPPORTUNITY (APPLICATION OF SEXUAL HARASSMENT PROVISIONS) AMENDMENT BILL

The Hon. CAROLYN PICKLES (Leader of the Opposition) obtained leave and introduced a Bill for an Act to amend the Equal Opportunity Act 1984. Read a first time.

The Hon. CAROLYN PICKLES: I move:

That this Bill be now read a second time.

I am pleased to introduce this Bill, which extends the coverage of the sexual harassment provisions of the South Australian Equal Opportunity Act. The Bill extends the coverage of our sexual harassment law to three classes of people, namely, judicial officers, members of Parliament and elected members in local government. Section 87 of the Equal Opportunity Act defines sexual harassment, forbids it and stipulates the relationships in which it can be said that sexual harassment could occur. In respect of the relationships in which it can be said that sexual harassment might occur—in other words, the coverage of the sexual harassment provision—the focus is clearly on either an employment relationship or some other direct legal relationship between the perpetrator and the victim, such as a teacher-student relationship or a principal-agent relationship. Therefore, in a technical sense, the need for this Bill arises because judicial officers, members of Parliament and elected members in local government are not considered 'employers' when they serve in their capacity as judicial officers, members of Parliament or elected members in local government.

The justification for the Bill rests on the principles underlying our sexual harassment law, supported by anecdo-

tal evidence of seriously unacceptable behaviour on the part of certain persons who fall into the categories which this legislation proposes to cover. So far as principle is concerned, one would expect it to be common ground amongst all Parties represented in this place that sexual harassment is unacceptable and offensive behaviour.

At present, within the defined classes of relationship set out in subclauses (1) to (5) of section 87 of the Equal Opportunity Act, sexual harassment is defined in section 87(11). That subsection states:

A person subjects another person to sexual harassment if he or she does any of the following acts in such a manner or in such circumstances that the other person feels offended, humiliated or intimidated:

(a) he or she subjects the other to an unsolicited and intentional act of physical intimacy;

(b) he or she demands or requests (either directly or by implication) sexual favours from the other:

(c) he or she makes, on more than one occasion, a remark with sexual connotations relating to the other, and it is reasonable in all the circumstances that the other person should feel offended, humiliated or intimidated by that conduct.

At this point, I turn to the legislative review of the Equal Opportunity Act, conducted by Brian Martin QC at the request of the current Attorney-General. Mr Martin QC's report was completed in October 1994. In respect of sexual harassment, Mr Martin QC specifically referred to a number of the relationships which this Bill proposes to cover. I quote from pages 16 and 17 of his report:

The Act is also deficient in not covering a number of relationships where the persons with authority over the employee are not the employers. They include the following:

Harassment of parliamentary and other staff by members of Parliament;

Harassment of staff by members of the judiciary;

Harassment of employees of local government corporations by elected members.

After referring to some other categories of relationships, Mr Martin QC goes on to observe:

Those relationships involve traditional notions of power inequality.

Indeed, Mr Martin QC concluded that the basis for the sexual harassment provisions was this notion of power inequality, whereby those with the power to economically reward or otherwise advance others could take advantage of their position of power by means of unwanted sexual advances.

That is a sound analysis as far as it goes, but there is also a feminist perspective to this. While there are undeniably cases of men suffering sexual harassment, which can readily be verified by the Equal Opportunity Commissioner, the vast majority of victims of sexual harassment are women. No doubt this is largely a function of the fact that traditionally and historically men have been in the positions of power in the work force, and more often than not women have been in a subservient role as employees of men.

Historical gender imbalance in the work force has provided the opportunity for abuse of power by men in relation to women, and the tendency for abuses of power to occur has been accentuated by the traditional cultural model of men dominating women and women being subservient. That traditional cultural model is changing slowly, in some parts of our society at least, and our sexual harassment laws promote this cultural change by not only underpinning genuine equality of opportunity for women, but also discouraging disrespectful and offensive behaviour towards women.

If one accepts that our sexual harassment law involves not only traditional notions of power inequality but also notions of respect, then one can understand the reason why this Bill seeks to cover harassment of MP's by other MP's and harassment of elected local government members by other elected members. It is acknowledged that the Martin report did not recommend the extension of coverage to such relationships. Page 17 of the report says:

The fundamental basis of the Act is to protect individuals against offensive behaviour that is unfair because it involves the exploitation of a power imbalance in a relationship. While that rationale cannot be seen as the entire basis for the current laws that protect employees against harassment by other equally placed employees, generally the rationale of a power imbalance in the relationship remains the appropriate basis for legislative intervention.

Mr Martin QC there seems to concede that there are reasons underpinning our current laws, with respect to victims and perpetrators of the same status, which go beyond the traditional notions of power inequality. It is because there are such reasons, as I have outlined, that coverage should be extended to members of Parliament and elected members in local government in respect of their colleagues. It is to be hoped that this legislation will be accepted by all members as a matter of principle. If we need to explore specific examples of transgressions by members of the groups covered by this Bill, then that can be done in Committee.

In relation to the judiciary, I note that on page 17 of his report Mr Martin QC referred to the need to maintain independence of the judiciary. I suggest to members that the simple inclusion of members of the judiciary in respect of the laws of sexual harassment will not, in itself, impinge upon the independence of judges or magistrates. It will simply mean that there is one more law to which they are subject, in exactly the same way as they are subject to the general civil and criminal laws. One would expect that, if a transgression is committed by a member of the judiciary, they would be subject to the processes of Part 8 of the Equal Opportunity Act in the same way as any other citizen would be.

In summary, parliamentarians can be and should be subject to the sexual harassment provisions of the Act. The reform put forward in this Bill is overdue. Over 18 months have passed since the Martin report was completed and there has been no legislative response from the Government. The Government may well wish to introduce further amendments to the Equal Opportunity Act in light of the Martin report, but at this time the Opposition seeks to initiate the reform process in relation to one of the key features of the Equal Opportunity Act—the sexual harassment provisions.

Before summarising the Bill for members, I refer to the report of the Joint Committee on Women in Parliament, which was tabled in Parliament earlier this year and which is still before this Chamber. Recommendation 7.8 states:

The committee heard conflicting evidence of the coverage of the Equal Opportunity Act 1984 in relation to sexual harassment. One body of evidence contends that the Act does indeed apply to sexual harassment of members of Parliament by fellow members. Another body of evidence maintains that both local government representatives and State members and members of the judiciary are exempt from the sexual harassment provisions. The committee strongly feels that elected representatives at all levels of Government should be offered the same protection as other members of the community and recommends that the Government seeks constitutional advice to clarify this matter. If it transpires that elected representatives are not protected under the legislation, then the committee recommends that the legislation be amended to offer such protection.

At the very least, it is doubtful that members of Parliament are covered by the legislation and that, accordingly, it is necessary to put the matter beyond doubt. In summary, the Bill essentially seeks to extend coverage of section 87 by expanding the categories of people for whom sexual harassment is outlawed by the Equal Opportunity Act. Judicial officers, members of Parliament and elected members of local

government are to be covered. I commend this Bill to members, and I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Clause 1—This is a formal provision.

Clause 2—This amendment extends the coverage of Section 87 of the principal Act to judicial officers, Members of Parliament and elected members of Local Government.

The Hon. R.I. LUCAS secured the adjournment of the debate.

OBSTETRIC SERVICES

The Hon. SANDRA KANCK: I move:

That the Legislative Council requests the Social Development Committee to examine, report on and make recommendations about obstetric services in rural areas, in particular—

1. access by women living outside the Adelaide metropolitan area to obstetric services;
2. the costs of medical indemnity insurance for city general practitioners as opposed to country general practitioners with or without obstetrics loading;
3. the rates in South Australia for medical indemnity insurance with other States;
4. the role played by our State Government and the role Governments play in other States in regard to the negotiating and brokering of medical indemnity insurance;
5. the contributing role of the legal profession and court system in causing medical indemnity insurance to rise in the first place and to determine whether or not legal payments should be capped in the case of medical malpractice; and
6. any other related matter.

This motion results from the recent threat of country doctors to pull out of obstetric services in the South-East because of the increase in the cost of medical indemnity insurance. Country doctors have claimed that it is not financially viable for them to do obstetrics because of the higher medical indemnity insurance that they have to pay compared with city doctors.

Last year, the medical indemnity insurance for country GPs who practise obstetrics dramatically escalated from $3 500 to $8 000. In recognition of the higher costs to country GPs and after a degree of grandstanding on both sides, the Government subsidised the difference, which was $4 500. The dispute arose again this year because the South-East doctors and other rural doctors insisted that they should not have to pay more than $1 500, which is the amount a GP who does not perform obstetrics has to pay for medical indemnity insurance.

As part of the renegotiation process, they threatened to withdraw obstetric services should their demands not be met. If such an action were carried through, it would have had diabolical consequences for pregnant women living in the non-metropolitan areas, and I have been most concerned at the way these women have been held to ransom in political games between the doctors and the Government.

I note that the Minister for Health claimed last week that the issue of obstetric services in the South-East had been resolved because the doctors had given a reassurance that services would remain. Apparently, this resolution, if that is what it is, has been made possible because of the introduction of a senior obstetrics registrar at the Mount Gambier Hospital, but I fail to see how such a complex problem has been satisfactorily resolved by the simple introduction of a senior obstetrics registrar. I would say that it has not solved it. The South-East doctors and the Health Commission have still not come to a final resolution of the problem. This morning on ABC Radio I heard that Riverland doctors were saying that, although they had agreed to the package that was offered to them, they were still not happy with the situation, and I believe that Parliament needs to undertake a thorough investigation of the complex issues surrounding the provision of obstetric services because they are indeed complex.

I became involved in this issue approximately 13 months ago as the Democrats' health spokesperson. I have a friend who works in a medical defence organisation, hereinafter called MDO, and I rang him for comment about the issue here in South Australia, and he was able to tell me that his MDO offered a rate for GPs who practise obstetrics that was lower than what was being offered in South Australia. Right from the start I wondered what was going on in terms of political game play because, if I do not like the insurance premium that is being asked of me for my car, I shop around and find another insurance company, and it seemed strange to me that the doctors were not doing this.

During the past 13 months, I have based my position on this issue in terms of a couple of background papers from the Department of Health, Housing, Local Government and Community Services in Canberra. They were both prepared by the Review of Professional Indemnity Arrangements for Health Care Professionals, which is chaired by Fiona Tito. The first one, which is dated August 1993, is entitled 'Birthing Issues Background Paper' and the second one from December 1993 is entitled 'Birthing Issues—A Rural Perspective'. I have found both of these documents extremely useful in trying to sort out what is happening with this issue. I have also been pleased to find that the Minister (Dr Michael Armitage) has made himself available to me a number of times for phone conversations when I wanted to find out what has been occurring on this issue.

A month ago I addressed about 100 people at a public meeting in Millicent specifically on this issue. It was interesting that the patients were all on-side with what the doctors were doing and they were not at all happy with what I had to say. In fact, when I began to point out to the meeting that medical indemnity insurance for doctors is a tax deductible expense for them, some of them roared at me, and I can only use that word to describe their reaction. They shouted, they roared, they got very angry with me for actually bringing this to the attention of the people at the meeting.

I drew a parallel with the problem that most MPs face, that is, being threatened with legal action for something that we have said outside of the Parliament. Members can imagine the fuss that would occur in the community if we as parliamentarians were to demand that the Government subsidise that sort of cost. When it happens, we bear the cost. It has happened to me on a couple of occasions. Usually the matter is settled out of court and it is a tax deductable expense. I would no more think of asking the Government to pay for that than fly to the moon. But doctors for some reason think that they have that right.

It might be claimed that women in the South-East have got an assurance, albeit a temporary one, because they have been promised access to obstetric services. Even though the doctors in the South-East have not reached agreement, the women have received that promise from their doctors. But the issue will blow up again in two years because this agreement is effective for only three years. The game playing, the grandstanding and the positioning will begin again in two years. Women living in other country areas potentially remain as the meat in the sandwich between country doctors and the Minister for Health.

Parliament therefore needs to thoroughly assess obstetric services and their availability to women living outside the Adelaide metropolitan area. I have drawn attention to the fact that women of Roxby Downs have the highest birth rate in South Australia yet not a single baby has been born there. Because of the structures that we have in South Australia within our health system, all those women travel to either Port Augusta or Adelaide to have their babies. What the women in the South-East were getting up in arms about—and in fact still are up in arms about—happens on almost a weekly basis for the women of Roxby Downs.

One of the arguments that has been made throughout this process is that obstetrics is an unprofitable service for country GPs. I make the observation that in business there are many unprofitable services. Even at the local supermarket when certain items are offered for sale in their catalogues, it is often the case that the items are being sold at a price lower than the purchase price, but they do it as a way of attracting customers. It is a cost that they are prepared to subsidise knowing that they will benefit in the longer term. It is interesting to observe that when doctors deliver babies they almost automatically get a new patient. After the baby is born there is a series of immunisations; the child will be sick; they will have various accidents. They will be able to deliver health care to the children as they grow up. They are guaranteeing themselves business. I do find the argument that obstetrics is unprofitable to be rather interesting and I wonder why the general principles of business are not applied to doctors.

The issue of Medicare rebates has been raised in this argument. My view is that, if Medicare rebates are not enough for obstetric services, then the doctors should be arguing with the Commonwealth Department of Health and the Federal Minister for Health and not holding women in country South Australia to ransom on what has become a State issue. However, even if it is a Federal issue, the Social Development Committee can—as they did with the rural poverty inquiry—make recommendations to the Federal Minister and seek a response. Obviously, they are not obliged to reply in the same way as our State Ministers, but I would be most surprised if the committee made recommendations regarding Medicare rebates and the Federal Government did not respond in some way.

The other issue in relation to obstetrics being unprofitable is the fee for service that is paid in public hospitals. The 'Birthing Issues—A Rural Perspective' background paper states:

> Comprehensive national data is not available on public hospital public patient birthing services and who provides these services. State governments have not been able to provide comprehensive data on a State by State basis. This is a serious data deficiency when attempting to determine who is providing birthing services. It also means that the issue of visiting rights and State payment arrangements for birthing services is a significant issue as well.

As at December 1993, this review of professional indemnity arrangements at the Federal level was unable to get information about the fee for service arrangements and payments within the States. Given that this has become a State issue, I am hopeful that the Social Development Committee as a committee of the South Australian State Parliament would have more chance of obtaining that information and being able to question and challenge some of the other statements that are being made on this issue. The core of the dispute arises from the escalating cost of medical indemnity insurance for country GPs who provide obstetrics services. They have made the claim, particularly through the women who have lobbied on their behalf, that city GPs are paying less than country GPs for that medical indemnity insurance. Therefore, it is important that, as part of the terms of the reference, the committee should examine the cost for city based GPs compared with country GPs and the rates in South Australia for these services compared with other States. My own research indicates that most city GPs do not have admitting rights to public hospitals in the metropolitan area, so they do not deliver babies. That means that their medical indemnity insurance is at what is now the base rate of $1 500 per annum. Resident doctors who are delivering babies are generally employees of the hospital as compared with specialist obstetricians who are visitors to the hospital. They are paid on a sessional basis, while the country GPs are paid on a fee for service basis. They do not have to make the same pay-outs for medical indemnity insurance, but neither do they earn as much to start with. I am not sure that the comparison that is being made does stand up to any sort of examination.

I believe that it would be useful for Parliament to examine the role played by State governments in regard to the negotiating and brokering of medical indemnity insurance. Over the past 13 months in South Australia, the Minister for Health and the Country Health Unit of the Health Commission have, effectively, taken over a role as broker. We need to find out how other States have handled this issue. If it has blown up in South Australia, presumably it would have blown up in other States. I find it very strange for the Government to be playing the role of broker. Until 1988, medical indemnity insurance was at a flat rate for doctors and the MDOs argued that they had serious underfunding problems at that point. I understand that was because of changes that were made in the United Kingdom where the two principal MDOs that underpin the Australian MDOs are based.

The August 1993 background paper on birthing issues, to which I earlier referred, makes the observation that MDOs are not insurance companies. We use the term 'medical indemnity insurance' but they are not insurance companies. It further states:

> . . . there is no external scrutiny, common standards or publicly available data on the MDOs. It is not possible to determine whether variations (that is variations in medical indemnity insurance) are due to underlying claims differences, or variable and probably inadequate claims provisions.

To me that highlights a bit of a problem. Just as you cannot get the information about the fee for service at a State level, you cannot get really adequate information about the MDOs. However, this paper makes the observation that there is little evidence that the incidence or costs of either claims paid or contingent liabilities have increased significantly over the five years where premiums have risen so dramatically, and they give a figure of outstanding liabilities for MDOs in Australia at nearly $32 million at the end of 1987. At the end of 1991 the figure was just over $27 million, which is a drop. So, there appears to be something inconsistent in what the MDOs are saying but, unless there is a thorough investigation, we will not be able to tease this out.

Basically, the MDOs have gone to a user-pays system. There is no doubt that obstetrics is inherently more risky than many other aspects of general practice. I acknowledge that the rise has been very hefty: it went from $1 500 to $4 500 to $8 000, and for specialist obstetricians it went up to $20 000. It is interesting to note that specialist obstetricians have not been complaining about this rise, and the committee may be able to ascertain the difference between the attitude of the specialist obstetricians as opposed to that of country GPs who are practising obstetrics.

The greatest risk involved in obstetrics is that of delivering a brain damaged baby. Unfortunately, when that happens, parents try to look for an answer and look for someone to blame. According to the birthing issues background paper of August 1993, at that stage payouts for a brain damaged baby ranged between $2.5 million and $4 million. My friend who is in an MDO told me that it ranges from $5 million to $6 million, usually around the $5 million mark but probably upwards of $6 million if the child is going to live into adulthood, because that would involve a lot of costs for the parents.

The fact that people are choosing to do this does beg the question of support for disabled children by both the Government and the community. If parents felt that, in giving birth to a disabled child they were going to get support, they would not feel the need to go down this path.

This raises the question of the contributing role of the legal profession and the court system in causing this insurance to rise in the first place. It is interesting that the December 1993 discussion paper came up with a series of options for further consideration, and those options in relation to tort reform were:

· Remove tax disincentives associated with structured settlements and move to periodic provision for future care in other appropriate areas;

· Models of needs based care for people with a disability;

· Statute of limitations to run six years from the date of injury, or knowledge of injury in the case of latent injury, not majority;

· Impose an impairment threshold on access to damages, for example, permanent impairment or a percentage of impairment such as 30 per cent;

· Cap non-economic loss; and

· Alternative dispute resolution and risk management strategies.

We need only to point to the WorkCover system here in South Australia to see how a system of capping such payouts does work and, indeed, appears to work very successfully.

In the longer term, the threats of country GPs to stop offering obstetric services to their patients must be examined. Again, this birthing issues rural perspective background paper has very interesting information, and I quote as follows:

> Lifestyle factors such as irregular hours are commonly cited as a reason for discontinuing practice. More recently, the rate of remuneration, medical indemnity costs and fear of lawsuits have been increasingly cited as important contributory factors. . . In the United States, Governments responded to similar claims by creating legislation to help stabilise indemnity premiums by creating tort reform and by increasing reimbursement for obstetric care.
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> In California, one of the largest malpractice carriers decreased the annual malpractice premium for family physicians providing obstetric care by 25 per cent. . . However, a study in northern California found that family physicians did not reverse their decision not to practise obstetrics even when the reported precipitating factor in that decision, that is, the cost of professional indemnity premiums, was corrected. . . The study did not define a specific additional factor that would induce physicians to return but a major theme emerged.
>
> That theme was a lack of expectation and support for the practice of obstetrics for these family physicians by other physicians, hospital personnel and even the families of family physicians. The study questions whether the malpractice issue is simply a socially acceptable reason to discontinue practice when other personal and professional factors are really the driving force behind the decision. . . If we are to ensure equity of access to birthing services for rural Australians, it may not be sufficient to provide improved economic incentives to practitioners.

That raises the wider issue of providing access to all types of health service to country people. The options that were thrown up for further discussion by this paper focused amongst other things on undergraduate training with the following components:

· Increased focus on rural medicine in faculties;

· Provide funds to medical faculties if they meet performance indicators such as all undergraduates (or a set target) complete, for example, eight weeks of rural placement; and

· A component of curriculum and examination dedicated to rural training.

The paper also suggested that an option might be affirmative action to encourage rural students to enter medical and nursing undergraduate courses.

When I first thought that this should be referred to a committee, I decided that it would be better to send it to the Social Development Committee rather than to a select committee, because it fits into the job description of the Social Development Committee. This is a very highly emotionally charged issue: it really tugs at the heart strings. It is about a perceived threat right at the beginning of life.

We have seen claim versus counterclaim, and much of it has been who can milk media support the most. It is not a simple issue. The Social Development Committee has all three Parties represented on it, two of the six members are women, one of whom is a doctor, and I believe, from that perspective, that this committee is ideally suited to look at this issue.

I point out, as I did earlier, that, although the agreement that the Health Commission has reached with the doctor is for three years, we can expect it to start blowing up again in two years. If this Parliament treats the matter seriously by referring it to the Social Development Committee, it is possible that that committee can come up with recommendations that will lead to a resolution of this issue and will not see women in country areas treated as pawns in a game.

The Hon. J.C. IRWIN secured the adjournment of the debate.

WILLUNGA SIGNS

The Hon. R.D. LAWSON: I move:

That District Council of Willunga by-law No. 4 concerning moveable signs, made on 20 February 1996 and laid on the table of this Council on 19 March 1996, be disallowed.

Briefly, I advise the Chamber that the District Council of Willunga by-law, to which this motion relates, contained a defect which was identified by the Legislative Review Committee. The district council agreed to amend the by-law and has now done so. Accordingly, with that explanation, I now move:

That this Order of the Day be discharged.

Order of the Day discharged.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE: ROXBY DOWNS WATER LEAKAGE

Adjourned debate on motion of Hon. Caroline Schaefer:

That the report of the Environment, Resources and Development Committee on Roxby Downs Water Leakage be noted.

(Continued from 29 May. Page 1440.)

Motion carried.

JOINT COMMITTEE ON WOMEN IN PARLIAMENT

Adjourned debate on motion of Hon. A.J. Redford:

That the final report of the committee be noted.

(Continued from 5 June. Page 1529.)

The Hon. DIANA LAIDLAW (Minister for Transport): I welcome the tabling in this place on 29 May by the Hon. Angus Redford of this final report of the Joint Committee on Women in Parliament. The committee was chaired by the member for Reynell in the other place (Ms Julie Greig) and included strong representation from this Chamber, namely, the Hon. Carolyn Pickles, the Hon. Sandra Kanck and the Hon. Angus Redford.

The establishment of this committee honoured a commitment made by the Liberal Party just prior to the last election that a committee of this Parliament would be established, if we won government and if the Parliament agreed, to investigate the impediments against women initially being preselected and entering this Chamber and the other place.

It also followed a motion I moved in the Legislative Council on International Women's Day on 8 March 1994. That was the year of the celebration of the centenary of women's suffrage in South Australia. When moving the motion, I noted the following:

> One hundred years after women were granted the right to vote and the right to stand for Parliament. . . the women and men of vision who fought so hard and for so long for these rights would be bitterly disappointed with the small number of women who had ever been elected to our Parliament.

I went on to highlight that the motion sought a bipartisan statement from the Parliament itself, not just from the Government, that we were collectively not satisfied with this outcome. I also sought a bipartisan commitment from the Parliament that we recognised that we had a responsibility and an obligation to do all in our power to redress the gender imbalance. In this regard, the Parliament should be considered as any other workplace in our community, and I am pleased that the joint select committee has seen it in this light.

I know that we have waited 27 months for this final report, and I acknowledge there was an interim report on 5 May 1995. Notwithstanding that wait, I consider that the range of issues addressed and the recommendations made are worth the wait.

I want to address the issue of the interim report initially because I do endorse the dismay of the joint committee about the lack of progress that has been made on matters that were referred to the joint Party services committee and the standing committee of each House. I have not investigated this matter as closely as I should, but I understand that the joint Party services committee is an all-male committee. I am not too sure about the standing committees of each House, but I suspect they may also be all male, although the Leader of the Opposition in this place may be a member, and she certainly should be. However, perhaps the Chair of that committee has never called a meeting.

It is a somewhat alarming state of affairs when members of Parliament in both places endorse the establishment of this joint select committee and are addressing issues of representation which must be the most important issue that this place could possibly be asked to address, namely, the quality of our representation on behalf of South Australians, and when our representatives on this committee on behalf of the people that we represent generally make recommendations and then see a year later that they appear not to have been considered and, if any consideration did take place, appear not to have been reported back to the committee. We have a collective responsibility, as we identified in establishing this committee in the first place, to address these issues.

I consider very strongly that these committees that we establish on our behalf, not only the joint select committee but also the joint Party services committee, which is to represent our interests in the running of this place, and the Standing Orders Committee, should be acting on behalf of our members. If they did so diligently, they would have addressed with diligence these issues as highlighted in the interim report, and it appears that that has not happened.

It is for that reason that I acknowledge today that it is my intention to accept a much greater degree of responsibility for progressing the recommendations of this joint select committee than I believed would have been necessary for me to accept as my responsibility as Minister for the Status of Women. I had hoped that the Parliament would have seen the importance, relevance and integrity of these recommendations and acted upon them itself. Because that has not been done, I am prepared now to enter the push more strongly than I believe I should have to.

Speaking not as the Minister for the Status of Women but as a woman member of this place, I am getting sick and tired of seeing, not only within my own Party but now also within Parliament and the community, the responsibility of advancing the interests of women being left to women. I just do not think that it is good enough for the community as a whole that these issues should be left to women. It is especially not good enough for this place, where we are representing the interests of the community, for these issues to be left for women to push. Nevertheless, the world has not changed as much as I had hoped. Certainly, this place has not changed as much as I had hoped in the 13½ years that I have been here, so again I will accept responsibility for advancing the interests of women in this place. I do so not out of any wish just to promote women but because I so earnestly believe that, above all forums and all workplaces in the community, this place should be open for anyone who wishes to enter through the variety of mechanisms that are available for election. It should be set up as an example for the rest of the community to look at with pride as a place of equal opportunity. Further, if the community is to have any confidence in our democratic system, it must believe that, more than any other place in the community, this place represents their interests. There is no question that there is concern in the community at large that this Parliament is seen to be removed from what is relevant to the lives of many people today.

I will return to speaking as a Minister and not just as a member of this place and speak to some of the issues, but I wanted to get that on the record. I think it is disappointing that again these issues must be left to women to push, when in fact they are not just women's issues: they are issues of representation and the integrity of Parliament. That is why I will state for the record again why I thought it was important that the Hon. Angus Redford served on the committee. At one stage it was put to me that I should be a member of the committee and that the committee should be all women. I did not accept that because, as I indicated before, there might be an opportunity to educate one more member. It was also important that this was seen not just as a women's issue but as an issue for Parliament at large.

I want to address briefly some of the recommendations in this report. In addressing the first, 'Government action—political education' and the issue of empowerment, I note that the committee highlights that one way of achieving this is through the school system. I would concur in that wholeheartedly, and so does the Minister for Education and Children's Services, who confirmed to me today that civics and citizenship education for both primary and secondary school students is a recommendation and direction that he endorses,

so we should be hearing more about that issue in the months to come.

The second recommendation was related to the Government's encouraging debating in schools through the South Australian school system and promoting an understanding of the procedure for conducting meetings and holding discussions so that primary and secondary students learn the operation and the value of forums. On this point I would agree wholeheartedly, but I will relate a story about my niece, Hannah Armitage, who has just turned 10 and who is very keen to debate. Her school, Wilderness, has established a debating team, and Hannah was one of three selected to represent the school. Her question was whether State Governments serve any purpose and whether they should be retained as an institution. To my amusement, Hannah was given the negative case to argue. I kept having a little difficulty providing her with reference books and material. Hannah and I would talk over the phone about the arguments to get rid of State Parliament and whether the job her father and I did was relevant. It was with mixed feelings then that Hannah rang me to tell me that she and her team had won the debate, that she was totally convinced and that she had convinced others that the State Government served little to no purpose and should not be retained. So, in terms of debating skills, I think we perhaps had better pick the subjects before we encourage that too broadly. That is an aside and not a true expression of my feelings, because I think that debating is one of the greatest skills that anybody in our community can learn; it certainly encourages research and rational argument. For people with those skills, the world is open to challenge and success. So, I am keen to see debating encouraged, particularly amongst women.

I mention recommendation 7.2: 'Government action—the promotion of women as parliamentary candidates'. Three recommendations are made here, and the first is that the Government direct the Office for the Status of Women to develop initiatives to encourage women to stand as elected representatives for Federal, State and local government. I am speaking with the Director of the Office for the Status of Women, Ms Carmel O'Loughlin, about this issue, but I am also keen to explore with the members of the committee the initiatives they think we should be developing. I would not want this issue to be confused with the Government and the Liberal Party or to give any impression that we are politicising the Office for the Status of Women. So, I think I should proceed on that recommendation with some caution, and I would like to explore that further with committee members to ascertain how they believe we should be proceeding there. The outcome is one that I strongly endorse; it is just the procedure for doing so that concerns me.

Also, the joint committee recommended that the Federal Government designate the cost of child-care as a fully tax deductible campaign expense. I strongly endorse that recommendation. Over many years I have sought tax deductibility for child-care expenses in general. I know that from time to time rebates have been suggested, but I still find it offensive that, when it comes to women, for some reason there should be a concern to cap income in terms of any expense deducted or rebated, whereas, when it comes to so many other benefits which are provided to, which are of particular interest to or which have been designed to help men, they are seen as eligible as a tax deductible expense and it would never be considered that a rebate would be involved at all. While the system operates—and perhaps it has been designed by men for men—women should also use it to full advantage. Until some of the other ways of addressing legitimate expenses in relation to employment are addressed across the system, then I will fully support tax deductibility for all employment related expenses, and I make no exception in terms of child care.

I highlight that, in reference to the recommendations about the databank of women qualified for boards and committees within Government, there is a recommendation that it be more widely publicised. I report that that is also the Government's wish and at present considerable effort is being made between the Women's Advisory Council and the Office for the Status of Women to do so with the re-release of the registration forms. Also, an executive search initiative has been established by the Government over the past year. I am not at liberty to report on the overall success of that to date but, in general, 70 per cent of the women head-hunted through this executive search initiative for appointment to category one and two boards (the highest level boards in the Government) have already been appointed, four of whom are now Chair of the relative committees and boards on which they had been appointed as a member.

There are many other recommendations relating to candidate training, political Parties in general, parliamentary reforms, electoral reforms, affirmative action and sexual harassment. I do not intend to address all of them at this time, but I simply reflect that recommendation 12, under the heading 'Parliamentary Procedures', states:

> The committee recommends that Standing Orders Committee of the Legislative Council revise its Standing Orders so that the language used is gender neutral.

That should be undertaken as a matter of great haste, but I acknowledge also that it was only in the past two weeks at State Council of the Liberal Party that I realised the constitution of the Liberal Party is not in language that is gender neutral. I have written to the President of the Party to ensure hasty action is undertaken to ensure that this is so. So, work has to be undertaken on a whole variety of fronts in the political sphere, but also in the Parliament, to ensure that there are no impediments, perceived or real, to the election of women to Parliament at Federal and State level and also to their undertaking their jobs to the best of their ability and full potential.

I commend the committee on the work undertaken in this report. It has been a rewarding exercise to see a policy resolution presented in the Liberal women's policy, and presented to the electorate prior to the last election, getting through the Party room at the time, then through the Cabinet in terms of the wording and then through this place, particularly when one notes the quality and diversity of the recommendations in this report, recommendations that I am keen to push for implementation.

The Hon. R.D. LAWSON secured the adjournment of the debate.

PORT LINCOLN LAND

The Hon. R.D. LAWSON: I move:

> That Corporation of Port Lincoln by-law No. 9 concerning council land, made on 13 November 1995 and laid on the table of this Council on 6 February 1996, be disallowed.

This by-law of the Corporation of Port Lincoln contained a defect which was identified by the Legislative Review Committee. The committee communicated that defect to the corporation which, in due course, made another by-law on the same subject matter but in terms that are appropriate and

acceptable to the committee. The position now is, however, that the corporation has two by-laws on the same subject matter because it failed to repeal the by-law which was defective. In these circumstances, it is appropriate for the Council to disallow the earlier by-law.

The Hon. P. HOLLOWAY: The Opposition supports this motion.

Motion carried.

MARION LAND

Adjourned debate on motion of Hon. R.D. Lawson:

That Corporation of Marion by-law No. 3 concerning council land, made on 18 December 1995 and laid on the table of this Council on 6 February 1996, be disallowed.

(Continued from 5 June. Page 1530.)

The Hon. P. HOLLOWAY: I support this motion, although that support is somewhat reluctant for reasons that I will outline briefly. The particular by-law which we are discussing from the Marion council relates to a number of matters, but the matter of concern to the Legislative Review Committee was that part dealing with small-wheeled vehicles; in other words, roller-blades, skateboards and roller-skates. A lengthy debate took place on the whole question of small-wheeled vehicles in this Parliament shortly before I came into it. The Opposition at the time opposed that legislation and we—

The Hon. Diana Laidlaw: Not in this place you didn't oppose the legislation: you didn't oppose a darn thing.

The Hon. P. HOLLOWAY: We expressed our doubts about the effectiveness of the legislation—

The Hon. Diana Laidlaw: You did not oppose, so don't mislead.

The Hon. P. HOLLOWAY: As I said, I was not here, so I will be—

The Hon. Diana Laidlaw: No, but I am saying you did not oppose it.

The Hon. P. HOLLOWAY: Mr President, no doubt the Minister's comments will be recorded in *Hansard*. As I said, the debate on this issue took place before I came into this Parliament.

The Hon. Diana Laidlaw interjecting:

The Hon. P. HOLLOWAY: The Opposition—

The Hon. Diana Laidlaw interjecting:

The Hon. P. HOLLOWAY: I said, 'The Opposition opposed the legislation.' That was the position the Opposition took on this legislation.

The Hon. Diana Laidlaw: I think you had better correct the record.

The Hon. P. HOLLOWAY: Whatever the stance in this Chamber was, the Opposition spokesperson at the time, Mr Michael Atkinson, the member for Spence, certainly opposed the matter in the other place.

The Hon. Diana Laidlaw interjecting:

The Hon. P. HOLLOWAY: The issue which the Minister puts is completely irrelevant. I was trying, as briefly as I could, to give some background to this matter. If the Minister wants to go into greater detail about it, I will be happy to do so. Nevertheless, there was widespread community concern about it. Not surprisingly therefore, members of the Opposition had some sympathy with the intent of the Marion council by-law, namely, to try to restrict the use of small-wheeled vehicles in the streets in its area. I know the Marion area particularly well: it is the area in which I grew up. It is an area with an ageing population. Certainly the footpaths in the plains part of Marion are all cement compared with the pavers in other areas. It is an area in which there is considerable community concern about small-wheeled vehicles.

When the Legislative Review Committee heard evidence on this matter, Councillor Woodhouse—very eloquently, I believe—put the concerns of the Marion council and explained why the council had tried to restrict the use of small-wheeled vehicles in the area. As I said, the Opposition members of the committee did have some sympathy. In particular, we had some sympathy for the predicament in which they were as far as the costs of having to signpost their area and other considerations, if they were to comply with the legislation.

Nevertheless, members of the Legislative Review Committee had to consider the issue of the validity of the particular regulations as put before us. Had I been a member of Marion Council and considering this issue, I probably would have done exactly what it did and put up a blanket ban because from its perspective it no doubt conformed with the views of the majority of its constituents and was the cheapest option. Nevertheless, on the Legislative Review Committee we had to take a different perspective. Like it or not, the legislation was passed by the majority of members of the Parliament to permit the use of small-wheeled vehicles under certain conditions and it was the unanimous view of the Legislative Review Committee that the Marion Council by-laws were clearly against both the spirit and letter of that legislation. Were it to be upheld, it would clearly set a precedent for other pieces of legislation, which would be untenable.

Very reluctantly I support this resolution. I apologise to those councils (not just Marion Council but a number of other councils which are awaiting this decision to decide their position on what they should do in dealing with small-wheeled vehicles). It was not the wish of the Opposition that they should be put into such a position, but we had no option but to uphold the legislation passed by a majority of this Parliament. I refer members to the address of the Chair of the committee, the Hon. Robert Lawson, on 5 June wherein he sets out the provisions of the Local Government Act, which was the basis on which the Marion Council sought to introduce this by-law. Section 668 of the Local Government Act lays down certain principles in relation to by-laws, that they should not duplicate, overlap or conflict with other statutory rules of legislation and that the by-laws must not unreasonably interfere with the rights and liberties of the person established by law. The basis on which this decision was taken was that the Legislative Review Committee agreed that the by-law did duplicate, overlap or conflict with the amendments made to the Road Traffic Act by this Parliament in 1995.

Finally, it came up during discussions on this matter when we had officers from the department in that there are other legal options to avoid this legislation, such as painting white lines down the centre of roads and so on. Whether councils will resort to such measures remains to be seen. The Opposition members would have preferred not to have been in the situation of having to disallow a by-law which, clearly, the majority of residents and members of that council area would wish, but it is our job as the Legislative Review Committee to ensure the integrity of subordinate legislation and for that reason we have come down in support of disallowance of the regulation. I thank David Pegram and Peter Blencowe, the

Secretary and the Research Officer of the committee, for their assistance.

The Hon. DIANA LAIDLAW (Minister for Transport): Last night material provided to me from the Department of Transport outlined a policy that the department, in consultation with many community groups and council representatives, has developed to look at areas where traffic devices can be installed to indicate that skating or rollerblading is not permitted. The department has received submissions from about eight councils to date—some in country areas such as Murray Bridge and Riverton, the Adelaide City Council and others in the metropolitan area—to look at certain areas where skating would be prohibited. That was always provided for in the legislation as something that the department is processing. There is to be further discussion on the policy and various matters in relation to submissions from councils and the traffic devices that they seek to establish or erect in their area. I imagine that this matter will be processed within the next two weeks and be solved in a much more amicable and relevant way than the approach sought by the corporation of Marion through By-law No.3, in relation to which I am pleased to see that the Legislative Review Committee is moving to disallow.

Motion carried.

PARKS HIGH SCHOOL

Adjourned debate on motion of Hon. Carolyn Pickles:

That this Council—

1. condemns the decision by the Minister for Education and Children's Services to close The Parks High School at the end of 1996 without any prior consultation with the school community on the findings of the 1995 review into the school;
2. condemns the Minister for the way in which the school was advised of the decision and the inadequacy of the six-sentence notice given to parents and care givers, the timing of the notification on a Friday afternoon to minimise debate and the total lack of adequate counselling and support for students, staff and care givers;
3. calls on the Minister to reverse his decision and consult with the school community on how the future of the school can be secured.

(Continued from 27 March. Page 1139.)

The Hon. M.J. ELLIOTT: I will not speak at length on this motion as the Hon. Carolyn Pickles has covered most of the issues fairly well. However, I will make a few comments about the school itself. The Parks School is one that I have had occasion to visit on a number of occasions, particularly when the computing centre was based on the same site. I had an opportunity to look closely at the school. I have had a number of friends teaching in that area and I talked closely with them about the importance of The Parks School. No doubt The Parks School from its very inception was seen as a model of education relevant to the community. It was a beacon to other schools. Unfortunately, the Government now wants to snuff out the light, but students were and are receiving a good and relevant education.

I am concerned about a decision to close not only from an educational viewpoint but also from the viewpoint of social equity: when you are providing a sound and relevant education, to close the school that is providing it is totally unjustifiable. The one retreat the Government goes to invariably is the economic circumstances of the State. It is about time the myths about that issue are put to rest. Undoubtedly, what happened to the State Bank was an absolute disaster. However, it is worth noting that when the Liberals came to power in South Australia the debt per person was only 80 per cent of that in Victoria.

It is also worth noting that, at the time the Liberals came in, the debt in South Australia, *per capita* against GDP, was virtually identical to that which the Liberals had when they went out on the previous occasion. They did not proclaim then that they had created a disaster. It is worth noting that, six or seven years after a debt level equivalent to that which the Liberals have inherited this time, the State had an historically low debt. Part of that was achieved by underspending on infrastructure maintenance, and we are still paying a cost for that, but it showed that it was possible to reduce debt rapidly without draconian measures. On this occasion, the Government has chosen a draconian path to cut debt at a speed that is not justifiable. There is no debate about the need to reduce debt, but there is a very real debate about the speed at which it is happening. If the closure of schools such as The Parks is to be justified on the basis of the State debt, then there is no justification whatsoever.

I am also concerned that schools are being closed and campuses sold off, because we are losing a major opportunity in South Australia to do something that was considered for the best part of a decade, that is, the use of senior and middle schools on separate campuses. It has happened in a few places in South Australia, Whyalla being one, but generally speaking it has not occurred. Where it has happened interstate—in the ACT, Tasmania and Queensland—it has been a remarkable success, and I am greatly disappointed that, instead of choosing to close The Parks school, the Government did not look at the schools in the whole area and consider other alternatives to solve its so-called problem, which I have always claimed, and claim again today, is greatly exaggerated. It could have looked for more creative solutions that produce better educational results, not just look at the economic bottom line. With those few words, I indicate that the Democrats support the motion.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

EDUCATION POLICY

Adjourned debate on motion of Hon. Carolyn Pickles:

That this Council condemns—

1. the way in which the Minister for Education and Children's Services has broken the Government's election promises on education and embarked on a policy of cutting resources for education in South Australia.
2. the reduction of 790 teachers and 276 ancillary staff between 30 June 1994 and 31 January 1995.
3. the Minister's decision to cut a further 250 school service officer full-time equivalents from January 1996 that will result in up to 500 support staff being cut from essential support work in schools.
4. the Minister's decision to cut a further 100 teachers from areas including the Open Access College, special interest schools and Aboriginal schools.

(Continued from 15 November. Page 443.)

The Hon. M.J. ELLIOTT: I support the motion and again note that the Hon. Carolyn Pickles has spoken to it at some length. It is one that I support absolutely. I refer members to the policy that the Liberals took to the last election. In fact, their policies make a lot of reading to contrast what they said they would do with what they have done in a whole range of areas. It was nice to see that at least they have stuck to their policy about the Ombudsman, as we noted in the legislation that we dealt with yesterday.

On page 1 of their policy documents, the Liberals made it plain that it was their intention that there not be budget cuts for education. They made it plain that, because of this, average class sizes would be maintained at current levels. I have a child in a class of 34, and all the others are in classes above average size, as well, and they are certainly above the average that existed at the time of that policy. I tell members in this place that that policy has quite clearly been breached, and I have seen it in the classes my own children attend.

Again, that has been done on claims about the economic condition of the State, a matter that I referred to in my speech on the previous motion, and I will not go through all that again. There is no justification for what is being done to education, health and other services in South Australia to the extent that that damage is being done. No reasonable person could justify the damage that is being done.

The Hon. Diana Laidlaw: The Minister is reasonable.

The Hon. M.J. ELLIOTT: If the Minister is prepared to accept his instructions from the Treasurer, I will not justify his actions. What is being asked of education, what is being asked of health and what is being asked generally of so many services provided to the public is not acceptable in Australian and South Australian society. We are continually being hit with the big lie about the size of debt; we see exactly the same thing happening at a national level, where the Federal Government talks about debt and quite happily confuses the Australian debt with the Government debt. The Government debt is the second lowest in the OECD in per capita terms. The big lie is again being run at a Federal level in the same way as it is being run at the State level to justify cuts in services which Australians not only take for granted but also have every right to expect.

We have a nation second to none in terms of equity— or at least that was the record of Australia. Now it is being rolled in the name of economic rationalism—a theory which has failed when applied in other countries and which will fail here as well. History will not look kindly upon the perpetrators of the damage that is now being done to the fabric of Australian society. The Democrats support this motion very strongly.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

STATUTES AMENDMENT (ABOLITION OF TRIBUNALS) BILL

A message was received from the House of Assembly agreeing to the time of the conference to be held in the Legislative Council Conference Room at 5.30 p.m. on Tuesday 9 July .

APPROPRIATION BILL

Received from the House of Assembly and read a first time.

The Hon. R.I. LUCAS (Minister for Education and Children's Services): 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.

On 30 May 1996, the 1996-97 budget papers were tabled in the Council. Those papers detail the essential features of the State's financial position, the status of the State's major financial institutions, the budget context and objectives, revenue measures and major items of expenditure included under the Appropriation Bill. I refer all members to those documents, including the budget speech 1996-97, for a detailed explanation of the Bill.

Clause 1 is formal.

Clause 2 provides for the Bill to operate retrospectively to 1 July 1996. Until the Bill is passed, expenditure is financed from appropriation authority provided by Supply Acts.

Clause 3 provides relevant definitions.

Clause 4 provides for the issue and application of the sums shown in the schedule to the Bill.

Sub-section (2) makes it clear that appropriation authority provided by the Supply Act is superseded by this Bill.

Clause 5 is designed to ensure that where Parliament has appropriated funds to an agency to enable it to carry out particular functions or duties and those functions or duties become the responsibility of another agency, the funds may be used by the responsible agency in accordance with Parliament's original intentions without further appropriation.

Clause 6 provides authority for the Treasurer to issue and apply money from the Hospitals Fund for the provision of facilities in public hospitals.

Clause 7 makes it clear that appropriation authority provided by this Bill is additional to authority provided in other Acts of Parliament, except, of course, in Supply Acts.

Clause 8 sets a limit of $50 million on the amount which the Government may borrow by way of overdraft in 1996-97.

The Hon. R.R. ROBERTS secured the adjournment of the debate.

CRIMINAL INJURIES COMPENSATION (LEVY) AMENDMENT BILL

Received from the House of Assembly and read a first time.

ADJOURNMENT

At 6.44 p.m. the Council adjourned until Thursday 4 July at 2.15 p.m.