LEGISLATIVE COUNCIL

Tuesday 25 May 1999

The PRESIDENT (Hon. J.C. Irwin) took the Chair at 2.15 p.m. and read prayers.

QUESTIONS ON NOTICE

The PRESIDENT: I direct that written answers to questions on notice Nos 14, 19 to 27, 37, 88, 89, 91, 92, 99, 107, 122 to 125, 135, 142, 149, 154, 169, 170, 175, 178, 180 to 184, and 191 be distributed and printed in *Hansard*.

DEBT ASSESSMENT

14. **The Hon. P. HOLLOWAY:**

1. How does the Treasurer justify departing from what the Auditor-General has termed a 'desirable approach' on page A.2-39 of the Auditor-General's Report in relation to the way debt is assessed as part of an overall balance sheet?

2. (a) Is this a 'one off' departure?

(b) If not, what are the Treasurer's reasons for making this change against the opinion and advice of the Auditor-General?

The Hon. R.I. LUCAS: As the Auditor-General rightly points out, past budgets tabled in Parliament published the movement in debt projections both inclusive and exclusive of actual proceeds received from the sale of Government businesses.

From the Government's perspective, the publication of forward years' aggregate net debt levels is considered the appropriate indicator in measuring the Government's financial performance. Table 2.3 in the Budget Statement 1998-99 clearly shows that the real level of public sector net debt continues to decline over the forward estimates period. Notwithstanding this, the Auditor-General is of the view that value exists in indicating whether the real level of net debt is declining through budget policy, proceeds realised through the sale of Government businesses or a combination of both approaches.

Accordingly, the attached table provides a breakdown of debt data, inclusive and exclusive of business sales for the information of the honourable member. Further, all budget documents in future will incorporate this type of detail on the real level of net debt.

The $132 million of capital returns from the South Australian Asset Management Corporation (SAAMC) included in the 1998-99 Estimates Statement was used to assist in funding high priority initiatives of a non recurring nature—the Priority Funding Package announced in the 1997-98 budget and the Major Expenditure Initiatives announced in the 1998-99 budget.

The redirection of this 'one off' funding to short term high priority initiatives will provide an additional stimulus to the economy and a boost in employment opportunities, whilst at the same time maintaining the Government's commitment to a balanced budget and debt reduction.'

PUBLIC SECTOR NET DEBT – REAL[(1)]

As at June	1995	1996	1997	1998	1999	2000	2001	2002
Net Debt								
- including business sales ($m)	8 967	7 993	7 576	7 380	7 231	7 067	6 844	6 629
- excluding business sales ($m)	9 517	9 533	9 302	9 216	9 016	8 804	8 543	8 284
As a percentage of GSP (%)	25.3	21.9	20.7	19.6	18.8	17.8	16.7	15.7

(1)June 1998 Prices

PUBLIC SERVICE EMPLOYMENT

19. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Premier, Minister for State Development and Minister for Multicultural Affairs, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

20. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Education, Children's Services and Training, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

21. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Attorney-General, Minister for Justice and Minister for Consumer Affairs, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

22. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Deputy Premier and Minister for Primary Industries, Natural Resources and Regional Development, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

23. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Government Enterprises and Minister for Information Economy, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

24. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Transport and Urban Planning, Minister for the Arts and Minister for the Status of Women, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

25. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Human Services, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

26. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Environment and Heritage and Minister for Aboriginal Affairs, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

27. **The Hon. R.R. ROBERTS:** How many full-time equivalent positions under the Public Sector Management Act or other South Australian Acts, which are the responsibility of the Minister for Industry and Trade and Minister for Recreation, Sport and Racing, and which are located outside of the Adelaide Statistical Division, have been lost in the period from 1 February 1995 to 30 September 1998?

The Hon. R.I. LUCAS:

No.	Minister	Department	No. of Full-Time Equivalent Positions Lost
19	Premier Minister for State Development Minister for Multicultural Affairs		Did not lose any full-time equivalent positions in the period 1 February 1995 to 30 September 1998.
20	Minister for Education, Children's Services & Training Minister for Youth Minister for Employment	Department for Education & Children's Services (DECS) Department of Employment, Training & Further Education (DETAFE)	For period 1 February 1995 to 1 February 1998—decreased by 55.2 FTE. (50.2) (5.0)
21	Attorney-General Minister for Justice Minister for Consumer Affairs	Attorney-General's Department—Public Trustee Office Courts Administration Authority Department for Correctional Services South Australian Police SA Ambulance Service Country Fire Service South Australian Metropolitan Fire Service State Emergency Service	For period 1 February 1995 to 31 December 1997— Lost 1 full-time equivalent position Did not lose any full-time equivalent positions Lost 25 full-time equivalent positions Lost 10 full-time equivalent positions (all Police positions) In addition another 4 Police Act positions were civilianised Did not lose any full-time equivalent positions Did not lose any full-time equivalent positions Lost 12 Firefighters at Port Pirie as a result of Enterprise Agreement negotiations between SAMFS & United Fire Fighters Union. At the same time it was agreed that 20 Retained Firefighter (ie part time) positions should be established at Port Pirie Did not lose any full-time equivalent positions
22	Deputy Premier Minister for Primary Industries, Natural Resources and Regional Development		It should be noted that this same question asked by the honourable member was answered and reported in *Hansard* on 19 March, 1998. 'Completely accurate information in response to the above question is not able to be provided due to— · Departmental restructuring and the Government Agencies restructuring. · The period over which the information is requested also does not match conventional reporting periods, eg. financial years. · As a result of restructuring there have been a number of positions created and lost in country areas. It is not economical to keep track of all those changes. · Some positions have been relocated between different country locations or to the metropolitan area indicating a loss in some country areas, with neither a loss to the Department nor to services provided to country areas. · Primary Industries and Resources have a number of commonwealth and industry funded short term contract position that may run for 1 to 3 years creating continuous fluctuation in the number of country based FTE's.'
23	Minister for Government Enterprises Minister for Information Economy	Building Maintenance Building Management Forestry SA ETSA Corporation SA Water Optima Energy - Augusta Power Station - Leigh Creek Ports Corporation	For period 1 February 1995 to 31 December 1997— 2 4 23 319 81 57 91 38 (5 positions of the 38 outsourced to Bulk Management Services)
24	Minister for Transport and Urban Planning Minister for the Arts Minister for the Status of Women	Transport SA Arts SA	For period 1 February 1995 to 31 December 1997— 221 2

25	Minister for Human Services	South Australian Health Commission Family and Community Services Housing	For period 1 February 1995 to 31 December 1997— 344 (152 staff accepted targeted separation packages) Did not lose any full-time equivalent positions 19.8 (14.6 staff accepted targeted separation packages)
26	Minister for Environment and Heritage Minister for Aboriginal Affairs	Department for Environment, Heritage and Aboriginal Affairs	For period 1 February 1995 to 31 December 1997— 1
27	Minister for Industry and Trade Minister for Recreation, Sport and Racing	Department of Industry and Trade Office for Recreation and Sport Racing Industry Development Authority	For period 1 February 1995 to 31 December 1997— Did not lose any full-time equivalent positions

GOVERNMENT ADVERTISING

37. **The Hon. R.R. ROBERTS:**

1. What type of advertising was undertaken by the Minister for Industry and Trade and Minister for Recreation, Sport and Racing, or any of his officials, from 30 June 1997 to 30 September 1998, in relation to any Department or statutory authority within the Minister's portfolio and Ministry areas?

2. Was any of the advertising undertaken internally?

3. If so, what was the subject nature of each campaign and the cost?

4. Was any advertising conducted by external agents or firms from 30 June 1997 to 30 September 1998?

5. If so, what is the name of the agency or individual?

6. What was the subject nature of each campaign and the cost?

The Hon. DIANA LAIDLAW: The Minister for Industry and Trade, Minister for Recreation, Sport and Racing has provided the following information for the period 30 June 1997 to 31 December 1997.

1. The type of media advertising undertaken in the period 30 June 1997 to 31 December 1997 for the Department of Industry and Trade covers print, radio and television advertising.

2. All of the advertising undertaken was managed internally.

3. The subject and nature of each campaign and the costs are as follows—

- $85 601 was spent in advertising for the Made in SA campaign to promote the State's manufacturing capability during October to November 1997. Advertising was placed on 5AD, SAFM, The *Advertiser* newspaper, regional SA newspapers and all three commercial television stations.
- $26 007.31 was spent in advertising in all metropolitan editions of Messenger Press to highlight small business achievement for the period July to September 1997.
- $25 468.28 was spent in advertising on Channel 9 to highlight business success (using the Directions for South Australia branding) for the period July to August 1997.
- $15 412.13 was spent in advertising to advise local communities of plans to re-use the Woomera rocket site for the period September to October 1997. Advertising was placed in The *Advertiser* and The *Australian* newspapers and regional SA newspapers.
- $15 237.69 was spent in advertising for promotion of SA Centre for Manufacturing services to industry from July to December 1997 in The Australian newspaper.
- $8 876.51 was spent in advertising on 5AD, SAFM and 5MMM to promote the Manufacturer of the Year awards between June 1997 and December 1997.
- $6 129.47 was spent in advertising fees to promote the 1997-98 Regional Development Program between July to November 1997. This was featured in the *Advertiser* and regional SA newspapers.
- $4 686 was spent in advertising between the period September and December 1997 to promote investment in South Australia's back office/call centre industry. This was featured in the *Financial Review* newspaper and various back office magazines.
- $9 358 was spent in advertising fees to promote the small business radio show on 5DN between October and December 1997 in the Messenger Press and on 5DN radio.
- $3 901 was spent in advertising fees between July 1997 to promote South Australia's defence industry in various defence magazines and The *Australian* newspaper.
- $1 292.97 was spent on promoting the Small Business Advocate in the Messenger Press.
- $6 062 was spent on advertising between July and December 1997 in various print media to promote the department's services to industry.
- $1 490 was spent on advertising for the Australian Concept Car Project in December 1997 in the *Australian* and SAE Australasia magazine.
- $1 405 was spent on advertising for the Tool Maker of the Year Awards in December 1997.
- $1 315 was spent on advertising for the Machine Changeover Competition in December 1997.

4. There was no media advertising conducted by external agents or firms from 30 June 1997 to 31 December 1997, all advertising undertaken was managed internally.

5. Not applicable.

6. Not applicable.'

ARTS FUNDING

88. **The Hon. T.G. CAMERON:** In relation to pre-production parties, opening night parties and post-production parties for the State Opera Company, the State Theatre Company, the Festival Centre Trust and the State Ballet Company—

1. Does the State Government contribute any funds towards these parties?

2. If so, how much has the State Government contributed to these parties for the years—
   (a) 1995;
   (b) 1996;
   (c) 1997; and
   (d) 1998?

3. If not, who pays for the parties?

4. What criteria is used to invite guests to these parties?

5. Are any members of the general public invited to these parties?

6. Have any Members of Parliament attended these production parties for the years—
   (a) 1995;
   (b) 1996;
   (c) 1997; and
   (d) 1998?

7. If so, who were the Members of Parliament who attended for the years—
   (a) 1995;
   (b) 1996;
   (c) 1997; and
   (d) 1998?

The Hon. DIANA LAIDLAW:

1 and 2. No (noting in relation to this and following questions that there is no State Ballet Company).

3. For State Opera—sponsor funds.

For State Theatre and the Adelaide Festival Centre Trust (AFCT)—sponsor contributions in cash or in kind, and the marketing budget for each project.

Note that many productions at the AFCT are presented by commercial operators hiring the facility.

4 and 5. The criteria used to invite guests vary depending on the outcome required, but generally include potential sponsors or donors; existing sponsors and guests (usually a part of the sponsorship contract); media; representatives of funding bodies and members of the general public selected for their ability to support the success of the particular production—and the cast and crew of the

production (although they are hosts rather than guests).

6. Yes (some as guests of sponsors).

7. Records not available.'

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

1. How much did the State Government fund the Arts in total for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997;
(e) 1997-1998; and
(f) is estimated to spend in 1998-1999?

2. Can the Minister please provide a breakdown of Arts funding for the Festival Centre Trust, the State Opera Theatre and the State Ballet Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997;
(e) 1997-1998; and
(f) is estimated to spend in 1998-1999?

3. How much did the State Government subsidise each ticket sold for the performances of the State Opera Theatre and the State Theatre Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997;
(e) 1997-1998; and
(f) is estimated to spend in 1998-1999?

4. How much per capita has been spent on the Arts for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997;
(e) 1997-1998; and
(f) is estimated to spend in 1998-1999?

5. (a) Have any free tickets been given out to any performances of the State Theatre Company, the Festival Centre Trust, the State Opera Company and the State Ballet Company for the years—

1993-1994;
1994-1995;
1995-1996;
1996-1997;
1997-1998?

(b) If so, how many free tickets have been given out for each year?

6. Have any Members of Parliament received free tickets to any performances of the State Theatre Company, the Festival Centre Trust, the State Opera Company and the State Ballet Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997;
(e) 1997-1998?

7. What criteria needs to be met for receipt of free tickets to performances of—

(a) the State Theatre Company;
(b) the State Opera Company;
(c) the Festival Centre Trust; and
(d) the State Ballet Company?

The Hon. DIANA LAIDLAW:

1. As reported in the Budget Papers, State Government funding for Arts SA in each of the financial years, 1993-94 to 1998-99 is as follows—

	Recurrent payments million	Capital payments million
1993-94	$65.633	$ 3.004
1994-95	$63.806	$16.731
1995-96	$68.698	$12.388
1996-97	$67.925	$ 5.348
1997-98	$70.194	$ 7.664
1998-89 (estimated)	$82.313 (1)	$12.585

(1) In 1998-99 changes to accounting arrangements resulted in payments of $10 million, which would have previously been shown as capital payments, being reflected as recurrent grants. ($1.5 million to South Australian Film Corporation, $6 million to Adelaide Festival Centre Trust and $2.5 million to the History Trust.)

2.

	93-94 $'000	94-95 $'000	95-96 $'000	96-97 $'000	97-98 $'000	98-99 est
Adelaide Festival Centre—Recurrent (including debt servicing):						
Capital:	5.627	5.075	5.077	5.008	5.224	4.967
	.750	1.250	.500	1.700	3.000	6.000
State Opera	1.458	1.458	1.558	1.458	1.700(1)	1.700
State Theatre	1.510	1.510	1.510	1.474	1.485	1.485
Meryl Tankard Australian Dance Theatre (there is no State Ballet Company in South Australia)	0.904	0.544	0.725	0.725	0.732	0.732

(1) From 1997-98 funds for orchestral services which had previously been provided directly to Adelaide Symphony Orchestra were provided to the State Opera.

3. I refer the honourable member to the Auditor-General's Report, which annually publishes figures noting the subsidy per seat sold on major productions for each of the last three years for both State Opera and State Theatre Company.

4. Each year the Cultural Minister's Council Statistical Working Group produces a publication called Cultural Funding in Australia. A table included in this publication details the cultural funding per head of population for the section 'Cultural Facilities and Services'. The last publication (November 1998) addressed the year 1996-97.

93-94	94-95	95-96	96-97	97-98
$49.45	$56.90	$57.00	$52.00	Not available

5. Some complimentary tickets including sponsor and media tickets are provided to performances by State Opera, State Theatre and to productions at the Adelaide Festival Centre Trust.

Although the Adelaide Festival Centre Trust does not have readily available figures for the years in question, a system has now been implemented to monitor this information.

Figures for State Theatre (including sponsor tickets) and State Opera are—

	93-94	94-95	95-96	96-97	97-98
State Theatre	10 289	13 417	9 946	9 921	5 437
State Opera	1 879	1 563	1 723	1 282	1 185

6. Yes (some as guests of sponsors). Records not available.

7. The criteria used to invite guests vary depending on the outcome required by each Company, but generally include potential sponsors or donors; existing sponsors and guests (usually a part of the sponsorship contract); media; representatives of funding bodies and members of the general public selected for their ability to support the success of the particular production.'

STATE OPERA

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

1. How many performances and productions of the State Opera Company visited rural South Australia during the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

2. What towns or cities did the State Opera Company visit in

rural South Australia with their performances and productions in the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

3. How much Government revenue was used to fund these rural visits by the State Opera Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

4. How much Government revenue is spent on promoting the State Opera Company visits to rural South Australia?

5. How much has the State Government subsidised rural South Australian performances of the State Opera Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

6. How much, in total, does the State Government spend per capita on rural State Opera Company performances and productions?

The Hon. DIANA LAIDLAW:

1 and 2. In 1997-98 State Opera visited Whyalla, Port Pirie, Renmark and Mt Gambier for five performances.

3-5. Government funding for these performances totalled $460 000, including $16 000 of the promotion budget, and $359 000 State Government subsidy.

6. $1.31 in 1997-98.

STATE THEATRE

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

1. How many performances and productions of the State Theatre Company visited rural South Australia during the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

2. What towns or cities did the State Theatre Company visit in rural South Australia with their performances and productions in the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

3. How much Government revenue was used to fund these rural visits by the State Theatre Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

4. How much Government revenue is spent on promoting the State Theatre Company visits to rural South Australia?

5. How much has the State Government subsidised rural South Australian performances of the State Theatre Company for the years—

(a) 1993-1994;
(b) 1994-1995;
(c) 1995-1996;
(d) 1996-1997; and
(e) 1997-1998?

6. How much, in total, does the State Government spend per capita on rural State Theatre Company performances and productions?

The Hon. DIANA LAIDLAW:

1 and 2. The young people's arm of State Theatre—Magpie—toured extensively in the years in question. It presented nine productions in Kangaroo Island, Pitjantjatjara lands, Nullabor/Eyre Peninsula, the Riverland, Port Lincoln and Woomera. The exact number of performances is not available, but in 1993-94 alone there were 219 performances. In 1999 State Theatre will tour its highly successful production of 'The Department'.

3-6. The cost of touring is covered by ticket sales, sponsorship, the Government's general purpose grants, and funding through SACAT. The State Theatre accounts for the years in question do not provide the information sought.

It is expected that for 1999 and future years the touring costs and subsidies will be accurately measured.

PEDESTRIAN ROAD FATALITIES

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

1. Considering the increase in the number of pedestrians killed and injured on South Australian roads this year, has the Government formulated a comprehensive strategy to combat the increase?

2. If so—

(a) How much has been spent on such a strategy;
(b) who is involved; and
(c) when will it be implemented?

3. If not, when will a strategy be implemented?

4. Is the Government considering establishing a 'Pedestrian Safety Advisory Committee' to help address the problem?

The Hon. DIANA LAIDLAW: In relation to the 36 pedestrian fatalities on the road in 1998, it is necessary for this figure to be considered in the context of long term trends and normal statistical variation. The annual number of pedestrian fatalities and injuries have been trending downwards since the early 1970s, approximately in parallel with casualty figures for other road users. Annual pedestrian fatalities have fallen from a peak of 64 in 1972 to an average of less than 29 over the four years 1994-97. There were 414 pedestrians injured on the road during the first three quarters of 1998. This was in fact lower than for the corresponding period in the previous two years—436 in 1996 and 442 in 1997. (Figures for the final quarter of 1998 are not yet available.)

Meanwhile, the Government has already developed—and is implementing—an ongoing comprehensive strategy to address pedestrian safety, with a special focus on the two recognised high risk groups of pedestrians—young children and elderly people.

The Government's 'Safe Routes to School' program, launched in October 1996, is a local community based program that Transport SA has embarked on in partnership with other Government departments, local Government authorities and primary schools. The program is designed to encourage primary school aged children to travel to school on foot, or by bicycle, by providing a safer environment through engineering treatments, pedestrian advocacy, and appropriate road safety education within the participating schools.

'Road Ready', a traffic safety education resource to be used during the education phase of the 'Safe Routes to School' program, was launched in August 1998 and distributed to all State primary schools.

A new form of pedestrian crossing for use near schools—the Emu crossing—was introduced by the Government in 1996, and with the help of a State Government funded subsidy scheme there are now over 100 Emu crossings in use near South Australian schools. (Emu crossings are located within 25 km/h school speed zones, and drivers are required to stop and give way to all pedestrians when red children crossing flags are displayed on red and white striped posts.) In addition, to improve safety for school children, a program is under way to upgrade all school zones on arterial roads throughout South Australia to Emu crossings, Koala (flashing light) crossings or full Pedestrian Actuated traffic signal controlled crossings.

For older pedestrians, the 'Walk With Care' program was launched in May 1997. This is an integrated community based education, engineering and advocacy program, with planned outcomes to include the provision of a safer environment for older pedestrians, an increased awareness and understanding of relevant safety issues for older pedestrians, and the adoption of safer walking strategies by elderly people.

Older pedestrians also benefit from ongoing Transport SA programs which provide such items as audio-tactile push-buttons and corner island walk-throughs at traffic signals; walk-throughs and hand rails in medians; and, where roads are too narrow for provision of a continuous median island, the provision of mid-road pedestrian refuges, including handrails. Some of these initiatives also benefit another high risk group among pedestrians—people with disabilities, as well as providing assistance to pedestrians generally.

All pedestrians benefit from the provision of additional pedestrian actuated crossings, 18 of which were installed on arterial roads during the three years 1995-97. Also, around a dozen of the new Wombat crossings have now been installed on local roads within the Adelaide metropolitan area. (Drivers are required to stop and give way to any pedestrian who is crossing or is about to cross the road

at a Wombat crossing, which is a raised pedestrian crossing designed to help pedestrians to cross busy local roads. It has white stripes like a 'Zebra' crossing, a 40 km/h speed limit and 'walking legs' signs; it may also have yellow flashing lights.)

As an encouragement for local Government to install Emu and Wombat crossings on roads for which Councils are responsible, the Government provided an installation subsidy for the first three years after their introduction, amounting to over $170 000 in total. The allocation this financial year for upgrading school zones on arterial roads to Emu, Koala or Pedestrian Actuated crossings is $670 000, and the projected allocation for 1999-2000 is $1.5 million. Allocations have been made in the current financial year of $280 000 for the 'Safe Routes to School' program, $120 000 for 'Walk With Care', and $340 000 for the installation of audio-tactile push-buttons and kerb ramps to assist elderly people and people with disabilities when crossing the road.

Meanwhile, within Transport SA the Government established some two years ago an Unprotected Road Users Strategy Group, which with the benefit of consultation with a wide range of community based 'user groups' is advancing the interests of pedestrians, cyclists and motorcyclists—essentially road users not protected by a vehicle shell.

SPEEDING OFFENCES

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

1. How many South Australian motorists currently have outstanding speeding fines?

2. How much are these fines worth in total?

3. Is the South Australian Government considering following the New South Wales Government's move to cancel drivers' licences for those people who have failed to pay traffic and parking fines?

4. If so, what are the details of such a scheme?

5. If not, will the Government give an assurance they are not considering such a scheme?

The Hon. DIANA LAIDLAW: The Attorney-General has provided the following information in relation to questions 1 and 2.

1 and 2. In order to respond to these questions it would necessitate the information being collated through developing an elaborate and complex computer program by the Courts Administration Authority. This would be a lengthy and costly process, taking approximately four weeks. In addition, there would be a necessity to take a resource off-line from the Courts re-engineering project to carry out this work. Under these circumstances it is not possible to satisfy the request for information.

3-5. The Honourable Member is referring to moves to improve the fines enforcement system.

The Statutes Amendment (Fine Enforcement) Act 1998 was passed by Parliament in August 1998 and received Royal Assent on 3 September 1998. It has not yet been proclaimed, although it is intended that the required systems will be in place for it to come into operation in late 1999.

The Act is based on legislation operating in several other Australian jurisdictions, particularly New South Wales and Western Australia, and also in New Zealand. Having had the benefit of viewing legislation in operation, the South Australian Act has been designed to take account of deficiencies in the other jurisdictions' models, and produce a system suitable for our State. The result is a scheme which will increase fine payment by those who have the capacity to pay and provide alternatives for those who can not.

Cancellation of a driver's licence is one of the alternative sentences available to the court under the scheme in cases where the offender does not have the means to pay, or other enforcement action would not be likely to be effective.

If the honourable member has further questions about the new fines enforcement system, he may wish to address them to the Attorney-General, who had the carriage of the Bill through Parliament and whose portfolio includes the Agencies carrying out the enforcement process.'

SCHOOL STUDENTS

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

1. How many students in South Australia attended all private schools for the years—
   (a) 1992;
   (b) 1993;
   (c) 1994;
   (d) 1995;
   (e) 1996;
   (f) 1997;
   (g) 1998; and
   (h) estimated to attend in 1999?

2. How many students, school by school, left the public education system to attend the private education system in South Australia for the years—
   (a) 1992;
   (b) 1993;
   (c) 1994;
   (d) 1995;
   (e) 1996;
   (f) 1997;
   (g) 1998; and
   (h) estimated to attend in 1999?

The Hon. R.I. LUCAS: The Minister for Education, Children's Services and Training has provided the following information.

1. The table shows the total number of full-time equivalent students attending all South Australian private schools for 1992-1998 (February and Mid Year) and the estimated attendance for 1999.

Year	Enrolments February	Enrolments Mid Year Census
1992	60407.2	61512.1
1993	61653.7	62888.7
1994	63442.1	64661.9
1995	65224.9	66532.3
1996	67391.6	68887.2
1997	69872.2	71613.1
1998	71518.6	73128.0

The estimated private school enrolment for February 1999 was 73 400.

2. The South Australian Department of Education, Training and Employment does not collect data on the numbers of students leaving public schools to attend private schools.

SCHOOLS, PRIVATE

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

1. Could the Minister for Education, Children's Services and Training provide the total State Government funding allocated to all private schools for the years—
   (a) 1992-1993;
   (b) 1993-1994;
   (c) 1994-1995;
   (d) 1995-1996;
   (e) 1996-1997;
   (f) 1997-1998; and
   (g) estimated to be spent in 1998-1999?

2. Could the Minister provide a listed breakdown of State Government funding allocated to all private schools, school by school, in the metropolitan area for the years—
   (a) 1992-1993;
   (b) 1993-1994;
   (c) 1994-1995;
   (d) 1995-1996;
   (e) 1996-1997;
   (f) 1997-1998; and
   (g) estimated to be spent in 1998-1999?

3. Could the Minister provide a listed breakdown of State Government funding allocated to all private schools, school by school, in rural South Australia for the years—
   (a) 1992-1993;
   (b) 1993-1994;
   (c) 1994-1995;
   (d) 1995-1996;
   (e) 1996-1997;
   (f) 1997-1998; and
   (g) estimated to be spent in 1998-1999?

4. Could the Minister provide the total dollars per capita spent by the State Government on all private schools for the years—
   (a) 1992-1993;
   (b) 1993-1994;
   (c) 1994-1995;
   (d) 1995-1996;
   (e) 1996-1997;
   (f) 1997-1998; and
   (g) estimated to be spent in 1999?

The Hon. R.I. LUCAS: The Minister for Education, Children's Services and Training has provided the following information.

The quantum for the 1999-2000 financial year (the 1999 school year) has yet to be determined, but will be no less than that provided for the 1998 school year as enrolments at funded non-government schools have increased by 1.53 per cent.

The school-specific information which the Honourable Member requested is contained in the annual reports of the Advisory Committee on non-Government Schools in South Australia to the Minister for Education of the day. A copy of the relevant pages from each of the annual reports during the period specified will be provided to the Member.

A list of registered non-government schools will also be provided should the honourable member further wish to identify the location of non-metropolitan non-government schools.

EDUCATION DATABASE

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

1. Does the Education Department have a central database for all children in South Australian public schools?

2. If not, why not?

3. Why do non-custodial parents who have an unincumbent guardianship order need to obtain a location order from the Family Court in order for them to have access to their child's location within the public education system?

4. If there is no central database on public students, how does the Education Department find information on students for parents who have a location order from the Family Court?

5. What procedure does the Education Department follow to find out what school a student attends for non-custodial parents with a location order from the Family Court?

The Hon. R.I. LUCAS: The Minister for Education, Children's Services and Training has provided the following information.

1 and 2. The Department of Education, Training and Employment does not have a central database of students. I am not satisfied that it would be currently justified on a cost/benefit analysis. The Department does not appear to have a need for such a database. It would be a large database that would need considerable maintenance, given the large number of student movements annually. It is noted that such a database would not assist in locating a student whose name had been changed, as is frequently the case where one parent is evading the other.

3. Information about the location of a student is also information about the location of the enrolling parent. The Department is bound by the Information Privacy Principles (Department of Premier and Cabinet Circular No. 12). This prevents the provision of personal information about a person to a third person unless either the record subject has consented to the disclosure or one of a limited number of other conditions is met. One such condition is that the disclosure is required by or under law, e.g. where there is a court location order. Advice from the Crown Solicitor was obtained to confirm that the Department should continue the policy of requiring either the consent of the enrolling parent or a court location order before disclosing the location of students. If there is reason to believe that the student may be at risk, the Children's Protection Act requires school staff to make a mandatory notification to the Office of Family and Youth Services, Department of Human Services.

4 and 5. When the Department has a location order from the Family Court, the location is sometimes known at the school previously attended. Otherwise, it is necessary to fax a circular to relevant categories of schools asking for a response if the student is enrolled. If the student has been enrolled under a new name, it may not be possible to locate him/her.'

DRINK DRIVING

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

1. Considering that a recent Federal Office for Road Safety Report showed only 34 per cent of South Australian men were aware they could have only two standard drinks in the first hour before being over the limit, what measures is the Government taking to address this concern?

2. How much has the State Government spent on anti-drink driving education programs for the years—

(a 1994-1995;
(b) 1995-1996;
(c) 1996-1997;
(d 1997-1998; and
(e) 1998-1999 (projected)?

3. How much has the State Government spent on anti-drink driving advertising for the years—

(a) 1994-1995;
(b) 1995-1996;
(c) 1996-1997;
(d) 1997-1998; and
(e) 1998-1999 (projected)?

The Hon. DIANA LAIDLAW:

1. Standard Drinks, alcohol consumption and self perceptions of Blood Alcohol Concentration (BAC) are complex issues in terms of public education and self regulation as there is no biological or sensory means for an individual to accurately gauge their own BAC level.

In fact, given identical alcohol consumption, resultant BAC levels may vary widely from individual to individual, and within an individual on a day to day basis. Factors such as gender, body weight, health, previous alcohol drinking habits, mood and the like, all play a significant part in determining an individual's BAC level on a given day or their degree of intoxication.

Accordingly, in addition to mass media drink driving campaigns, the State Government has implemented several public education programs directly targeting Standard Drinks. These include—

- trialing and implementation of a State-wide rural drink drive campaign by Transport SA and SA Police which includes direct intervention with drinkers in hotels and clubs on a 'one on one' basis, including discussions about Standard Drinks and BAC levels;
- inclusion of Standard Drinks and other drink drive issues in the recently released road safety school based 'Road Ready' curriculum guidelines and materials;
- strategic distribution of print materials, including brochures and 'smart cards' through Transport SA, Drug and Alcohol Services Council, and SA Police to licensed premises, industry, unions, educational institutions, individuals and the like;
- trialing of a wall mounted breath tester program in licensed premises, including provision of direct marketing print materials;
- inclusion of Standard Drinks content within the Driver Intervention Program which all Adelaide based 'L' and 'P' plate drivers are required to attend if they lose their licences; and
- provision of editorial content relating to Standard Drinks in road safety publications, such as the widely distributed 'Crash Facts' booklet.

2 and 3. Expenditures on anti-drink driving advertising and education campaigns overlap. Specially, in relation to direct expenditures incurred by Transport SA on anti-drink drive advertising campaigns, I advise—

(a) 1994-1995 $ 260 000
(b) 1995-1996 $ 673 000
(c) 1996-1997 $1 137 000
(d) 1997-1998 $ 609 000
(e) 1998-1999 $1 200 000 (projected)

These expenditures exclude indirect costs, research and evaluation charges.

The above mentioned Transport SA campaigns can also have integrated education and enforcement elements. In addition, Transport SA does provide printed information to schools in conjunction with its mass media and information campaigns. It also provides technical assistance to education authorities. Several of Transport SA's publications, such as 'Crash Facts', target a range of issues, including Standard Drinks.

Meanwhile, the school based anti-drink drive curriculum is delivered by teachers and staff of the Department of Education, Training and Employment and SA Police. Non-school based education programs are delivered by the Drug and Alcohol Services Council of South Australia. I am unable to provide information relating to the cost of programs delivered by these agencies.

EMERGENCY CALL SERVICE

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

1. Can the Attorney-General assure the public that Telstra's plans to centralise the 000 emergency call service by directing all calls to Melbourne or Sydney will not place South Australian lives at risk or lower the service standard, following recent media reports over the deaths of two interstate women following confusion by 000 operators with town names?

2. During 1997-1998, how many similar incidents have been recorded by the emergency services in South Australia?

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the Police that the issue of 000 emergency call-taking has been the subject of ongoing discussion by the National Emergency Call-Taking Working Group at a national level and Telstra at State level.

Through NECWG, ESO's are now developing a national position with regards to the handling of 000 calls.

With specific reference to the questions raised:

1. SAPOL, other Emergency Services and Telstra have been involved in discussions to assess the risk with respect to the Telstra initiative to centralise all call-taking in Melbourne and Sydney. Telstra has advised that new technologies and other systems, including trained emergency call-takers, will prevent the incidence of mis-direction.

2. With respect to the question of previous recorded instances in South Australia, SAPOL does not have the technical capacity for recording instances of mis-direction.

WORKCOVER REPORT

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

1. In relation to the recent report commissioned by the WorkCover Corporation titled 'Outwork: Reaching an Invisible Workforce' released in June 1998 and its recommendations—

(a) Has the Minister for the Status of Women adopted any of the Report's recommendations;

(b) If not, why not;

(c) Does the Minister have any plans in the near future (before the year 2000) to adopt any of the Report's recommendations: and

(d) If not, why not?

2. Considering women constitute the majority of outworkers who are subjected to little or no industrial protection, what steps is the Government undertaking to ensure their rights are being protected?

The Hon. DIANA LAIDLAW:

1. The report has been referred to the Minister for Government Enterprises to address all recommendations. The report's recommendations are still under consideration by the Government.

2. The Minister for Government Enterprises has advised that a legislative framework already exists for the protection of outworkers (including women outworkers). For example—

- The Industrial and Employee Relations Act covers 'employees' which includes those 'outworkers' who are covered by an award. This definition is not limited to the clothing industry but rather contemplates any industry where the outworker works on, processes, or packs articles or materials, or carries out clerical work. Currently, there is a State award that covers outworkers in the clothing industry.
- If the industrial parties consider that insufficient, or no protection's exist in a particular industry or part of an industry, they may apply to the Industrial Relations Commission of SA for an award of new or improved conditions to cover that area.
- The Occupational, Health, Safety and Welfare Act 1986 requires most outworkers to be provided with a safe place of work.
- If an outworker who is covered by an award or enterprise agreement that is expressed to apply to outworkers is injured at work, the outworker is covered by the existing Workers Rehabilitation and Compensation Act 1986.
- It is also considered that the current enforcement levels in relation to outworkers are adequate. The Department for Administrative and Information Services has not received any recent complaints from outworkers in the clothing industry. In any event, the Department is able to, and does, investigate complaints once they are made.
- The Government's amendments to the Industrial and Employee Relations Act, introduced into Parliament on 11 March 1999 by the Minister for Government Enterprises also increases protection for all employees including outworkers. The increased protection will be through enabling inspectors of the Department for Administrative and Information Services to be pro-active and investigate employment conditions without requiring a complaint to be made first. This means that an inspector may enter a workplace and assess the terms and conditions of work which cover outworkers.
- Furthermore, in the Bill to amend the Industrial and Employee Relations Act the Government has highlighted the role of the DAIS inspectors in relation to outworkers by conferring upon inspectors an express function of monitoring the conditions under which work is carried out in the community under contractual arrangements with outworkers.'

SCHOOL CLOSURES

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

1. Could the Minister for Education, Children's Services and Training provide a list of all schools (both junior primary and primary, country and metropolitan) which the Government is considering closing or merging until 2002?

2. Could the Minister provide a list of all high schools in the metropolitan and country areas the Government is considering closing or merging until 2002?

3. Could the Government provide a list of all schools, both country and metropolitan, the Government is considering either merging or closing by the year 2002?

The Hon. R.I. LUCAS: The Minister for Education, Children's Services and Training has provided the following information.

1 and 2. As at February 1999, the following school amalgamations have been approved:

- Airdale Junior Primary and Primary Schools will amalgamate from the start of the 2000 school year;
- Jamestown Primary and High Schools will consolidate on the High School site at the start of the 2000 school year.

3. As the Minister for Education, Children's Services and Training has indicated on previous occasions, there is no list of schools that may warrant amalgamation/closure.

The following school reviews are in progress:

- Ethelton and Semaphore Park Primary Schools. These school communities have formed a Combined School Council to advance the amalgamation proposal. This was initiated jointly by the two school communities.
- Woodville Special School. A review is in progress to examine the best educational options and specialist services for students with intellectual disabilities for students in the Western suburbs and also to review the services provided by Woodville Special School in the context of its present campus.
- Taperoo High School/Taperoo Primary School/Largs North Primary School. A review was conducted in 1997. The school communities are currently developing an educational brief with a focus on consolidating educational delivery.

Two school communities have sought approval to commence a review of education delivery.

- Davoren Park Junior Primary, Primary and Kindergarten; and
- Mannum Primary and High Schools.

These reviews will be conducted under the legislative requirements of the amended Education Act.

GOVERNMENT DEBTS

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

1. As of 1 February 1999, which State Government Departments have outstanding bills owed to tradespeople and other businesses by more than 30 days?

2. Of these, how much does each owe individually in outstanding bills of more than 30 days to tradespeople and other businesses?

The Hon. R.I. LUCAS: As at 1 February 1999, twelve State Government Departments advised that they had accounts payable that were outstanding for 30 days or more from their due dates. As a general rule creditors are not classified by the nature of their business. It is not possible therefore to distinguish tradespeople from other classes of suppliers to the Departments in question.

The value of the outstanding accounts reported in respect of each Department was as follows (rounded to the nearest thousand dollars):

Department	Amount Outstanding $
Department of Primary Industries and Resources	2 270 000
Department of Administrative and Information Services	1 653 000
Department of Transport, Urban Planning and the Arts	1 031 000
Police Department	793 000
Department of Human Services	540 000
Department of Environment, Heritage and Aboriginal Affairs	401 000
Department for Correctional Services	213 000

Department of Industry and Trade	211 000
Department of Treasury and Finance	167 000
Department of the Premier and Cabinet	113 000
Department of Education, Training and Employment	44 000
Attorney-General's Department	1 000

The Government undertakes monthly monitoring of the performance of Departments in paying their accounts. For the month ended 31 January 1999 agencies, on average, paid 96 per cent of their accounts within 30 days of their due dates.

STOCK RUSTLING

169. **The Hon. T.G. CAMERON:** How many reported instances of cattle or stock rustling have been reported to the Police in South Australia for the years—

(a) 1996-1996;
(b) 1996-1997;
(c) 1997-1998; and
(d) 1998-1999?

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the Police of the following statistics relative to stock theft:

1995-96 357
1996-97 294
1997-98 328
1998-99 184 (from 1/7/98-31/12/98)

RESOURCE PROTECTION BRANCH

170. **The Hon. M.J. ELLIOTT:**

1. How many full-time equivalent staff are employed in the Resource Protection Branch of the Environment and Heritage Department?

2. Can the Minister for Environment and Heritage categorise staff in the Resource Protection Branch according to issues for which they have responsibility, and the number of staff responsible for each issue area?

3. How many of the staff in the Resource Protection Branch are working on issues relating to shooting permits?

4. How do funding and staffing levels for this area in the current financial year compare to funding and staffing levels two years ago?

5. How do funding and staffing levels for this area in the current financial year compare to funding and staffing levels five years ago?

6. How many reports of illegal clearance were made to the Department for Environment and Heritage and Aboriginal Affairs over the past three years?

7. How many of these were made directly to Resource Protection?

8. How many of these were found to be illegal clearance and not covered by exemptions under Native Vegetation legislation?

9. Of those found to be an illegal clearance—
   (a) How many were investigated;
   (b) How many were prosecuted;
   (c) How many were fined and/or required to be replanted;
   (d) How many were taken to court and what was the result of those cases;
   (e) How often does the Department for Environment and Heritage and Aboriginal Affairs visit land where conditions of rehabilitation are imposed to ensure compliance;
   (f) When is action taken to enforce this compliance; and
   (g) How often has this been necessary within the past three years?

The Hon. DIANA LAIDLAW: The Minister for Environment and Heritage has provided the following information.

1. There are 10.6 full time equivalent staff employed in the Resource Protection Section. An additional four Regional Investigators operate from regions.

2. One staff member is responsible for National Parks and Wildlife SA fire management, three staff members are responsible for fauna permits, hunting permits and commercial kangaroo harvesting permits, four staff members are responsible for compliance associated with the Native Vegetation Act and National Parks and Wildlife Act, one staff member is responsible for administration and finance and 1.6 FTE staff members are responsible for animal welfare.

3. The three fauna permit staff work on issues relating to hunting permits, destruction permits and kangaroo harvesting permits. On an occasional basis other staff including the Manager, Resource Protection and Compliance staff work on issues relating to these permits.

The Minister for Environment and Heritage also points out that other staff within the Department, including those from Regional offices, also work on issues relating to hunting permits, destruction permits and kangaroo harvesting permits.

4 and 5. The Resource Protection Section has undergone an internal restructuring whereby some functions and staff have been transferred to other branches or regions of the Department, whilst additional functions and staff have been assigned to the Resource Protection Section. A comparison of funding and staffing numbers over the last five years would be meaningless as a result of this restructure. However, there has not been a substantial change to the resourcing of enforcement activities over the last five years.

6. Between 1 February 1997 and 1 February 1999 there were 292 information reports submitted to the Resource Protection Section which related to alleged illegal clearance of native vegetation or brushcutting.

7. Any reports received by Departmental officers relating to an alleged illegal clearance of native vegetation are, for the most part, referred to the Resource Protection Section. In some cases, however, officers receiving a report may be able to advise the caller that the clearance is exempt. For example, if a member of the public telephones and reports the 'illegal' clearance of an exotic plant such as pinus radiata, then immediate advice is provided to the caller and an information report is not forwarded to the Resource Protection Section. A record of this type of report is not kept.

8. Details of breach reports submitted, prosecutions and fines are recorded in the Annual Report of the Native Vegetation Council. In 1997-98 there were 28 breaches of the Native Vegetation Act detected, 35 in 1996-97 and 27 in 1995-96.

9.

(a) Of the 292 information reports submitted between 1 February 1997 and 1 February 1999 all were allocated to a Regional Investigator or Metropolitan Investigator for follow up investigation;

(b) In 1997-98 there were 5 prosecutions, 8 in 1996-97 and 9 in 1995-96;

(c) In 1997-98 fines, costs and levies totalled $2 750, in 1996-97 fines totalled $9 842 and in 1995-96 fines totalled $4 201;

(d) In 1997-98 6 prosecutions were finalised, in 1996-97 5 prosecutions were finalised and 2 prosecutions were withdrawn and in 1995-96 5 prosecutions were finalised and 4 prosecutions were withdrawn;

(e) Properties granted consent to clear native vegetation with replanting and other conditions are inspected under a program that commenced in November of 1994. Between November 1994 and 31 December 1998 there were 324 properties inspected. The number of inspections each year is as follows—1994—13; 1995—82; 1996—65; 1997—49; 1998—115; and

(f)&(g) Eight landholders granted conditional clearance consents were referred to the Resource Protection Section for alleged breaches of condition. To date no legal proceedings have been initiated. Generally negotiations are carried out with landholders to resolve compliance with outstanding conditions.

TORRENS RIVER

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

1. Taking into consideration the recent media report in The *Advertiser*, 14/2/99, page 36, will the Minister explain exactly what environmental benefits were produced by the dredging of the Torrens River Lake?

2. Did the dredging improve the quality of the Lake's water?

3. Will the dredging contribute to algal blooms on the Torrens River Lake?

4. Would the money have been better spent on the upstream catchment area?

The Hon. DIANA LAIDLAW: The Minister for Environment and Heritage has provided the following information.

1. The Torrens Lake has been acting as a giant silt trap for over 60 years. Sediment had accumulated to a point where the lake was almost full and dredging became necessary. Approximately 48 000 cubic meters of silt has been removed from the Torrens Lake.

A consequence of the dredging program was the removal of a large load of pollutants that were bound up in the sediment. The pollutants included heavy metal and nutrients such as phosphorus, which is associated with the development of algal blooms.

Dredging has also improved the appearance and recreational amenity of the lake environment.

2. The dredging program improved the water quality attributes of the lake by providing a minimum 2 metre water column, free of sediment banks, throughout the lake.

The dredging program was only one component of an extensive program of works that is intended to improve the water quality in the Torrens system. The list of works includes watercourse restoration and wetland construction, the use of trash racks and other litter reduction mechanisms, and pollution awareness programs targeting industry, schools and the general community. It should also be understood that the numerous works along the River Torrens are complimentary. Attributing the beneficial impact of any one initiative is problematic, as the beneficial effects are of course cumulative throughout the river system.

3. It is possible that the dredging program could expose nutrients that are held in the remaining sediment, in a condition that could be mobilised, and therefore possibly increase the potential for the development of algal blooms in the lake system. However, recent algal blooms developed upstream of the dredging site suggesting dredging did not contribute to algal bloom events evidenced in the Torrens Lake.

Nutrient levels monitored at the sites upstream of the dredging area were found to be sufficient to sustain algal blooms at any time. These nutrient levels are a result of the activities undertaken in urbanised areas within the catchment boundaries.

4. No, it would not have been better to spend the money on the upstream catchment. By the end of June 1999 the Torrens Catchment Water Management Board would have received over $8 million from its catchment environment levy. The cost of the Lake dredging program to the Board is $744 000. This represents only a small portion of the Board's funds and should be viewed as one component of an extensive program of works that is designed to restore the health and vitality of the River Torrens catchment.

Prior to the dredging project, the main recent source of sediment in the Lake was addressed by a program to repair and stabilise erosion damage in the River Torrens Linear Park upstream of the Lake, at a cost of $500 000. Other potential source areas of sediment such as quarries are now required to have settlement basins to remove sediment.

The dredging program was only one component of an extensive comprehensive and complimentary ongoing program of works that is intended to improve the water quality in the Torrens system.

TRANSPORT AND URBAN PLANNING STAFF

178. **The Hon. CAROLYN PICKLES:**

1. What are the names of all ministerial staff who have worked for the Minister for Transport and Urban Planning since December 1993?

2. What are the details of their salaries and remuneration?

3. Which of these ministerial staff members, if any, have since been appointed to positions, either on a permanent basis or by contract—

(a) in the public sector; and

(b) on State Government appointed boards or committees?

4. What are their salaries and remuneration?

5. Are the positions within the public service or on a contract basis?

6. What selection criteria were applied for appointments to these positions?

7. Can the Minister outline her involvement, if any, in the processes for the interviews, selections and appointments?

The Hon. DIANA LAIDLAW:

1-2. The names, salaries and remuneration of all ministerial staff who have worked for the Minister since December 1993 are as follows:

Name	Title	Salary (Current or as at Finish Date)	Start Date	Finish Date
Phil Allan	Chief of Staff	88,000	1/5/98	-
Cynthia Richardson	Personal Assistant	39,726	12/5/75	-
Paula Victor	Ministerial Assistant	52,459	12/5/97	-
Heather Webster	Chief of Staff	90,000	10/10/94	6/4/98
Mark Williams	Media Advisor	53,924	19/6/95	16/1/98
June Roache	Chief of Staff	75,000	21/3/94	8/7/94
Penny Reader-Harris	Ministerial Advisor	51,512	13/1/94	30/1/96
Julia Mourant	Media Advisor	51,817	14/6/94	23/6/95
Anne Wilson	Ministerial Advisor	50,000	19/2/96	8/11/96
Belinda McCulloch	Ministerial Advisor	53,924	11/11/96	2/5/97
Jeff Mills	A/Chief of Staff	75,000	1/8/94	16/9/94
Kenn Pearce	Media Advisor	51,400	15/12/93	14/6/94

3-4. The details of the Ministerial staff members who have since been appointed to positions outside the Minister's office are as follows:

Name	Public Sector Agency	Board/ Committee	Remuneration	Appointment Basis
Kenn Pearce	Premier's Media Unit	-	Any queries re remuneration to be directed to Media Unit	Contract
Mark Williams	Premier's Media Unit (as part of restructuring)	-	Any queries re remuneration to be directed to Media Unit	Contract
Heather Webster	Passenger Transport Board	Third Party Premiums Committee	$138,577 (Remuneration not provided for services to Third Party Premiums Committee)	Contract
June Roache	Lotteries Commission	-	Any queries re remuneration to be directed to Minister Armitage	Contract
Julia Mourant	-	Board Member Living Health (now disbanded)	-	-

6. The selection criteria applied for appointments to the above positions were as follows:

Name	Selection Criteria
Kenn Pearce	Now located in Premier's Media Unit; therefore, any queries re selection criteria to be directed to Media Unit.
Mark Williams	Now located in Premier's Media Unit (following restructuring process); therefore, any queries re selection criteria to be directed to Media Unit.
Heather Webster	Appointment in accordance with Public Sector Management Act.
June Roache	Appointment made by Commissioner, of which I have no knowledge.

7. In relation to the appointment of the Executive Director of the Passenger Transport Board, Section 16(4) of the Passenger Transport Act, 1994 states that *"The Board must obtain the approval of the Minister before it makes an appointment, or determines terms and conditions of appointment …..."*.

JURY SERVICE

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

1. During 1997-98, how many people were selected for jury service in South Australia?

2. What was the average length of jury service during 1997-98?

3. Will the Government consider allowing persons to volunteer for jury service as, under the current system, people are chosen for jury service by a draw from the Electoral Roll?

4. Will the government consider changing the selection process to allow people absolution for a period of five years from jury duty if they have already served as a juror on long or difficult cases, considering the length of some trials?

The Hon. K.T. GRIFFIN: I provide the following response:

1. *During 1997-98, how many people were selected for jury service in South Australia?*

Pursuant to the Juries Act, South Australia is divided into three geographic jury districts, namely the:

1 Adelaide Jury District, which is used to select jurors for trials heard in Adelaide.

2 Northern Jury District, for trials heard at Port Augusta, and

3 South Eastern Jury District, from which jurors are selected for trials held at Mount Gambier.

At the direction of the Sheriff, a list of potential jurors is compiled annually for each jury district from House of Assembly electoral rolls.

The total number of persons in the jury list for each district in the 1997 and 1998 calendar years is provided below:

	1997	1998
Adelaide	5200	5200
Northern	2340	2340
South Eastern	720	780
Total	8260	8320

The actual number of people selected and attending for jury service from each jury district in 1997 and 1998 is set out below:

	1997*	1998*
Adelaide	1880	1655
Northern	350	345
South Eastern	165	165
Total	2395	2165

(*Note that the totals given do not include persons summoned for jury service but whose service was subsequently excused or deferred.)

2. What was the average length of jury service during 1997-98?

The average length of jury service in South Australia is four weeks. A new pool of jurors is selected at the beginning of each calendar month.

Jurors are on-call for that four week period and must telephone the Sheriff's Office each day to check if they are required for court. Provided below for each jury district is the average number of days that jurors actually attended court for a trial during their four week on-call period.

	1997	1998
Adelaide		
Average days on trials	8 days	8 days
Northern		
Average days on trials	4.5 days	4.5 days
South Eastern		
Average days on trials	4 days	6 days

3. Will the Government consider allowing persons to volunteer for jury service as, under the current system, people are chosen for jury service by a draw from the Electoral Roll?

The fundamental principle underlying jury selection is that juries should comprise a representative cross section of the community. This is necessary in order for defendants to receive natural justice. Natural justice refers to the canon underlying our justice system whereby every person has the right to be given a fair hearing and the opportunity to present one's case, the right to have a decision made by an unbiased or disinterested decision maker, and the right to have that decision based on logical probative evidence. The tenets of natural justice are upheld in the current jury selection process which chooses jurors at random from the electoral roll.

A system that permitted voluntary service is unlikely to provide a representative community cross section. It would also create the opportunity for 'jury rigging' inasmuch as people with an interest in achieving a particular outcome in a case may volunteer for jury duty in order to be selected to hear that case. Obviously such a situation would not be in the public interest or in the interests of the administration of justice.

4. Will the Government consider changing the [jury] selection process to allow people absolution for a period of five years from jury duty if they have already served as a juror on long or difficult cases, considering the length of some trials?

Section 19 of the Juries Act provides that persons who attend for jury service cannot be compelled to serve again for a period of three years. Moreover, it is not uncommon in complex or lengthy trials for the trial judge to offer jurors the right to be released from jury service for a period longer than three years. Five to 10 year releases from service are common in these situations. The length of time specified is at the discretion of the trial judge. Interestingly, many jurors prefer not to take up the option of an extended release from jury service.

In view of the foregoing, it is suggested that the current arrangements provide adequate provisions for jurors who have served on complex or lengthy trials.

SPEED CAMERAS

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

1. How many drivers were issued enforcement order fees as a result of failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

2. How much revenue was raised from enforcement order fees as a result of drivers failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

3. How many drivers were issued the $28 levy fee as a result of failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

4. How much revenue was raised from the $28 levy fee as a result of failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

5. How many drivers were issued the $13 reminder fee as a result of failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

6. How much revenue was raised from the $13 reminder fee as a result of failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

7. How many drivers were issued the $16 licence disqualification fee as a result of failing to pay their speed camera fines on time in the years—
   (a) 1996-97; and
   (b) 1997-98?

8. How much revenue was raised from the $16 licence disqualification fee as a result of failing to pay their speed camera fines on time in the years—
(a) 1996-97; and
(b) 1997-98?
9. How many drivers were issued a $24 warrant fee as a result of failing to pay their speed camera fines on time in the years—
(a) 1996-97; and
(b) 1997-98?
10. How much revenue was raised from the $24 warrant fee as a result of failing to pay their speed camera fines on time in the years—
(a) 1996-97; and
(b) 1997-98?

The Hon. K.T. GRIFFIN: I provide the following response concerning the number of drivers receiving speed camera fees and levies in South Australia and the revenue raised from these fees—

1.

Year	No. of drivers
1996-97	3 114
1997-98	24 256

2.

Year	Revenue ($)*
1996-97	224, 208
1997-98	1 770 686

3.

Year	No. of drivers
1996-97	25 190
1997-98	26 308

4.

Year	Revenue ($)*
1996-97	693 414
1997-98	734 733

5.

Year	No. of drivers
1996-97	14 764
1997-98	22 732

6.

Year	Revenue ($)*
1996-97	177 292
1997-98	275 518

7.

Year	No. of drivers
1996-97	8 521
1997-98	11 651

8.

Year	Revenue ($)*
1996-97	131 900
1997-98	186 416

9.

Year	No. of drivers
1996-97	6 704
1997-98	11 059

10.

Year	Revenue ($)*
1996-97	150 877
1997-98	242 730

* In relation to the revenue figures provided above it should be noted that the amounts refer to the total value of notices issued not the actual revenue received to date.

MOTOR VEHICLES, REGISTRATION LABELS

182. **The Hon. T.G. CAMERON:**
1. How many motorists were fined for failing to have a registration label attached to their motor vehicle in 1997-98?
2. How much revenue was raised as a result of drivers failing to have a registration label attached to their motor vehicle in 1997-98?

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the police of the following statistics regarding registration label offences in 1997-98:

Registration Label Offences Issued and Expiated During 1997-98

	Issued		Expiated	
Registration Labels	Number	Amount	Number	Amount
Fail to comply with rules re registration labels	130	8 579	75	4 940
Unlawful use registration label or permit etc	101	6 462	74	4 722
Total	231	15 041	149	9 662

GAS INVENTORY

183. **The Hon. P. HOLLOWAY:**
1. Does ETSA, or any other energy or generation company owned by the State Government, have an inventory of gas?
2. Was this gas purchased directly or indirectly from SANTOS on a 'take or pay' contract basis?
3. What is the extent of the gas inventory both by—
(a) quantity; and
(b) dollar value?

The Hon. R.I. LUCAS:
1. Yes—Terra Gas Trader, a wholly owned subsidiary of SA Generation Corporation is the holder of an inventory of gas.

The inventory was transferred to Terra Gas Trader from ETSA Corporation at October 12, 1998, as part of the disaggregation of Optima Energy and ETSA Corporation in 1998.

2. The gas was purchased by ETSA Corporation between the calendar years 1995 and 1997 from the SACB Producers and the SWQld Unit Producers.

Santos is a participant in both joint ventures as well as operator and marketing agent. No gas has been added to the inventory since 1997.

3. (a) The volumes were not disclosed in the accounts due to their commercial sensitivity as they can be used to deduce the price of gas.
(b) ETSA Corporation valued the gas inventory at $36 million in its 1998 Annual Accounts as at 30 June 1998. The value of the inventory transferred to Terra Gas Trader was $29.8 million. The gas inventory will be included in the Terra Gas Trader annual accounts expected to be published by 31 October 1999.

PILCHARDS

184. **The Hon. P. HOLLOWAY:**
1. Can the Minister for Primary Industries, Natural Resources and Regional Development confirm media reports of 9 March 1999 that there has been a setback in tests to determine the source of the virus responsible for the 1998 pilchard fish kill due to the virus being 'contaminated'?
2. Can the Minister provide details of the nature of this contamination?
3. What impact will this setback have on the investigation into the cause of the 1998 pilchard fish kill?

The Hon. K.T. GRIFFIN: The Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The contamination referred to in media reports has not caused a significant delay to the investigation into the source of the virus responsible for the pilchard mortality in 1998.

2. The contamination consisted of proteins and other molecular compounds of pilchard origin that remained associated with the herpesvirus after purification from infected gill tissue. It was intended to use some of this purified virus to raise antibodies which can be used to develop a diagnostic test. However, the presence of antigenic material from pilchards would cause confounding results. This work is part of the virological research conducted by the scientists from the Australian Animal Health Laboratory.

3. The inability to purify a small batch of the herpesvirus from infected pilchard gills has had little impact on the progress of the investigation into the pilchard mortality. This is because the amount of virus required for the ongoing investigative work will need to be supplied from herpesvirus grown in cell cultures in the laboratory.

Recently the Australian Animal Health Laboratory in Geelong has managed to establish a number of pilchard cell lines. There is some optimism that culture of the herpesvirus in the laboratory will be achieved in the near future.

GREYHOUND RACING

191. **The Hon. R.R. ROBERTS:**

1. When will the much vaunted venue rationalisation report be made public so that country greyhound racing clubs, in particular, can know where they are going in future?

2. How much will it cost the South Australian Greyhound Racing Association to take over the Gawler Greyhound Club?

3. How much do the Gawler Greyhound Club's liabilities total?

The Hon. DIANA LAIDLAW: The Minister for Recreation, Sport and Racing has provided the following information.

1. The Venue Rationalisation Study report was released publicly on 25 March 1999. The Controlling Authorities and other principal organisations in the Racing Industry, and the Media were given copies on this date. All other provincial and country clubs were posted copies of the report on Friday 26 and Monday 29 March 1999. As from Monday 29 March the report was available to the general public on the Internet.

2. SAGRA took over the assets and liabilities of the Gawler Greyhound Racing Club on 1 July 1998, and there were no costs associated with the takeover.

3. The Gawler Greyhound Club is now not a registered racing club and does not formally report on its operations.

JOINT PARLIAMENTARY SERVICE COMMITTEE

The PRESIDENT: I lay upon the table the Joint Parliamentary Service Committee report 1997-98.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. R. I. Lucas)—

- Reports, 1998—
  - Teachers Registration Board of South Australia.
  - The University of Adelaide.
  - Vocational Education, Employment and Training Board.
- Regulations under the following Acts—
  - Lottery and Gaming Act 1936—Promotional Lottery Licence.
  - Southern State Superannuation Act 1994—Members and Minimum Contributions.
- ETSA Corporation—Direction.
- Funds SA Subsidiary Holding Corporation—Charter.
- Public Sector Management Act 1995—Information relating to the Appointment of all Ministers' Personal Staff.
- SA Generation Corporation—Direction.
- The University of Adelaide—Legislation made by the Council.

By the Attorney-General (Hon. K.T. Griffin)—

- Reports, 1998—
  - Institution of Surveyors, Australia, South Australia Division Inc.
  - Judges of the Supreme Court of South Australia.
- Regulations under the following Acts—
  - Co-operatives Act 1997—Corporations Law Modifications.
  - Fisheries Act 1982—Aquaculture Management Committee.
  - Livestock Act 1997—Hormonal Growth Promotant.
  - State Records Act 1997—Exclusion—Police.
  - Trustee Act 1936—Prescribed Insurers.
  - Wine Grapes Industry Act 1991—Production Area.
- Rules of Court—
  - District Court—District Court Act—Guardianship.
  - Magistrates Court—Magistrates Court Act—Civil—Various.
- South Australian Ports Corporation—Direction.

By the Minister for Consumer Affairs (Hon. K.T. Griffin)—

- Regulations under the following Acts—
  - Building Work Contractors Act 1995—Plumbing.
  - Liquor Licensing Act 1997—Dry Areas—Coober Pedy.
  - Security and Investigation Agents Act 1995—Offences Preventing Licensing.

By the Minister for Transport and Urban Planning (Hon. Diana Laidlaw)—

- Reports, 1997-98—
  - Department for Environment, Heritage and Aboriginal Affairs.
  - Mallee Water Resources Planning Committee.
  - River Murray Catchment Water Management Board.
- Regulations under the following Acts—
  - Local Government Act 1934—Notice of Valuation.
  - Motor Vehicles Act 1959—Trade Plates and Other.
  - Road Traffic Act 1961—
    - Duty to Report Accidents.
    - Photographic Detection Devices.
- Racing Act—Rules—Greyhound Racing—Definition.
- District Council By-laws—
  - Mount Baker—
    - No. 5—Keeping of Dogs.
    - No. 7—Council.
    - No. 16—Waste Management.
    - No. 17—Straying Stock.
- Crown Development Report—Proposal by the Department of Premier and Cabinet to establish the National Wine Centre (Stage 2 of the Botanic Wine and Rose Development).
- Development Act 1993—
  - Report on the Interim Operation of the City of Port Adelaide Enfield Local Heritage Places and Historic (Conservation) Policy Areas Plan Amendment.
  - Report on the Interim Operation of the City of Tea Tree Gully Rural Living Zone and inclusion of Land into the Hills Face Zone Plan Amendment Report.
  - Report on the Interim Operation of the District Council of Kapunda and Light—Light (Outer Metropolitan) (DC) Development Plan—Shea-Oak Log Plan Amendment Report.
- Public Parks Act 1943—Disposal of Public Park by the City of Onkaparinga.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. J.S.L. DAWKINS: I lay on the table the interim report of the Environment, Resources and Development Committee on mining oil shale at Leigh Creek.

STANDING ORDERS COMMITTEE

The Hon. R.I. LUCAS (Treasurer): I lay on the table the report, together with minutes of proceedings, of the Standing Orders Committee 1999, and move:

That the report be printed.

Motion carried.

TAXATION REFORM

The Hon. R.I. LUCAS (Treasurer): I seek leave to table a copy of a ministerial statement made by the Premier in another place on the subject of national tax reform.

Leave granted.

QUESTION TIME

SEAVIEW ROAD

The Hon. CAROLYN PICKLES: I seek leave to make a brief explanation before asking the Minister for Transport a question about speed zones on Seaview Road.

Leave granted.

The Hon. CAROLYN PICKLES: Back in April I raised the matter of inappropriate and inadequate signage on the new 40 km/h speed zone at Seaview Road, Grange. At the time, the matter was brought to my attention by a constituent—

The Hon. L.H. Davis interjecting:

The Hon. CAROLYN PICKLES: Just listen; it is another stuff-up. The constituent had been fined for doing 53 km/h in what she thought was a 60 km/h zone. Due to the inadequate signage, which Transport SA is responsible for, and the poor publicity in respect of the zone, my constituent was totally unaware that the stretch of road was re-zoned to 40 km/h in August 1998.

The Hon. Diana Laidlaw: Inadequate publicity by whom?

The Hon. CAROLYN PICKLES: It just says 'inadequate publicity'.

The Hon. A.J. Redford: Don't you know?

The Hon. CAROLYN PICKLES: Yes, I do.

The PRESIDENT: Order!

The Hon. CAROLYN PICKLES: Consequently, I wrote to the Minister for Police requesting that he look into the matter with a view to refunding or waiving fines that were incurred before corrective action was taken to re-position the signage and re-introduce the moratorium. I received a response from the Minister last week advising as follows:

> . . . expiation notices that have been issued prior to the changes to the signage in the area will not be withdrawn.

While this is a matter of great concern, the Minister also revealed that expiation notices issued earlier had to be withdrawn because:

> . . . after the moratorium, police commenced enforcement of the zone, mainly with speed cameras. However, it was discovered that Transport SA had omitted to gazette the changes as required by law.

My questions to the Minister are:

1. How many fines were paid by unsuspecting motorists before it was discovered that the fines had to be withdrawn?
2. What was the total revenue collected as a result?
3. When was the Minister made aware that Transport SA had failed to gazette the changes and, given that Transport SA is responsible for the approval of the speed zones and the signage, does the Minister concede that the situation could have been avoided if her department had managed to get it right the first time?

The Hon. L.H. Davis: It's a mountain of a question!

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: I had anticipated that the shadow Minister for Transport would ask a number of questions of national and State importance in terms of transport, but this is not one of them. I have written to a number of people who have corresponded with me on this subject advising that there would be an inspection of the signs. With the cooperation of Transport SA and the council the signs were re-located, and I have now been advised that they are in a more prominent place for the benefit of motorists. Certainly, I have visited the area on a casual basis to look at the situation, and there is no question that 40 km/h is the appropriate speed limit for the area. The council sought that speed limit. It did so under the guidelines for 40 km/h limits by providing Transport SA with advice about the community consultation it had undertaken. Transport SA gazetted the change.

Subsequent to that gazettal, which I recall happened at the same time as the gazettal of some 40 km/h limits in the Brompton-Bowden area, I withdrew the delegation I had earlier provided to Transport SA making it responsible for approving 40 km/h zones on local roads. I want to be very confident in my own mind that, as advised by the councils, the consultation that has been undertaken satisfies what I think the wider community would demand in respect of appropriate advice, feedback and support. We have learnt from this exercise regarding the prominence of the signs.

This is a council matter, and I would remind the honourable member that for many years councils have been concerned about speed limits in popular areas and along local roads. That is why there was such enthusiasm for speed humps some years ago, which ambulances, taxis, buses and many local residents did not like. So, the other approach, which was first formulated with a council by the former member for Unley, Mr Mayes, under the then Labor Government, was to trial this 40 km/h speed limit. I think it will be introduced gradually in those areas where there is strong community support for such an initiative. In answer to all the other questions, they are the responsibility of the Minister for Emergency Services, so I will seek his advice and bring back a reply.

EMERGENCY SERVICES LEVY

The Hon. P. HOLLOWAY: I seek leave to make a brief explanation before asking the Attorney-General a question about the emergency services tax.

Leave granted.

The Hon. P. HOLLOWAY: In today's *Advertiser* in relation to the emergency services tax the member for Colton states:

> If we sacrifice our aged community for the sake of income, I don't think we are being responsible. . . .I would fight on against it on their behalf.

On 11 May the member for Stuart told the media:

> My constituents can't afford to pay any more, many of them. And I do not care who I upset. . . because we were given clear undertakings when this was out to the Parliament that most people wouldn't be paying any more. . .

He continued:

> I, like Mitch [he was referring to the member for MacKillop], will be using whatever methods are available to me to make life somewhat difficult until some commonsense applies to this issue.

When the Emergency Services Bill was debated in Parliament last year the former Minister, Mr Evans, told Parliament on 22 July:

> We are picking up the same principle that is implemented under the system currently in place [he was referring to a fire insurance levy], and that is that concessions would not apply.

In opposing an amendment to introduce concessions on 27 August last year the Attorney-General told Parliament:

> The present Government has no intention of granting concessions, but maybe a future Government will offer it in the heat of an election campaign.

The Premier told the media last week:

I have always been of the view that pensioners deserve, needed, were entitled to some concession.

In view of all these comments, my questions are:

1. Does the Attorney now agree with the independent member for MacKillop and the Liberal members for Colton and Stuart that members were misled about the emergency services tax and that it is unfair? If not, why not?

2. In view of the Attorney-General's comments during the passage of the Bill which I just quoted, does the Government's announcement of pensioner concessions for the emergency services tax announced last week indicate that we are now about to enter an election campaign?

The Hon. K.T. GRIFFIN: The first point to make is that it is not a tax. Members opposite ultimately supported the Bill which passed the Parliament and which is now law.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: The Opposition did not oppose it: in fact, it supported the principle of it. One only has to look at the Act to see that it is clearly described as a levy. The basis upon which the levy is struck is quite clearly stated in the legislation and, frankly, suddenly to beat it up a few days before the budget is a demonstration of political opportunism.

Members interjecting:

The PRESIDENT: Order!

The Hon. K.T. GRIFFIN: One could expect that the Opposition might seek to have a little fun about this, but it really demonstrates that it can say one thing last year and another thing this year and treat it all with some frivolity. Members opposite acknowledged, both in government and in Opposition, that the current system, that is, the payment of levies on insurance, was unfair, so there had to be a better system.

This Government is the only one that has had the guts to grasp the nettle and bring in a comprehensive package of reform, because that package of reform relates to all emergency services. It relates not just to the Metropolitan Fire Service or the Country Fire Service but also to the State Emergency Service, the Volunteer Coast Guard, Surf Life Saving and those agencies which provide a rescue and emergency service to the community.

One of the things about those areas is that for so long there have been complaints and criticisms, particularly from those who might be supporters of the CFS or the MFS, that Governments have never put enough money into providing adequate equipment, uniforms and training for those people, particularly volunteers, to enable them properly to undertake their community responsibilities.

This levy will establish a fund—the Community Services Emergency Fund—under the Act we passed last year, and out of that fund there will be payments for things like training, uniforms and proper equipment—more than has ever been provided in the past. So, for the first time, those emergency services like the MFS, but to a more significant extent the CFS, the SES and volunteer organisations involved in rescue, will have a more likely guaranteed future and a better prospect of putting into effect proper administrative arrangements with which to deal with the provision of those services.

Members will know, if they reflect upon the legislation which they supported and passed through this House, that a Community Services Emergency Fund is established. Section 28 of the Act clearly restricts the way in which and the objects for which the money may be expended. We can look at it clearly. If the Government does not spend within the framework of what is allowed by the law, it is unlawful and can be subject to challenge. It can also be the subject of comment by the Auditor-General in his annual report or in a special report.

The provision for disallowance is in section 10(8) of the Act, and we will be bringing in an amendment to the Parliament. Hopefully honourable members will support it because, for those who have read it, no increase in the amount of the levy in subsequent years can be imposed unless the notice declaring the levy has the support of a resolution of the House of Assembly. We will amend that to include the Legislative Council—all right? So, no future Government can use it as a wealth tax unless it has control of both Houses or at least can gain the support of both Houses. And even then they have to amend the Act because it cannot be spent on just anything: it can only be spent on emergency services propositions and expenditure.

If members have read the Act and understand the way in which restrictions are imposed upon what Governments can and cannot do and the provision that requires the expenditure of the funds only on matters relating to emergency services, they will see quite clearly that the answer to the first question—which was whether there was any misleading—is clearly 'No.'

In relation to the second question, again the answer is clearly 'No,' we are not about to enter an election phase. That was quite a curious twist to the question. The fact of the matter is that as one comes to develop something as complex and significant as the emergency services levy one should remember that it is quite a radical reform into which all Governments in the past have not wanted to venture because of the potential for controversy. However, we have grasped the nettle and in the course of grasping that nettle concessions will be offered.

The Hon. P. HOLLOWAY: As a supplementary question, in view of that answer can the Attorney-General give an assurance that the emergency services tax will not raise any more income than was raised under the fire services levy on insurance premiums?

The Hon. K.T. GRIFFIN: The honourable member does not understand. I say again that it is not a tax. I come back to it. The honourable member knows that.

The Hon. P. Holloway: Levy, tax—it's all the same.

The Hon. T.G. Cameron: What would you call it?

The Hon. K.T. GRIFFIN: It's a levy.

The Hon. P. Holloway: Well, what's the definition of a levy—a tax?

The Hon. K.T. GRIFFIN: No, it's not.

The Hon. P. Holloway interjecting:

The PRESIDENT: Order! The honourable member has asked his question.

The Hon. T.G. Cameron interjecting:

The Hon. K.T. GRIFFIN: We'll come back to you on that. Let's face it: the levy which was imposed by insurance companies on their insurance accounts was a levy. No-one can say that was a tax—it was a levy, a charge. Just because the Government or the Parliament calls it a levy does not make it a tax. I imagine that I will have to answer more of these questions, and the honourable member will constantly call it a tax and I will constantly seek to refute that.

The honourable member will need to look carefully at the papers and the report that the Hon. Mr Evans published last year when he was Minister for Police, Correctional Services and Emergency Services to see that a number of items of

expenditure floated there are clearly on the public record—Government radio network costs, police and so on. I suggest that he reads the report and then looks carefully at Minister Brokenshire's statements made to the media today and that he reads the budget on Thursday. He will then have a much better appreciation of the scope of the levy and what it is proposed to expend it upon, and then he can come back and ask his questions.

ABORIGINAL HERITAGE

The Hon. T.G. ROBERTS: I seek leave to make a brief explanation before asking the Minister for Transport, representing Minister for Aboriginal Affairs, a question about Aboriginal heritage.

Leave granted.

The Hon. T.G. ROBERTS: Currently there is a dispute on the West Coast about a ministerial override that was made recently by the Minister in relation to—

The Hon. Diana Laidlaw: A ministerial decision.

The Hon. T.G. ROBERTS: A ministerial decision is probably a ministerial override in relation to this question. The *Advertiser* of 21 May contained a description and photograph of a sacred rock that Aboriginal groups want protected from granite mining on Eyre Peninsula. The rock has two names: it is known as Poondana Rock and also as Brazil Rock. In the *Advertiser* of 31 December 1998, on New Year's Eve, a public notice to comply with the Aboriginal Heritage Act 1988 was inserted, and I quote part of that public notice, as follows:

> I hereby give public notice that the Minister for Aboriginal Affairs has received an application for a determination pursuant to section 12, Aboriginal Heritage Act 1988, from the Department for Primary Industries and Resources in relation to Poondana Rock (also known as Brazil Rock) located north-west of Wudinna. The application seeks a determination whether or not Poondana Rock is an Aboriginal site in accordance with the Aboriginal Heritage Act.

The contents of that advertisement go on to meet the requirements of the Act in determining what is required in relation to comments and submissions to be made by Aboriginal people in accordance with the Act. The closing date for submissions listed in this advertisement is Monday 11 January at 5 p.m.

By any stretch of the imagination in dealing with any group or individual, a closing date so soon after the placement of the advertisement would be deemed probably to be unfair. My questions are in relation to the questions that have been placed before me by representatives of Aboriginal people in the area who are concerned that the process was not followed under the Aboriginal Heritage Act strictly to the letter of the law. They are certain that if the process was followed there would have been a different determination. My questions are:

1. Will the Minister make available all documents on which this decision is based?

2. What statutory authorisation is PIRSA seeking for ministerial approval to destroy a heritage site?

3. On what basis is PIRSA and the Minister acting?

4. Has the Minister consulted with the South Australian Aboriginal Heritage Committee or any other recognised heritage committee on this issue?

5. Does the Minister believe that the consultation period set for discussions with all stakeholders has been appropriate?

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

TRANSPORT, PUBLIC

The Hon. A.J. REDFORD: I seek leave to make a brief explanation before asking the Minister for Transport a question about public transport.

Leave granted.

The Hon. A.J. REDFORD: It has come to my attention that on Thursday 13 May at a meeting of the ALP SA Branch of the State Council—which I understand was not held in a telephone box—the following resolution was put to the meeting and carried unanimously:

> State Council calls on the ALP to adopt a policy of opposing further privatisation/outsourcing of Adelaide's public transport system and to commit itself to conducting a review in Government with a view to restoring the system to full public ownership.
>
> Further, State Council calls on the Parliamentary Labor Party to do all that is necessary to strengthen the position of TransAdelaide as a publicly owned public transport service provider.

I understand that the motion was moved by the left faction, of which the Hon. Carolyn Pickles is a prominent member. I also understand that since then, based on the movie *Back to the Future*, she is now being described in circles as the 'Michael J. Fox' of the ALP.

It is interesting to note some of the comments made by the Labor Party at the time that the Act came into force. The then shadow Minister (Hon. Barbara Wiese) acknowledged the importance of private ownership, and indeed said that private tendering was something that the previous Labor Government had considered and was embarking upon if it had won that election. Indeed, she said:

> It was not our intention to introduce wholesale competitive tendering but, rather, selective tendering in areas where another operator could provide a better or cheaper service which would complement the largely mass transit services that are well provided by the STA.

Indeed, there was no criticism of that. I remind members that in the 1970s it was the then Labor Government that bought out all private bus operators, and that it was not long afterwards that a Labor Minister said:

> With the benefit of hindsight, we could see that this strategy could provide only temporary relief.

In the light of this *Back to the Future* policy adopted by the ALP, my questions to the Minister are:

1. What will it cost to buy back the system to full public ownership?

2. What will be the ramifications of taking the private sector and local government out of the public transport system?

3. How does this resolution sit with the previous position of the ALP as enunciated by the Hon. Barbara Wiese?

4. Will the Government consider restoration of the whole system going back to public ownership; if not, why not?

5. If the ALP does get into Government, what does the Minister anticipate will happen to Serco employees who are currently privately employed?

The Hon. DIANA LAIDLAW: I thank the honourable member for his relevant series of questions. I was very surprised and interested to receive a copy of this motion. I understand that the Hon. Carolyn Pickles (as shadow Minister for Transport) is a member of the ALP SA Branch of the State Council and was probably present and voted for it.

The Hon. Carolyn Pickles interjecting:

The Hon. DIANA LAIDLAW: But did you know it was going to be moved?

The Hon. A.J. Redford: It was unanimous.

The Hon. DIANA LAIDLAW: It was unanimously passed. Did the honourable member know that it was going to be moved? My understanding of the State Council of the ALP is that a motion as far reaching as this, with its potential cost implications, would certainly have been passed by the shadow Minister, in this case the shadow Minister for Transport, and would never have been carried unanimously, let alone put, if the shadow Minister had not endorsed it. I would like to know what the policy of the ALP is on public transport. The only thing that is clear—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: There is no policy. The only thing that is clear from this resolution is that it was put for political purposes to woo back the rail, tram and bus union to the fold of the ALP. The ALP must be fairly desperate for membership and funds if it is prepared to be so cynical, I would suggest, with the work force of TransAdelaide, or to be so unscrupulous, I think, with the electorate in saying that it would be prepared even to contemplate buying back the contracts from Serco and Hills Transit and cancelling the whole—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW:—competitive tendering process and re-establishing TransAdelaide as the monopoly operator, as in the case of the former STA. The honourable member was in this place, but did not hold the responsibility she now has, and I would have thought that with those responsibilities she would act with more care and certainly not suggest to the work force that the ALP would be prepared, unless it has the dollars and can identify where it can get those dollars, to put the whole public transport system again under full public ownership; that is, at mid-contract buy back those contracts and then, at the same time, operate public transport services in this State.

It is important to note that, whether it be bipartisan or unanimous, the Democrats, the Hon. Nick Xenophon and SA First have all supported the Bills that went through this Parliament just last November in terms of amendments to the Passenger Transport Act. Those amendments deliberately precluded any monopoly situation again arising in the delivery of public transport services in this State. Just last November, the Hon. Ms Pickles in this place supported the fact that the public operator would not have a monopoly, and nor would a private operator. Then, as part of this desperate drive to gain membership, she is prepared to support a resolution before the ALP State Council suggesting to the work force that the Labor Party would be prepared to restore the system of public transport to full public ownership.

I know that she is also seeking the TWU's support for either the progressive Left or the Left (I am not too sure how many Lefts there are in the Labor Party at present—and another faction is being started as well), and I would like to know what she is saying to the TWU. The TWU actually covers the work force of Serco. Will the honourable member tell Serco workers that they would no longer have their jobs, that their contracts would be cancelled and that they would come under public ownership? I think members opposite are playing with the work force and certainly—

Members interjecting:

The PRESIDENT: Order!

The Hon. DIANA LAIDLAW: —being completely dishonest with the public. The public deserves to know what the ALP policy is and whether it is prepared to spend any money that it can find for public transport on buying up contracts rather than investing it in new services, information, upgrading of stations and extension of frequency of services as this Government has done. I would just like to repeat for the honourable member's benefit a statement she made last November when debating this passenger transport legislation and the amendment to preclude any monopoly supporting the future. She said that it was not her intention to inhibit TransAdelaide's competitiveness. I would like to know what are the honourable member's and the ALP's intentions today in terms of public transport delivery in this State.

Members interjecting:

The PRESIDENT: Order! There is a supplementary question.

Members interjecting:

The PRESIDENT: Order!

The Hon. T.G. ROBERTS: Does the motion that the Minister just read to the Council commence with the words 'Will review'?

The Hon. DIANA LAIDLAW: No.

Members interjecting:

The PRESIDENT: Order!. The Hon. Terry Roberts will resume his seat.

Members interjecting:

The PRESIDENT: Order! We have two members on their feet.

POONDANA ROCK

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Transport, representing the Minister for the Environment, Heritage and Aboriginal Affairs, a question about Poondana Rock.

Leave granted.

The Hon. SANDRA KANCK: Poondana, also known as Brazil Rock to local white people and Minymar to the Banggarla people, is known geologically as a bornhardt inselberg, although most people see it as an attractive granite outcrop between Minnipa and Wudinna on the Eyre Peninsula. Last Friday's *Advertiser* reported that the Environment Minister had authorised the 'disturbance and interference' of Poondana under the Aboriginal Heritage Act. Last week I had the opportunity to visit Poondana in the company of eminent University of Adelaide geologist, Professor Rowley Twidale, and his colleague, Dr Jenny Bourne.

I can inform the Council that Poondana is an impressive monument, sitting on the crown of a hill and offering magnificent views of the surrounding countryside. Whilst the rock is solid granite, a proliferation of slate and quartz tools at the base of the rock is evidence of regular Aboriginal visits over thousands of years. Local white people also visit the rock for picnics. It was a local landowner, Heather Scholz, who, last year, first alerted me to plans to mine Poondana. Heather has fought tenaciously to preserve what is an important recreational site for the district. I should also record that in the process she has suffered vitriolic personal abuse.

Professor Twidale is of the opinion that Poondana should be preserved. His assessment is that, whilst Poondana is not unique, due to its flared slopes and stepped morphology it is a significant geological structure. I doubt that the Minister is aware of these facts and indeed they are extraneous to the determination the Minister made under the Aboriginal Heritage Act. The Act requires the Minister to take such

measures as are practicable for the protection and preservation of Aboriginal sites, objects and remains.

A recent anthropological survey of the site discovered that Poondana is part of the Seven Sisters Dreaming and a significant cultural site for Aboriginal women. Aboriginal women from Whyalla, Port Lincoln, Coober Pedy and Adelaide contributed to this determination. The cultural significance of the site follows the Seven Sisters Dreaming trail from Western Australia through the Eyre Peninsula and into the Northern Territory. Yet, despite this detailed anthropological report, the Minister has relied on an earlier report based on the knowledge of a single, local Aboriginal man. My questions to the Minister are:

1. Will the Minister detail the reasoning that informed her decision to permit mining at Poondana, including her preference for a report written by a man about a woman's site?

2. What recommendations did Primary Industries and Resources SA make, and on what statutory basis were those recommendations made?

3. Has the Minister visited the site? If not, is she willing to visit the site in the company of appropriate geological and anthropological experts?

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

SOUTH AUSTRALIAN FILM CORPORATION

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Minister for the Arts a question about the South Australian Film Corporation.

Leave granted.

The Hon. CAROLINE SCHAEFER: Today's *Advertiser* has an article announcing that a film shot entirely in South Australia, *Siam Sunset*, yesterday won the Rail d'Or popularity award at the Cannes International Film Festival in France. In part, Ms Julia de Roeper from the corporation said:

> The spotlight has recently been fairly firmly on the South Australian film industry, bearing in mind the success of *Shine* a few years ago.

She went on to say that the film, which I believe was largely shot at Coober Pedy, was 'of great value in terms of regional development and tourism'. Will the Minister say what flow-on effects winning this award will have on the South Australian film industry and, in particular, what benefits flow to outback towns such as Coober Pedy in terms of tourism and the economy from film making in these areas?

The Hon. DIANA LAIDLAW: The honourable member has been very supportive in terms of the film industry and the benefits that can be derived for regional remote South Australia. I have no doubt that all members in this place would rejoice at the fact that *Siam Sunset* succeeded so brilliantly at Cannes yesterday in winning this popular work force award given by railway workers, who, in my experience, are a very discriminating lot of people in whichever country they live. This is a very significant award that has been presented and it will have major benefits for South Australia's film industry in the future and, in particular, in respect of this film which was made in Coober Pedy.

This was the first film that was funded through the initiative in this year's budget for the $1.5 million revolving fund. It will be a $3 million revolving fund benefit, as we will hear shortly. The $1.5 million provided for this rolling investment fund has been of enormous benefit already. A cash flow loan of $1.35 million was provided towards this film from that fund, and a further $200 000 was invested from the South Australian Film Corporation's investment funds. The company has told me that $756 000 was spent in South Australia at Coober Pedy in terms of hotels and living expenses—food and the like—by the crew while they were working in Coober Pedy. That is a huge injection of funds for that small community over such an intense period of filming.

The wider benefits are that 52 South Australian crew were engaged; there were nine cast members; and, as the honourable member noted, the worldwide exposure that this film will give to Coober Pedy, because of its success at Cannes yesterday, will be just enormous. It comes on top of *Priscilla*, which was also about bus travel and the outback, and other films. Not only will it project South Australia as a great location and in terms of the quality of our technical crew but it will give further encouragement to regional areas in South Australia to believe that there is enormous benefit from looking at locations and helping the film industry support activity in their region—for example, Eyre Peninsula with *Storm Boy* and *Heaven's Burning* at Ceduna. There is enormous potential for a lot of money to be injected into rural South Australia through the film industry.

The honourable member may also remember another film, *Holy Smoke*, that was recently filmed at Hawker. Although Hawker had been trying for many years to get satellite telephone communications, it was only because *Holy Smoke* was filmed there that its residents can now access mobile telephones, etc. So, there are extraordinary benefits to be gained from the investment that the South Australia Government is making in film. Certainly, the resurgence of activity in film and the great success that has come South Australia's way can be attributed to this more recent activity in film. The budget for the film overall was $5.5 million, of which approximately $2.48 million was spent in South Australia.

NATIONAL HIGHWAY ONE

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Minister for Transport and Urban Planning a question about the National Highway One junction near Port Wakefield.

Leave granted.

The Hon. CARMEL ZOLLO: During a recent visit to Yorke Peninsula I met with a number of constituents who again expressed concerns about the so-called crash corner on National Highway One. Motorists continue to find the junction near Port Wakefield confusing, resulting in over 10 accidents as well as the needless death of a young woman. I understand that as recently as last weekend there was another accident. My constituents made a number of suggestions for road improvements, including the construction of a dual carriage overpass at the junction and two merge lanes into Port Wakefield Road without bypassing Port Wakefield. The Minister indicated in March—

The Hon. Diana Laidlaw: Did you agree with those suggestions?

The Hon. CARMEL ZOLLO: As members of Parliament we have to listen to our constituents, and I think it is our place to put forward their suggestions. The Minister indicated in March in response to a question in this place—

The Hon. Diana Laidlaw interjecting:

The Hon. CARMEL ZOLLO:—well, you haven't been able to solve it as it is now—that Transport SA has commis-

sioned the Road Accident Research Unit, led by Dr Jack McLean, to report on the accident record and configuration of this section of the road. The Minister also stated that this report was due to be received by the end of March this year. My questions to the Minister are as follows:

1. Has the report from the Road Accident Research Unit been received?

2. If so, what were the conclusions and recommended changes?

3. In considering possible modifications to this intersection, has the Minister investigated a dual carriage overpass at the junction and two merge lanes into Port Wakefield Road in order to prevent further tragedy from occurring at this junction? I note that the Minister has said previously that she has consulted widely with the community.

4. If the report has not been received as yet, when does the Minister expect that it will be received?

The Hon. DIANA LAIDLAW: Certainly I was informed that Transport SA anticipated receiving this report at the end of March, but when I inquired again earlier this month I was told that Professor McLean had taken longer than anticipated (I hope that he is not being paid by the hour) and that it was due within the week. I anticipate that Transport SA now has that report. I will make some inquiries and inform the honourable member of its status, because certainly I am as anxious about this as the local member. The Hon. Carmel Zollo has asked a series of questions about this intersection over the past year and, like the Hon. Carmel Zollo, I, too, am keen to make sure that it operates as safely as possible.

The honourable member would know that some time ago—because it is on the National Highway system—studies were done and thought was given to a bypass road through Port Wakefield. The local community opposed it. As part of that bypass road, thought was given to constructing overpasses. I suspect that any future overpass at this site would be connected with a bypass road—not simply an isolated overpass at the intersection as suggested by the honourable member's constituent. But we will find out all the options in Professor McLean's report, and I am happy to provide that report to the honourable member when I have received it, looked at it and assessed the recommendations.

TREASURY BUILDING

The Hon. J.S.L. DAWKINS: I seek leave to make a brief statement before asking the Minister for Administrative Services a question about the old Treasury building.

Leave granted.

The Hon. J.S.L. DAWKINS: Some considerable time ago the Government announced that the old Treasury building would be converted into a hotel. Will the Minister say whether this project is proceeding and, if so, will he provide any additional information about this project?

The Hon. R.D. LAWSON: It is true that in 1995 the heritage-listed old Treasury building was put into mothballs because of its substandard physical and functional condition. It was no longer suitable for office use, was incurring very substantial maintenance costs and would have required up to $10 million to upgrade it fully. It was decided at that stage that the premises should be made available for development as an international heritage hotel of which a number of similar public buildings in other Australian cities have been devoted, for example, the old Treasury building in Sydney and the Treasury building in Brisbane. I understand that similar developments are planned in Perth.

A concept plan was developed and council approvals obtained. All planning approvals were obtained in June 1998. A consortium comprising Multiplex and Tuscan Hotel Investment Pty Ltd has further developed the project and is currently actively seeking funding for it. Its concept, which proposes a $20 million five-star hotel, would result in full building heritage restoration. It would offer up to 100 rooms and suites and a sympathetically incorporated former Cabinet room in the building.

It is a notorious fact that over the past couple of years the major developments in hotels in Australia have been in Sydney, owing to the Olympic Games. That development has had the effect of drawing hotel dollars away from other centres such as Adelaide. However, I am advised that the venturers are reaching a stage where they believe that they will be in a position to put forward a financially viable proposal which will lead to the development of the hotel project after about the middle of this year.

I should say that the exterior fabric and facade of the old Treasury building has continued to be maintained through the Heritage Unit of the Department of Administrative and Information Services. Any member who has walked past the building in recent times will have seen that the exterior has been appropriately painted and restored and that the building appears to be in good condition. I look forward to the time shortly when the old Treasury building will again be actively used and the hotel concept employed. It has obviously been a successful concept in other places and I have no reason to believe that it will not be successful in Adelaide.

SMALL BUSINESS, INTERNET

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Treasurer a question about small business and the Internet.

Leave granted.

The Hon. T.G. CAMERON: The May Yellow Pages Small Business Index report has found South Australian small businesses to be the slowest in the country to adopt the Internet—perhaps they followed Parliament's example! The report of 1 200 small business enterprises showed that only 32 per cent of South Australian small businesses were connected to the net, compared with the national average of 48 per cent. South Australia is well behind New South Wales and Victoria, which are above 50 per cent. The report also found that only 32 per cent of South Australia's small businesses used e-mail, compared with the national average of 43 per cent.

An ever increasing amount of business is conducted by e-mail through the Internet locally, nationally and particularly internationally, and it is obvious that many South Australian small businesses may be missing out on vital export opportunities. Given that this Government has spent the past five years promoting South Australia as the IT State, the Treasurer must be concerned over the low level of our small businesses connected to the Internet. My questions to the Treasurer are:

1. In view of the appalling figures, will the Treasurer consider undertaking an urgent review of why South Australian small businesses have been so slow compared with the national rate to take up the Internet and other IT tools?

2. Will he contact the various South Australian small business associations to get their views and possible solutions on this matter?

3. Will he look at preparing an education campaign to inform all small businesses of the economic benefits of being connected to the Internet and other IT tools such as web sites?

The PRESIDENT: Order! There is too much audible conversation in the Chamber.

The Hon. R.I. LUCAS: I thank the honourable member for his question and my colleagues for their advice and assistance during it.

The Hon. T. Crothers: I can give you a bit more assistance.

The Hon. R.I. LUCAS: I thank the Hon. Mr Crothers. I will take some advice from my ministerial colleagues, including the Minister for Industry and Trade and the Minister for Information Economy, the Hon. Michael Armitage, who is at the cutting edge on behalf of the Government in relation to these matters. I will take some advice from my learned colleagues and take up the issues that the honourable member has raised. I am sure that the Ministers with direct association with small business and industry would be concerned by some of the figures in that report. I am indebted to my colleague the Minister for Administrative Services, who whispered in the ear that the Hon. Mr Davis and the Hon. Caroline Schaefer were not whispering in at the same time.

An honourable member interjecting:

The Hon. R.I. LUCAS: They were assisting with my answer to this question.

An honourable member: Briefing you.

The Hon. R.I. LUCAS: Yes; they were briefing me. If I have interpreted him correctly, the Hon. Mr Lawson advises me that one of the economic development offshoots or benefits of the Government radio network contract with Telstra is that Telstra is in the process of developing a program which will partially tackle the issue that the honourable member has addressed, that is, better connecting small business with access to the Internet. I do not have at my fingertips all the detail of this program that the Minister has very quickly highlighted to me, but I will certainly seek information on that, and it may well be that this—

An honourable member interjecting:

The Hon. R.I. LUCAS: I will undertake to get that for the honourable member. It may well be that this is another significant by-product advantage of the significant investment that the taxpayers and the Government are making in the Government radio network; and one in which, if we can provide the detail to the Hon. Mr Cameron, he may have some interest and therefore be prepared to support. I will bring back a reply as soon as I can.

COFFIN BAY FISHERY

The Hon. IAN GILFILLAN: I seek leave to ask the Attorney-General representing the Deputy Premier and Minister for Primary Industries, Natural Resources and Regional Development a question about the harvesting of wild scallops and cockles.

Leave granted.

The Hon. IAN GILFILLAN: Coffin Bay is a unique part of South Australia, and it is valuable both as part of our environmental heritage and also as a resource for our fisheries industry. The waters of Coffin Bay are renowned for the oysters produced there, and tourist brochures say that it is a great spot for salmon and King George whiting. It is also the site of what I believe is one of only two commercial harvest grounds for wild scallops, the other being in Tasmania. It also used to be a productive area for cockles.

Only one person is licensed to take scallops commercially from the waters of Coffin Bay. I have not spoken to this person and have no information to suggest that he is doing anything illegal; in fact, quite the contrary, because he is doing precisely what he is licensed to do, and that is the point. He is licensed to take an unlimited amount of scallops from restricted waters in Coffin Bay. There are limits on recreational divers, of 200 scallops per diver or 400 per boat per day, yet there is no limit on the number which may be taken by the only commercial diver.

One of the people with whom I have been in touch is a professional diver from Port Lincoln who has been diving recreationally at Coffin Bay for almost 30 years. He informs me that the number of scallops in the bay dropped markedly after algal bloom problems three or four years ago. However, since that time the stock has not been allowed to recover and is now at the lowest level he has ever seen. He is of the opinion that the fishery cannot sustain the impact of both recreational and commercial harvesters and that the beds are becoming bare.

Another local has advised me that the situation with cockles in Coffin Bay is even worse. Cockles were in plentiful supply in Coffin Bay until the 1980s and are now almost totally depleted. Whereas 17 years ago one could collect a bucketful of cockles without even moving, one now has to cover several thousand square metres and still cannot get a bucketful. This person is of the opinion that licensing of the commercial harvest in the mid 1980s was probably a major contributing factor, but recreational fishers have also had a big impact in decimating the cockles. My questions to the Attorney-General and then to the Deputy Premier are:

1. What, if any, independent research has been done into the health and sustainability of cockles and scallops in Coffin Bay?

2. Why does the State's only commercial scallop fishery licence contain no limit on the number which may be taken from a restricted zone?

3. On what biological evidence was this decision taken?

4. Is it true, as has been alleged to me, that the only information the Government has ever acquired about this matter has been from the commercial industry itself?

The Hon. K.T. GRIFFIN: I will refer the questions to my colleague in another place and bring back a reply.

GAMBLING, INTERNET

In reply to **Hon. CARMEL ZOLLO** (10 March) and answered by letter on 14 April.

The Hon. DIANA LAIDLAW: The Minister for Recreation, Sport and Racing has provided the following information:

1. The Government has not adopted a policy position with respect to the control and regulation of Internet interactive home gambling, which is the subject of a Select Committee investigation by the Legislative Council.

2. The Government has been advised that it does not have the power to issue a gambling licence to TeleTrak pursuant to existing legislation, and it is awaiting clarification by TeleTrak of precisely what approval it wishes to seek from Government.

OUTBACK TELEVISION COVERAGE

In reply to **Hon. CAROLINE SCHAEFER** (16 February) and answered by letter on 9 April.

The Hon. DIANA LAIDLAW: The Minister for Recreation, Sport and Racing has provided the following information:

The Office for Recreation and Sport has spoken to Telecasters Australia, the parent company of Seven Central, the broadcasters of

AFL to remote South Australia. As a result of this discussion the Minister for Recreation, Sport and Racing has been advised that most people in remote South Australia are currently receiving two channels, Imparja and the Australian Broadcasting Commission.

The decision by the Australian Broadcasting Authority to extend licence areas for commercial broadcasters and the movement of all broadcasters to a digital satellite platform means that people in remote South Australia will be able to receive four channels, the ABC, SBS, Channel Seven and Imparja through a single decoder system.

To receive the four channels most households will need to have a digital decoder. Households swapping from an analogue system to a digital decoder will need to pay approximately $250 as the digital decoder costs about $1 000, less a Federal Government rebate of $750.

Imparja has previously telecast the AFL. This will now be telecast by Channel Seven to remote South Australia ie Channel Seven will carry the programming of the Seven Network and Imparja will carry the best of the Channel Nine and Ten Networks plus their own programming content.

Households, which currently do not have an analogue reception system, are now receiving no television services at all where there is no rebroadcast transmitter. Analogue systems are being phased out now. Hence, if Imparja continued to telecast the AFL, households would still need to purchase a digital decoder.

In some communities, for example, Coober Pedy, Ceduna, Roxby Downs and Woomera, Imparja has had a rebroadcast transmitter. This has meant that individual households have not needed a household reception system.

By mid April, Telecasters Australia, the parent company of Seven Central (AFL broadcasters) will have installed rebroadcast transmitters in towns of this size. Consequently, households in these towns will not need a digital decoder.

Some small communities, of which there are approximately 30 in South Australia have banded together and purchased a rebroadcast transmitter for a cost of approximately $10 000—$15 000. This negated the need for household analogue decoders.

It is possible for these current transmitters to be retuned in order that they pick up other channels, eg Seven Central. However, these transmitters will still only provide two services.

In reality there is no need for anybody who was receiving the AFL by Imparja not to be able to receive the AFL via Seven Central by mid April.

The inconvenience of not receiving the AFL until mid April is offset by the fact that these households will be able to receive four channels instead of two.

The Minister for Recreation, Sport and Racing notes that from a joint media release on 18 March 1999 from Senator the Hon Richard Alston and the Hon John Anderson that the (Federal) Government will provide assistance through the Television Fund, a Coalition election commitment, financed from the proceeds of the sale of the next 16.6 per cent of Telstra, to all community groups in remote Australia who currently operate self-help retransmission facilities.

The subsidy will cover two thirds of the cost of an additional transmitter and satellite decoder. This assistance reflects the (Federal) Government's strong and ongoing commitment to regional Australia, and is additional to the $11.2 million assistance package to remote area communities to help meet decoder replacement costs associated with the conversion of remote area broadcasting services to digital transmission.

The release also advised that existing self-help communities in remote areas, who have already purchased an additional transmitter and decoder to obtain the second commercial television service, would also be eligible for reimbursement from the Television Fund.

MARINE PARKS

In reply to **Hon. T.G. ROBERTS** (16 February) and answered by letter on 9 April.

The Hon. DIANA LAIDLAW: The Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development and the Minister for Environment and Heritage have provided the following information:

The Government made it very clear in September 1998, with the release of 'Our Seas and Coasts—A Marine and Estuarine Strategy for South Australia', that it is committed to achieving clean, healthy seas, truly sustainable marine resource use and conservation of biodiversity and heritage. The Strategy recognises that the whole community has a stake in the condition and future management of the marine environment. Also acknowledged is the need for better understanding of ecosystem processes and habitats in order to maintain our marine natural heritage and the economic value of its resources.

The Government sees the protection of marine biodiversity as fundamental to the long-term sustainable use of marine and estuarine resources. However, while the Marine and Estuarine Strategy commits to the establishment of a system of marine protected areas, the Government is also mindful of the necessity for there to be a management balance between biodiversity protection, sustainable commercial and recreational fishing, aquaculture, mining and tourist industries and other community interests in the marine environment.

The strategy includes reference to a system of marine parks in South Australian waters, a system which is part of a national program and which the Government is committed to through the Intergovernment Agreement on the Environment (IGAE).

The key State agencies involved in this strategy, the Department of Primary Industries and Resources (PIRSA) and the Department for Environment, Heritage and Aboriginal Affairs (DEHAA) are working together to begin implementation of the strategy. In the meantime, both agencies are working with the Australian and New Zealand Environment and Conservation Council (ANZECC) to participate in the national program. This program does not intend to override any State process, rather it seeks to integrate State-based activities in a national framework.

The agencies have received funds from the Natural Heritage Trust to develop a strategy for marine parks in South Australian waters. That process is yet to commence and until it does, the Government has no papers or plans before it in relation to marine parks. Once the process begins, it will be open to full and frank consultation to ensure that all stakeholders have an opportunity to not only express individual views, but also to fully appreciate the complex nature of managing multi-use marine ecosystems.

The recent move by the Conservation Council of South Australia to nominate marine areas for wilderness protection has done nothing to help marine parks. Instead of developing a dialogue with the various stakeholders, including the fishing industry, the nomination has been received as confrontationist and has evoked the logical response from the fishing industry. It is unfortunate, as it will now be even more difficult to get the key stakeholders around the table.

TORRENS RIVER

In reply to **Hon. T.G. ROBERTS** (17 February) and answered by letter on 9 April.

The Hon. DIANA LAIDLAW: The Minister for Environment and Heritage has provided the following information:

The Torrens Catchment Water Management Board finalised a comprehensive catchment water management plan for the Torrens catchment in May 1997. The plan was developed under the requirements of the *Catchment Water Management Act 1995*. That Act focussed on surface water resources and in particular, on water quality issues. This plan therefore focussed on water quality improvements within the catchment and identified a wide range of strategies and actions to implement the plan. Many of the actions identified in the plan were already being undertaken by the Board. The plan made provision for funding of the strategies and actions for the five year planning period 1997-2001.

Subsequent to the plan being approved, the *Water Resources Act 1997* came into operation. This Act required catchment water management plans to address a much wider range of issues than the *Catchment Water Management Act 1995*. The Torrens Catchment Water Management Board has commenced the preparation of a new comprehensive catchment water management plan, which will provide for the management of all water resources in the catchment. The Board aims to have the plan completed early in 2000. During the development of this new plan all the strategies and actions in the current plan will be reviewed.

With regard to the Torrens Lake, the Torrens Board together with the City of Adelaide developed the Torrens Lake and Environs Strategic Plan in 1996. This plan identified a range of actions required and an associated timeframe for undertaking the actions. The dredging of the Torrens Lake was a fundamental part of this plan. The Torrens Lake has been acting as a very large silt trap and the sediment removed had accumulated over the previous 60 years, with much of the recent load coming from upstream erosion along the River Torrens within the Linear Park in the period 1992-96. This major source of sediment has been removed with $0.5 million being

spent in 1997 by the State Government to repair and stabilise the damaged areas in a manner that will minimise future erosion at those sites.

Other previous major sources of sediment have been the quarries situated in the foothills. Under the *Environment Protection Act 1993* the quarries are required to have settlement basins to remove sediment from off-site discharges. Another likely previous source was the market gardens abutting the river at Athelstone. This area is now developed for housing and there are virtually no market gardens left.

FRINGE FESTIVAL

In reply to **Hon. CAROLYN PICKLES** (25 March) and answered by letter on 14 April.

The Hon. DIANA LAIDLAW: In response to the honourable member's question regarding the issue of an annual Fringe Festival, I provide the following information:

There have been no discussions with the Fringe regarding this idea, or its viability, either by Arts SA staff or myself.

The Director of the Fringe has advised that the issue of an annual Fringe Festival is raised by the media from time to time and the recent comments were in response to one such query.

MENTAL HEALTH

In reply to **Hon. SANDRA KANCK** (11 February) and answered by letter on 13 April.

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

1. The Assessment and Crisis Intervention Service (ACIS) has been in operation for two and a half years. The ACIS teams were established following a clearly articulated need from consumers, police, carers, GPs and other key players who wanted a more local and responsive service. They are currently developing an understanding of the demands for services and how best to meet them. Regions are starting to examine the fit between ACIS and other community based treatment teams such as the Mobile Assertive Care Teams and the Continuing Care and Consultation Teams.

ACIS is one part of a total service system, and must be linked to emergency departments, inpatient services, mental health community treatment teams and other community services.

As in all areas of mental health there is a high level of demand. Managing that demand and achieving good outcomes for consumers is dependent on a range of related activities, including training for Emergency Department staff, GPs and Police, and appropriate community supports for people with chronic and complex conditions and the availability of inpatient services.

Within future resources, these activities must be addressed to assist the operation of ACIS. The Minister for Human Services has taken a case to Cabinet to highlight the increase in demand. The matter is being considered in the Budget context.

Since 1994-95 there has been more than $20 million increase in mental health funding. $5 million was earmarked in 1998-99 to support acute and emergency inpatient services.

2. Figures for total contacts and call outs (or off site contacts) have been collected for the ACIS teams since 1996. Given that teams did not start at the same time the information for this year is the most reliable. (There were some difficulties with data collection in the east.)

The data shows in general terms the number of recorded service contacts within the ACIS teams increased by about 70 per cent from 1996-97 to 1997-98. For the first half of the present financial year the figures appear to have stabilised at the 1997-98 level.

Total Contacts

	1996-97	1997-98	1998-99 (to date)
North	2810	5953	2316
West	636	3671	1954
South	2146	4803	1882
East	2846	208	1509
	8438	14635	7661

Off site contacts or call outs shows a similar pattern with an increase in activity from the first to second year and a stabilisation in the third year of operation.

Off Site Contacts

	1996-97	1997-98	1998-99 (to date)
North	1139	2452	908
West	322	3182	1239
South	1866	4137	1687
East	198	55	606
	3525	9826	4440

Only general conclusions can be drawn from these figures as recording methods and practices have only just begun to develop in a similar way across services. This is not unusual for services in only their third year of operation.

Nevertheless, it is clear the ACIS teams are providing an important contact for a significant number of people.

3. On discharge from hospital a mental health community treatment team is one of a number of options which may be taken up in the normal course of events. People are discharged to the care of their GP or private psychiatrist, or their family, as well as to community mental health treatment teams.

Community treatment teams attempt to be as flexible as possible and to meet all demands, but unfortunately are not always able to meet each person's needs immediately. In those cases, often the discharging inpatient unit will follow up a person until a community team is able to adequately meet their needs.

Nevertheless, the Minister for Human Services is aware of the problems that some people face. This issue is being examined as part of the Department of Human Services Implementation Steering Committee process following the Mental Health Summit.

Services were developed on a regional basis to assist in providing continuity of care for people who need care over longer periods.

4. Instances where regional boundaries hinder the delivery of appropriate services are of concern. The Department of Human Services is developing a system where a person is able to choose to use a service which best meets their needs, irrespective of the regional boundaries.

WASTE MANAGEMENT

In reply to **Hon. SANDRA KANCK** (16 February) and answered by letter on 14 April.

The Hon. DIANA LAIDLAW: On 16 February 1999, the honourable member stated that the Assessment Report for the Inkerman Landfill indicates that no barley is grown in the area, and yet there is barley grown in the area.

The purpose of the Assessment Report is to provide an assessment of the proposal. Information contained in the Assessment Report is collected from a wide variety of sources including Government agencies, the proponent and submissions from the public.

In relation to the particular issue raised by the honourable member, I am advised that in December 1995 the adjoining landowner advised in his submission that he grew hard wheat. Although it is acknowledged that crop rotation is a normal agricultural practice, seasonal variations to crops in the vicinity of the proposal were not brought to the attention of Planning SA or the Environment Protection Authority.

The Assessment Report commented on the possibility of dust contamination of cereal crops in general, irrespective of variety.

In addition, both the Australian Wheat Board and Australian Barley Board were consulted on this matter and neither group expressed opposition to the proposal.

The honourable member also stated that the Wakefield Plains Council has offered a site at Everard for landfill purposes.

The site to which the honourable member refers is at Everard, which is about 150 km north of Adelaide. The key issue that would need to be considered is the overall suitability of the Everard site as a landfill.

It is the responsibility of the private sector waste industry to find and evaluate sites it would consider suitable for its needs. By the Council's own admission there has been no interest in the site from the waste industry, after three years of promoting the site.

OLIVES

In reply to **Hon. M.J. ELLIOTT** (23 March) and answered by letter on 9 April.

The Hon. DIANA LAIDLAW: Olive orchards are recognised by the Government as an industry with potential to contribute significantly to economic growth in the primary industry sector. However, as the honourable member has pointed out, olive orchards have particular impacts—mainly to do with the spread of feral plants, fire hazard and water consumption—requiring careful attention to

design, siting and operation, particularly in close proximity to large areas of native vegetation.

In this context, the State has certainly given—and continues to give—special consideration to the planning framework for olives. There are four initiatives currently in train.

Firstly, the Animal and Plant Control Commission has prepared a draft set of risk management guidelines for olive orchard proposals. This document provides a valuable development assessment resource for Councils when acting as planning authorities.

Secondly, Planning SA is liaising with other key agencies to prepare a draft Planning Practice Circular for the information of all Councils. The circular will assist councils by clarifying relevant assessment issues, processes and information sources that are available to Councils. The circular, together with the Commission guidelines, should appreciably assist councils in discharging their assessment responsibilities.

Thirdly, Development Plan policy issues affecting olive orchards will be addressed within the forthcoming draft Rural Development Planning Bulletin being prepared by Planning SA in consultation with other key stakeholders. The Bulletin will provide a consistent 'benchmark' upon which I will expect any future Council-initiated Plan Amendment Reports to be based. I envisage that this Bulletin will be released for public comment in April.

Finally, Planning SA will continue to liaise with other key agencies to consider any further planning or other initiatives that may be required in order to address the issues.

I am advised that this approach is considered sufficient to ensure the required quality and consistency of assessment and policy, which depends greatly on the particular characteristics of each local area. In this context, Councils have a key role in dealing with proposals and framing policies, with the State assisting by providing information and expertise.

I note the honourable member's specific concern regarding the recently authorised Development Plan for the Tatiara Council area. I understand that the Environmental Defenders Office has made representations to Parliament's Environment, Resources and Development Committee seeking to alter the Plan in response to concerns about olive orchards. The Committee has the ability to recommend that I alter the plan, and will advise me of its views in due course.

NATIONAL HIGHWAY ONE

In reply to **Hon. SANDRA KANCK** (9 March) and answered by letter on 13 April.

The Hon. DIANA LAIDLAW: The cost of reconstructing the National Highway junction just north of Port Wakefield was $1 275 000. Work was completed in March 1998.

The option of an overpass was considered at the planning stage of the project. However, with the possibility of future development of a bypass of Port Wakefield, which could make the junction redundant, it was not considered to be an economically viable option.

The number of persons killed or injured in crashes reported at the junction since 1990 is as follows—

Year	Fatalities	Persons Injured
1990	0	1
1991	0	4
1992	0	2
1993	0	0
1994	0	0
1995	0	3
1996	0	0
1997	0	0
1998 (to March)	0	0
New Junction Layout		
March-August 1998	0	5
September 1998-March 1999	1	3

WETLANDS

In reply to **Hon. M.J. ELLIOTT** (4 March) and answered by letter on 27 April.

The Hon. DIANA LAIDLAW: The Minister for Environment and Heritage has provided the following information:

1. South Australia has four wetlands of international importance; Bool and Hacks Lagoons in the South East, "The Riverland" upstream of Renmark on the Murray, The Coorong and Lakes Alexandrina and Albert on the Murray Mouth, and Coongie Lakes in the Cooper Creek.

Planning for Ramsar areas is not a simple process because it involves detailed community consultation and discussion. The management plan for Bool and Hacks Lagoons is one and the same as the National Parks and Wildlife management plan for Bool Lagoon Game Reserve and Hacks Lagoon Conservation Park as the Ramsar wetland boundary is common with the park boundaries. Also 'The Riverland' wetland has a plan that is current and comprehensive incorporated within the plan for the Bookmark Biosphere which encompasses these wetlands.

The management plan for the Coorong and Lakes Alexandrina and Albert Wetland is in advanced draft form after completing discussions with community groups. The management plan for the Coongie Lakes Wetland is being drafted to include comments from relevant community and stakeholder participants of a workshop held on 24 March 1999.

The Government would like to have drafts of these two places available for public comment in the near future.

2. The State Government's undertaking was to investigate areas to assess suitability for nomination. This undertaking is a priority for the Department for Environment, Heritage and Aboriginal Affairs once the management planning process for the above two wetlands is complete.

3. This will depend upon the outcome of whether or not areas are suitable for nominations.

4. In South Australia the Wetlands and Wildlife Trust has developed a proposal to nominate privately owned areas of the Upper South East—the Watervalley Wetlands as a Ramsar Wetland. The Commonwealth Government will proceed with this after receiving agreement from the South Australian Government as per the protocols in the IGAE. The Department for Environment, Heritage and Aboriginal Affairs is currently organising comment on this proposal from the various bodies, boards and Local Governments with an interest in the area.

5. The Government is committed to the development of Catchment Water Management Boards whose charter incorporates the conservation of wetlands with their other obligations. Four boards have been developed that cover the Mount Lofty Ranges and these have or are commencing significant on ground projects.

In addition, the Government is supporting activities of the Mount Lofty Catchment Centre in the coordination of projects under the Natural Heritage Trust that address landcare, bushcare and rivercare, all of which have significant benefits for Mount Lofty's wetlands.

JULIA FARR SERVICES

In reply to **Hon. SANDRA KANCK** (4 March).

The Hon. R.D. LAWSON: In addition to the answer given on 4 March 1999, the following information is furnished:

The Government is aware that the Board and management of Julia Farr Services are concerned about their financial situation. It is also acknowledged that there has been a program of reforms and savings to address the budget situation. It is further understood that although there has been a significant reduction in the number of clients that Julia Farr Services has been responsible for, this has levelled out over the last three years.

Julia Farr Services' net financial position is the result of a number of factors, such as the various sources of revenue including the State Government, the Commonwealth Government, and clients, as well as their cost structure, covering both direct service costs and other costs.

I can confirm the advice I provided earlier that as far as the actual base allocation from the State Government is concerned, there has been no cut. This can be shown from their allocation as follows:

	1996-97	1997-98	1998-99
Allocation	$23.9m	$24.3m	$24.6m

As you know, approval was provided for Julia Farr to spend a further $938 800 in 1997-98 because they had not been able to control an overspend. This was not part of their allocation.

You may also be aware the 1998-99 allocation includes a reduction of $938 800 as a repayment of the 1997-98 deficit. Even after this reduction, there has been the small increase in their allocation to 1998-99 as shown in the figures above. This was achieved because of positive adjustments to their allocation such as Award Funding ($769 000) and revised revenue estimates (adjusted downwards by $2.7 million, resulting in an increase in the allocation).

Julia Farr Services 1998-99 allocation also includes a savings requirement of $2 million. This savings requirement relates to savings identified within the KPMG report 'Review of the financial

performance of Julia Farr Services' which suggested that up to an additional $5 million of savings was potentially achievable from JFS from 1996-97. The intended use for any savings has always been for redirection into community based services as part of the Change Strategy.

The Government, through the Department of Human Services, will continue to work with Julia Farr Services to address the budget situation so that they can continue to provide quality services.

TAFE, DISABILITY SERVICES COURSES

In reply to **Hon. R.R. ROBERTS** (10 December 1998).

The Hon. R.D. LAWSON: In addition to the answer given on 10 December 1998, the following information is furnished:

The Department of Education, Training and Employment has reinstated all programs initially proposed for reduction for term 1, 1999, pending the outcome of a review of targeted programs for people with a disability.

The review will include consultation with the schooling and Adult and Community Education sectors (ACE) to facilitate the appropriate progression of students between programs and will make recommendations for future courses by the end of 1999.

TAFE SA is looking to implement innovative employment preparation programs in 1999 in line with directions foreshadowed in the Australian National Training Authority (ANTA) draft National Disability Strategy. Until funding becomes available for these programs during 1999, TAFE will continue to deliver some lower level literacy (CPE Stage 1) courses.

TAFE will continue to encourage people with a disability to study in mainstream courses where they meet the entry criteria. TAFE SA staff will also work on an individual basis with affected clients to assist them in exploring their options and will assist in making appropriate transition arrangements for each client to existing or new employment preparation courses, or to community provision.

In 1997 TAFE SA was above the national average for participation rates of people with a disability (4.6 per cent as compared with a 3.5 per cent national average). Since 1994 the number of students with a disability in TAFE SA vocational programs has increased by approximately 25 per cent.

MOTOROLA

In reply to **Hon. P. HOLLOWAY** (9 February).

The Hon. R.D. LAWSON: Further to the material provided on 9 February 1999, I advise the House that:

1. The question states that the Government Radio Network Contract (GRNC) was 'originally forecast to cost between $150m and $200m.' This is a false assumption. In an Estimates Committee, the Treasurer gave those amounts as what he described as 'a ball park figure'. The Treasurer did not purport to give a comprehensive or considered estimate of the total projected costs of the GRNC over the 7 years of its operation.

The current estimate of costs includes:

- hedging the State's pre-contract foreign exchange exposure;
- developing and running a billing system within Government for the use of the Network;
- the provision of contingency costs over the seven year life of the contract;
- leasing radio sites;
- installation and maintenance of terminal equipment; and
- replacement of existing agency terminal equipment.

2. In 1992, the New South Wales Government signed a contract with Telstra to establish a government radio network in that State.

As part of that bid, Telstra proposed the use of Motorola trunking equipment, and in doing so, negotiated a competitive pricing structure with Motorola. The New South Wales contract made provision for the purchase of equipment by other States in accordance with standing State and Commonwealth arrangements. This process has been described as 'coat tailing'.

After an in depth analysis of the process, the South Australian Government took advantage of these provisions.

Officers from the South Australian Government including the Department of Information Industries and State Supply visited New South Wales in December 1995 and reported that the New South Wales Government had sought advice from the Independent Commission Against Corruption when evaluating the tenders received, and that an Independent Review Committee comprising senior executives from the private sector and an independent lawyer had reviewed final recommendations submitted to the NSW State Contract Control Board.

The South Australian officers formed the view that the New South Wales Government tendering process was fair, equitable, provided commercial outcomes and was capable of withstanding scrutiny.

In his recent report on matters pertaining to Motorola, Mr J. Cramond stated that:

'The evidence I have read, . . . satisfies me that the process (coat-tailing) was not to the disadvantage of the State. Indeed, it achieved a beneficial price structure for the equipment which it might otherwise not have achieved.

HOME PROTECTION

In reply to **Hon. G. WEATHERILL** (11 March).

The Hon. R.D. LAWSON: In addition to the answers given on 11 March 1999, the following information is furnished:

There are a number of organisations that are currently providing personal alarms to people in South Australia. On the whole they provide a 24 hour, 7 day a week personal monitoring alarm which enables voice contact or a pendant and/or wrist bracelet with an emergency button.

The Association of Social Support Monitoring Services was established to develop a code of practice for the evolving role of Personal Response Technology as a tool in the management and coordination of care services in the community. The Association has used the Home and Community Care (HACC) National Standards as a starting point for this development. The Association has also instigated a review of the Australian Standard AS2999 which relates to the application of personal response technology.

The HACC program does not provide funding for the provision of personal alarms.

An indicative range of personal alarms and security devices available in South Australia is as follows:

· Red Cross

Provide personal alarms with a service which is 24 hours, 7 days per week.

It is a bracelet or pendant worn by the person which enables access to the service from the property and from within 60 metres of it.

Costs—

Lease: $100 (one off); $28 per month monitoring fee.

Purchase: $400 with a monthly monitoring fee of $18

A once off connection fee of $70 is payable on both leasing and rental arrangements

· Vital Call

Pendant style personal alarm.

24 hour, 7 day per week service

Costs—

Lease only, $1 for installation, with an annual monitoring fee of $360.

It is said that this system will operate even if phone is off the hook.

· Doctor Safety Line

Pendant style personal alarm

24 hour, 7 day per week service

60 meter distance, and will work if phone off hook.

Costs—

One off installation $70

Rent: $10 per month plus $20 per month monitoring

Purchase: $395 (includes installation) and $20 per month monitoring

· South Australian Ambulance Service

Pendant style personal alarm

24 hour, 7 day per week service

Call back voice contact; will send an ambulance. No charge out fee if it is a false alarm.

Costs—

Installation: $100

Purchase: $370 plus $25 per month monitoring fee

Rent: $40 per month including monitoring fee

· Adelaide Central Mission ('Constant Care')

Pendant style personal alarm

24 hour, 7 day per week service

40 metre distance

Costs—

Installation: $60

Purchase: $400 plus $23 per month monitoring fee

Rent: $37 per month including monitoring fee
Pensioners referred from Domiciliary Care Services
Installation $50
Rental only $29 per month
Currently 70 to 80 per cent of clients are pensioners.

BELAIR NATIONAL PARK

In reply to **Hon. M.J. ELLIOTT** (9 March) and answered by letter on 20 April.

The Hon. DIANA LAIDLAW: The Minister for Environment and Heritage has provided the following information:

1. The area of Eucalyptus leucoxylon grassy woodlands remaining on the Adelaide Plains and in the Mount Lofty Ranges is very limited. Estimates put the remnant areas at between 0.5 per cent and 1 per cent on the plains. In the Mount Lofty Ranges it is estimated that 2000 ha of the woodlands remain, frequently associated with Eucalyptus viminalis.

2. Belair National Park contains approximately 250 ha of this Eucalyptus leucoxylon/Eucalyptus viminalis grassy woodland, none of which is at risk from proposed development.

3. The honourable member's question presumes an answer to his question which is contrary to the facts.

GEOTHERMAL ENERGY

In reply to **Hon. SANDRA KANCK** (11 March).

The Hon. K.T. GRIFFIN: The Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

Geothermal energy is a significant potential source of energy in South Australia. Its successful exploitation depends on success in research into conversion of geothermal energy into electricity as well as success in exploring for suitable deposits of 'hot rock'.

Currently in South Australia there is no legislation controlling the management of the allocation of rights to explore for or exploit geothermal energy. However, rights to explore for and develop geothermal energy are proposed in the Petroleum Bill 1998.

Currently the best known potential geothermal area in the state is the Nappamerri Trough in the Cooper Basin. This covers an enormous area approaching 4000 km². The Trough is potentially capable of supporting a number of competing geothermal exploitation facilities. It is important for the future competitiveness of geothermal energy that we do not award all of a potential geothermal province to only one or two companies.

Public discussion of the Petroleum Bill has focussed on proposals to couple geothermal rights with those for petroleum exploration and production. Public comment on the proposal has led me to require a public discussion paper specifically on geothermal rights to be issued. The results of the consultation process will be taken into account in finalising the Bill prior to its tabling in Parliament.

My objective is to ensure the management of the award of geothermal rights is the best possible for the future sustainable exploitation of this energy resource in the State.

AUSMELT TECHNOLOGY

In reply to **Hon. J.F. STEFANI** (24 March).

The Hon. K.T. GRIFFIN: The Deputy Premier and Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The State Government's obligation under the original Joint Venture was to undertake exploration on tenements held by the State to delineate sufficient iron ore resources to sustain a commercial pig iron project.

The State Government so far has contributed $250 000 as a cash contribution, together with expenses incurred for exploration of iron ore resources south of Coober Pedy in the vicinity of Hawkes Nest. This exploration was undertaken by the Department of Mines and Energy, now part of the Department of Primary Industries and Resources (PIRSA) at a cost of $2 158 822 made up of $1 642 822 for drilling, analytical charges and associated costs, $330 000 as a salary component with a further estimated $180 000 for support and overhead charges.

In a separate agreement the State Government has made provision to provide an additional A$750 000 to be targeted principally at further definition of the South Australian iron ore prospects.

2. Firstly, I wish to correct comments which appeared in The Australian Financial Review on 12 March 1999. The State Government is not supplying 800 million tonnes of iron ore to either the commercial plant or the pilot plant to be constructed at Whyalla. The State Government has granted SASE Pty Ltd an Exploration Licence (EL) over an area south of Coober Pedy containing a resource of approximately 800 million tonnes of iron ore to continue further evaluation of the iron ore resource.

The value in dollar terms of iron ore cannot be determined with any accuracy until a detailed mining and feasibility study has been undertaken with respect to the utilisation of the iron ore.

3. The long term benefits to the State of a commercial pig iron plant south of Coober Pedy are substantial.

This is an important project for South Australia in terms of its capacity to generate wealth and jobs for the State, firstly, with the demonstration plant to be constructed at Whyalla and secondly, with the commercial plant in the north of South Australia.

If the production of pig iron for sale on export markets proves successful it opens the opportunity for Stage 2 of the project, which envisages the addition of steel works to take advantage of a hot metal supply to produce steel slab and other products. Stage 3 of the project could see the addition of a major power generating facility to take advantage of the co-generation potential.

EMERGENCY SERVICES LEVY

In reply to **Hon. J.F. STEFANI** (9 March).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services And Emergency Services has been advised of the following information:

Legislative changes within the Emergency Services Funding Act 1998 removes the statutory obligations of Insurers and Councils to contribute to the fire services as of July 1, 1999. In effect there will be no insurance company contributions to the fire services and thus no insurance premium based fire service levies applicable for the period after July 1, 1999. Insurance companies that insure property in South Australia, make contributions to the fire services based on a formula that includes premium income volume within various property insurance sectors. In this respect few property insurance types avoid making some contribution to either the CFS or MFS. The premium fire levies recommended by the Insurance Council of Australia to member companies account for these differences in setting the range of rates. Currently these levies are as high as 48 per cent of premium on a fire and consequential loss MFS policy.

The Emergency Services Funding Act 1998 has transitional arrangements that require insurance companies (insurers) to reimburse to policy holders any amount of $10 or over that an insurer has received or recovered in respect of the insurer's purported liability under the Country Fires Act or SA Metropolitan Fire Service Act from a policy holder for any period occurring after 30 June, 1999. The majority of insurers have already commenced to reduce their premium fire levies on a pro rata basis so that refunds will not be required. However in the absence of this method, an insurer may need to provide direct refunds to policy holders. The responsibility for such refund payments is with the insurer, the fire services receive no contributions after June 30, 1999, thus the government has no involvement in providing refunds. A policy holder may recover an amount due by an insurer of $10 or more as a debt.

It is understood that brokers directly represent insured parties and thus should similarly seek the appropriate refunds of those amounts from insurers as provided by the Emergency Services Funding Act 1998.

Where refund amounts are less than $10, and the pro rata approach has not been taken by an insurer, these amounts are to be paid into the Community Emergency Services Fund.

POLICE COMPENSATION CLAIMS

In reply to **Hon. J.F. STEFANI** (10 March).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the South Australia Police that:

1. SAPOL experienced 648 claims for Workers Compensation during the year 1997-98.

2. The total cost of those claims was $5 583 240 million.

3. SAPOL paid $87 779.24 for 336 medical opinions during the 1997-98 year. It is estimated that approximately 25 per cent of this was spent on reports from independent medical practitioners (some $21 900).

4. SAPOL's legal advice on workers compensation matters is provided exclusively by the Crown Solicitor and that service is not

cross charged between agencies. No sums were paid to legal firms to handle workers compensation matters.

CORRECTIONAL SERVICES, WORKERS' COMPENSATION CLAIMS

In reply to **Hon. J.F. STEFANI** (4 March).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the Department for Correctional Services of the following response:

1. The Department for Correctional Services has had 196 new claims registered for the period 1 March 1998 to 28 February 1999.

2. The cost of these new claims for this same period is $1 122 934.

3. The total amount paid by the Department for independent medical reports for this same period is estimated to be $11 700.

4. The Department for Correctional Services does not engage legal firms to handle workers compensation matters. The Department makes use of the Crown Solicitor's Office in accordance with Cabinet Direction. This is done on a retainer basis.

GAMBLING, CRIME

In reply to **Hon. NICK XENOPHON** (3 March).

The Hon. K.T. GRIFFIN: I provide the following response:

1. No definitive research has been carried out by the Attorney General's Department on the link between gambling and crime in South Australia. My Department is certainly aware of the interest in the field in this type of work being undertaken. However, while a qualitative study may be feasible, I have been informed by the Office of Crime Statistics that a comprehensive quantitative study would be difficult for reasons outlined below.

Official crime statistics provide no relevant information on gambling-related offences. They focus only on the actual offending involved, not the person's motivation for offending.

To obtain such information, the only alternative would be to conduct interviews with randomly selected individuals. Methodologically, the most appropriate way would be to interview a random sample of individuals who were either apprehended or sentenced by the court for offences which may be gambling related—such as larceny, break/enter, robbery and fraud—and ask them whether they were involved in gambling and whether it contributed to their offending. This would allow some assessment to be made of the extent to which crime in SA is motivated by a need to support a gambling habit. However, because the sample size would have to be comparatively large to encompass all relevant offence categories, such a study would be resource intensive.

The Office of Crime Statistics is planning to undertake a survey of prisoners sentenced for break/enter and robbery, in order to assess the link between drugs and crime. I have asked them to explore the possibility of including some additional questions relating to gambling. However, because the focus would be on illicit drugs, the impact on the main study of including such questions would need to be carefully assessed.

A second approach would be to interview known gamblers and question them about their level of offending. The difficulty here would be to identify the population from which the sample could be selected. While agencies providing support and counselling for gamblers could potentially provide a list of possible subjects, it is unlikely that this group would be representative of all gamblers. The data could therefore not be used to provide an overall assessment of all gamblers' involvement in crime.

2. It would be very difficult for the Courts Administration Authority to include specific data items designed to identify whether gambling was or was not a motivating factor. This would require the court (presumably the presiding Judge or Magistrate) to directly question all defendants charged with a gambling related offence (such as break, enter) to ascertain whether gambling was a factor. This would be both time consuming and intrusive. The alternative would be to record details only on those cases where, during the course of the hearing, it became clear that gambling was a motivating factor. Again, however, such data would be potentially unreliable because there would be no guarantee that this method would identify all gambling related offences.

3. This point is premised on the modifications to CAA data bases (as suggested under point 2 above) being actioned, which, as outlined above, would be too difficult.

AQUATIC ANIMAL DISEASES

In reply to **Hon. M.J. ELLIOTT** (18 February).

The Hon. K.T. GRIFFIN: the Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The Government assesses the risks associated with the introduction of exotic species into South Australian waters using a process outlined in the draft discussion paper: Farming of fish outside their normal ranges. The document, prepared by the Fisheries and Aquaculture Group of the Department of Primary Industries and Resources (PIRSA), examines the risks of escapement of introduced species and disease introduction. The State Government has also actively participated in the development of the Commonwealth Government's National translocation policy for live aquatic organisms, a document that provides national guidelines to state authorities for the risk assessment process, and one with which the State Government complies.

2. The State Government has been responsible for the development of the previously mentioned, Farming of fish outside their normal ranges: draft discussion paper, and as I have pointed out earlier, was also involved in the development of the National translocation policy for live aquatic organisms. Both papers clearly outline the risk analysis process to be taken when considering the importation of species of live aquatic animals exotic to the state.

The Commonwealth Government through the Australian Quarantine and Inspection Service (AQIS) oversees the importation of non-viable animal products into Australia. The State Government is assisting in any way possible with the import risk analyses currently being undertaken by AQIS.

3. As a method of managing the risks associated with the importation of fish products, routine testing of imported fish products is seen as economically unfeasible. Those products that are seen as a risk of introducing disease to Australian aquatic animals, such as in the case of Canadian salmon, will not be imported.

With regard to imported pilchards, the Joint Pilchard Scientific Working Group of the Commonwealth Committee for Emergency Animal Diseases is investigating the pilchard mortalities. As part of their investigations the group is considering the issue of the source of the herpes virus responsible for the mortalities. Tests have been performed on imported pilchards and have given no indication that they are infected with the herpes virus. To date there is no scientific evidence, only speculation, that the herpes virus has been introduced with imported pilchards.

Additionally fish imported for bait use are being considered in an AQIS import risk analysis (IRA) that is due to complete in 2000. Although Australia has the right to cease importation of pilchards on precautionary grounds, pending results of the IRA and the finding of the Joint Pilchard Scientific Working Group, to ban all importation of pilchards would result in immediate appeals for breech of the World Trade Organisation's, Sanitary and Phytosanitary Agreement, of which Australia is a signatory.

4. National contingency plans for aquatic animal disease incidents and for coordinated surveillance and reporting systems are either already in place or currently being put in place through the Commonwealth Government's AQUAPLAN.

AQUAPLAN is an eight point strategic aquatic animal health plan that is responsible for providing a national preparedness and response to emergency aquatic animal diseases. It is also charged with coordinating a national strategy for the surveillance and monitoring of aquatic animal diseases. The State Government has endorsed AQUAPLAN and is participating in the development and implementation of its programs.

DRILLING PROCEDURES

In reply to **Hon. SANDRA KANCK** (18 February).

The Hon. K.T. GRIFFIN: The Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The operator concerned was Santos Ltd, operator of petroleum exploration and production licences in the Cooper Basin

2. The Department of Primary Industries and Resources (PIRSA) Annual Report was not very clear in reporting the circumstances of the "fast-tracking" process. In the 1997-98 year the operator gave less than 6 weeks notice of drilling 57 times, however, in all cases PIRSA approved the shorter notification period (as allowed under Regulation 109 (1) of the Petroleum Regulations). Thus, in no cases was the operator in breach of the Petroleum Act or Regulations.

3 and 4. The operator was notified by letter on 26 September, 1997 of the 43 per cent non compliance rate, with a request that the practice cease immediately. The operator agreed to review their management systems in regard to this matter. The operator was again notified verbally of the 38 per cent non compliance rate and PIRSA were given assurance that changes were being made to Santos management systems. The non-compliance rate has dropped to 0 per cent and 7 per cent in the subsequent first two quarters of the 1998-99 year. It must be stressed however, that these "non-compliances" are strictly technical, as the drilling operations conducted by Santos in the Cooper Basin are of a very routine nature, and PIRSA are satisfied that adequate management systems are in place to ensure that environmental and public safety aspects of drilling operations are appropriately addressed. This will be better reflected in the new Petroleum Bill to be debated in Parliament later this year.

5. The Regulations under the Petroleum Act allow PIRSA to approve a notification period less than 6 weeks. As outlined above, these drilling operations are of a routine nature, and Santos requests variation from this requirement due to operational considerations, and as a result PIRSA is satisfied that a shorter period of notification is justified.

PILCHARDS

In reply to **Hon. M.J. ELLIOTT** (17 February).

The Hon. K.T. GRIFFIN: The Deputy Premier, Minister for Primary Industries, Natural Resources and Regional Development has provided the following information:

1. The Government continues to permit the use of imported pilchards for tuna farming for a number of biological and economic reasons. In regard to any disease risk, I can advise that the Joint Scientific Pilchard Working Group (JPSWG) of the Commonwealth Committee for Emergency Animal Diseases (CCEAD) has established that no herpes-like virus, similar to that isolated from the pilchard kill in Southern Australia, has been found in the imported pilchards tested to date, and no evidence of any herpes virus has been found in any overseas pilchard stock.

When one considers that a prohibition on all imported pilchards has the potential to destroy the commercial viability of the tuna farms, it is appropriate that the Government rigorously investigate the cause of the pilchard deaths and not over-react to calls from uninformed commentators on the likely cause of the pilchard deaths. The CCEAD membership and that of the JPSWG includes the best scientists from around Australia and every effort is being made by these groups to determine the cause of the pilchard deaths.

The issue with the current ban on the importation of fresh salmon to Australia is significantly different from the use of imported pilchards in one important area. Wild Canadian salmon were found in the Import Risk Analysis (IRA) conducted by the Australian Quarantine Inspection Service (AQIS) to be capable of carrying about 24 viral, bacterial and parasitic diseases not present in salmon farmed in Australia. Australian farmed Atlantic salmon has a disease free status in export markets. There is genuine concern that if fresh salmon is imported to Australia, some product carrying disease may find its way into the marine environment and seriously impact on the farmed salmon industry. As you may be aware, the current ban on the importation of fresh salmon is being reviewed between the Australian and Canadian Governments as part of a World Trade Organisation (WTO) dispute resolution hearing.

2. AQIS in their report on imported Canadian salmon to the WTO concluded that there was an unacceptable risk of exotic salmon diseases being introduced into the farmed salmon industry in Australia, if fresh wild Canadian salmon is imported. This conclusion is predicated on the knowledge that there are about 24 diseases recorded in wild Canadian salmon that are not present in salmon in Australia. In comparison with imported pilchards, where no disease risk has been identified in testing to date, one may conclude that the importation of fresh salmon provides a greater risk to the marine environment.

Fish imported for bait use are to be considered in a separate import risk analysis (IRA) by AQIS. This IRA has been given a lower priority than the Canadian salmon IRA for a number of scientific and economic reasons. Although Australia has the right to cease importation of baitfish on precautionary grounds, pending results of the IRA, there would be immediate appeals for breach of the WTO, Sanitary and Phytosanitary Agreement of which Australia is a signatory.

AQIS has the authority to prohibit the importation of feed products. It is not the responsibility of the State Government, although the Government takes an active interest in the quarantine laws operating Australia-wide.

FIREFIGHTERS, PORT PIRIE

In reply to **Hon. A.J. REDFORD** (11 February).

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services advises that the Country Fire Service does not have a station located at Port Pirie.

He has been advised by the South Australian Metropolitan Fire Service that from the Metropolitan Fire Service station located at Port Pirie, during 1997-98 financial year crews from this station attended—

- 83 A class incidents;
- 65 B class incidents; and
- 195 C class incidents.

The corresponding figures for attendance from 1 July 1998 to 3 February 1999 are:

- 38 A class incidents;
- 19 B class incidents; and
- 117 C class incidents.

ELDER CONSERVATORIUM AND FLINDERS STREET SCHOOL OF MUSIC

In reply to **Hon. T.G. CAMERON** (24 March) and answered by letter on 13 April.

The Hon. DIANA LAIDLAW: The Minister for Education, Children's Services and Training has provided the following information:

1. There are no plans to close the Flinders Street School of Music.

2. The Flinders Street School of Music is funded on a calendar year basis. In 1998, $807 805 was allocated to the School and in calendar year 1999, $937 563 has been allocated.

BATTERY HENS

In reply to **Hon. M.J. ELLIOTT** (8 December 1998).

The Hon. K.T. GRIFFIN: The Premier has provided the following information:

1. South Australia is a participating party to the Mutual Recognition Agreement (MRA). South Australia's Mutual Recognition Act 1993 came into operation on March 1, 1993. It adopts the Commonwealth Act. Under the MRA, goods which may lawfully be sold in one jurisdiction may lawfully be sold in another jurisdiction. The MRA minimises the effect on the national economy of regulatory differences between jurisdictions. In addition to product standards, the scheme also applies to occupational registration.

2. There are a small number of goods to which mutual recognition does not apply. These Permanent Exemptions are listed in Schedule 2 to the Commonwealth Mutual Recognition Act 1992 and include laws concerning quarantine

- ozone protection
- endangered species
- beverage containers
- film classification

The exemptions recognised regional differences.

3. In a letter dated December 11, 1998 the Chief Minister of the ACT sought South Australia's agreement to add sections 24A(1) and 24B of the ACT's Food Act 1992 to the Permanent Exemptions listed at Schedule 2 of the Commonwealth Mutual Recognition Act 1992. Section 24A(1) of the ACT's Food Act bans the production and sale of battery hen eggs. The ban will only take effect 6 years after section 24A(1) becomes a Permanent Exemption. Section 24B requires egg cartons to be labelled to say how the hens which produced the eggs are kept, so consumers can make informed choices.

4. The amendments to the ACT's Food Act were made in 1997. The amendments will have no effect on eggs imported into the ACT unless they become Permanent Exemptions under the Mutual Recognition Act.

5. The ACT Government commissioned an independent report from the Productivity Commission to analyse the costs and benefits to the community as a whole of sections 24A(1) and 24B of the ACT's Food Act 1992. The South Australian Government has taken note of this October 1998 report on 'Battery Eggs Sale and Production in the ACT' in responding to the request from the ACT Government.

6. In view of the analysis provided by the Commission's report, and following consultation with animal welfare and industry groups in South Australia, the Premier intends to advise the ACT Chief Minister that South Australia does not agree to add either section 24A(1) or 24B of the ACT's Food Act to the Permanent Exemptions at this stage.

POLICE BRANCH, AMALGAMATION

In reply to **Hon. IAN GILFILLAN** (29 October 1998.)

The Hon. K.T. GRIFFIN: The Minister for Police, Correctional Services and Emergency Services has been advised by the Police that as part of the Focus 21 review of SAPOL, the Internal Investigation Branch, the Office of Disciplinary Review and the Anti-Corruption Branch has been the subject of a comprehensive review.

The aim of the review was to provide the South Australia Police with an organisational structure, which will enhance the management and investigation of corruption matters, and to bring about improvements in police culture, attitudes, ethical values and practices. These are considered necessary to maintain and improve SAPOL's reputation of high integrity and committed professionalism.

The review addressed a number of issues, including the state of the present structures, staffing, staff qualifications, investigative standards, intelligence sharing, location, efficiency and effectiveness in regard to internal police matters and corruption related matters both in the police and public domain.

In the final review report a number of options have been presented as to the best organisational structure for the delivery of the Anti-Corruption and Internal Investigation functions. One option includes the establishment of a new Ethical and Professional Standards Branch within the South Australia Police by the amalgamation of the Internal Investigation Branch and the Anti-Corruption Branch. The investigative function in terms of police and public sector corruption would be significantly increased and enhanced within the proposed Ethical and Professional Standards Branch. It would be managed by a senior commissioned officer.

In fact, the Mission Statement of the proposed body is:

- To provide the organisational focus for the prevention, detection and investigation of corrupt, unethical and unprofessional conduct within SAPOL.
- To provide the community of South Australia with an effective, efficient corruption investigation service in regard to public sector corruption.

Clearly, there is no intention to strip the Anti-Corruption Branch of its investigatory function into non-police corruption.

The independence of the Anti-Corruption Branch was an important issue which was addressed within the review and the proposed Ethical and Professional Standards Branch would still maintain a dedicated unit to investigate corruption issues. SAPOL has an excellent public reputation for its integrity and commitment to ethical and professional standards. The intention of the recommendations of the project report is to further develop these very positive aspects by providing an enhanced investigations function, supported by intelligence and improved methods of investigation. The independence of these investigations does not appear to be comprised by the proposed amalgamation.

The issue of the location of the Anti-Corruption Branch was also addressed. SAPOL's view is that the proposal to locate the Anti-Corruption branch at Police Headquarters has merit and its location is independent of the question of amalgamation. Even if the option of amalgamation of the Internal Investigation Branch and Anti-Corruption Branch is not proceeded with, the review nevertheless recommended that the Anti-Corruption Branch be relocated on the basis of more effective and efficient use of resources. SAPOL proposes that the Branch be located on the same floor as the Internal Investigation Branch and will enable a greater interaction between the two Branches on matters of common interest. When and where the operational need arises for the use of premises independent from normal police premises, that ability will still be available to the Anti-Corruption Branch.

The question of potential influence from police management on the Anti-Corruption Branch if located in the same building indirectly questions the integrity of executive management within SAPOL. SAPOL's proposes that the Anti-Corruption Branch be located in a secure area and not on the same floor as executive management. The Anti-Corruption Branch will continue to report directly to the Commissioner of Police and under the proposed amalgamation would report to the Deputy Commissioner. Whether the Anti-Corruption Branch is located several floors from SAPOL management or several kilometres will make no difference and the move will not result in inappropriate influence or affect accountability. It is important to stress also that safeguards such as oversight by an external auditor would remain and in fact be strengthened.

During the review, consideration was given to the necessity for the establishment of an independent corruption entity. However, the culture and performance of SAPOL differs markedly from some interstate and overseas police services which now have independent authorities. If this proposal proceeds then it is expected that the level of service and the reputation of SAPOL will be further enhanced and therefore do not believe that an independent entity is appropriate or necessary.

Finally, the Minister for Police, Correctional Services and Emergency Services has not had the opportunity to discuss in detail the final project review report with the Commissioner of Police. It is proposed that discussions will occur in the near future where the merits or otherwise of the proposal will be carefully considered. You can be assured that both the Government and the South Australia Police are committed to ensuring that the community of South Australia is provided with an effective and efficient corruption investigation capacity to deal with both police and public sector corruption. The proposed changes do not diminish that commitment, rather they enhance it.

GOVERNMENT CONTRACTS

In reply to **Hon. P. HOLLOWAY** (28 October 1998).

The Hon. K.T. GRIFFIN: The Minister for Administrative Services has advised that:

1. Accountability to Parliament for outsourcing can be achieved in a number of ways.

The Auditor-General has full access to Government contracts for audit purposes and can report on the performance or non performance of Government outsourcing contracts in his report on the efficiency and economy with which agencies use its resources (section 31(2), Public Finance and Audit Act).

Questions about outsourcing contracts may be asked of the Government at the annual Parliamentary Estimates sessions. Questions may also be asked of the relevant Minister in Parliament during Question Time.

The Government's tendering processes and contracting arrangements may become subject to scrutiny by a Parliamentary Select or Standing Committee. Parliamentary Committees may have the power to require the production of tender and contract documents. Where this power is exercised and the Government is required to produce the contract document, the potential exists for commercially sensitive matters to become public. Consequently, the Government, some time ago, agreed to a protocol with the Opposition parties with a view to resolving this issue.

In essence, the protocol is that a Parliamentary Select or Standing Committee can have access to an authentic summary of the relevant contract. The summary will be prepared without delay and exclude matters which are commercially sensitive. The Auditor-General, an independent statutory officer responsible to the Parliament, will have access to all information. The Auditor-General will certify the summary once he is satisfied that relevant details are being disclosed and that the matters claimed to be commercially sensitive are so.

The agreement does not in any way limit Parliament's rights or responsibilities. If a Committee believes that matters should proceed further, then Parliament may call for the full contract. Equally, if Parliament requires the full contract to be produced, the Government reserves the right to refuse to produce the contract and the matter is then subject to the political and constitutional process.

Following discussions between the Attorney-General and the Auditor-General, it was agreed that the following arrangements are to apply in respect of the preparation of contract summaries for use by Parliamentary Select Committees:

1. Summaries are to be prepared by the Crown Solicitor's Office.
2. After preparation, the summary is to be forwarded to the responsible agency for consideration by the agency and the contractor.
3. Where appropriate, the agency's and the contractor's comments are to be incorporated into the draft summary. The summary is then to be forwarded to the responsible Minister for consideration and approval.
4. After being considered by the responsible Minister, the summary is to be forwarded to the Attorney-General prior to being referred to the Auditor-General.

5. The Auditor-General will express an opinion as to whether the summary contains errors of omission, commission or principle and, after review by the Auditor-General the summary is to be available for use by the relevant Parliamentary Committee.

6. Contract Summaries are to be prepared in accordance with established guidelines.

7. Contract Summaries are not required in every case but only for those situations where a Parliamentary Committee of inquiry has been convened to inquire into the contract.

Requests for contract summaries or for advice regarding a summary are to be addressed to the Crown Solicitor.

2. As indicated in the previous answer, the Auditor-General has full access to Government outsourcing contracts and can report on the performance, or otherwise, of contractors carrying out outsourced services.

Whether a particular Minister wishes to require agencies in his or her portfolio to report annually on the performance of such contracts is a matter for that Minister.

The responsible Minister may require agencies within his or her portfolio to report on any matter (Regulation 18(n), Public Sector Management Regulations).

With regard to the Facilities Management contracts administered by the Department for Administrative and Information Services (DAIS), it is anticipated that the performance of the contracts would be reported as part of the normal annual reporting by DAIS and other agencies that form part of the contracts, as it is an "initiative" which must be reported under regulation 18(e), Public Sector Management Regulations.

With regard to new contracts, it is a requirement under Department for Premier and Cabinet Circular 13, that agencies include a summary of all contractual arrangements entered into where the value exceeds $4 million and the contract extends beyond a single year.

3. In terms of the Facility Management contracts, the Government does have a number of remedies available where the contractor fails to deliver the services. These include:

- contract termination clauses in the event that the contractor commits a fundamental breach of the contract, suffers financial difficulty, or fails to rectify a breach within a stipulated timeframe;
- handover arrangements in the event that the contract is terminated;
- multi-tiered procedures for dealing with disputes that may arise during the course of the contract;
- financial guarantees that can be invoked should the Government incur any losses as a result of non performance by the contractor;
- indemnity clauses to cover the Government against losses, damages, expenses, fines and penalties either suffered or incurred as a result of, or in connection with, a failure by the contractor to perform;
- direction clauses for a contractor to re-perform or correct work that is not satisfactory; and
- clauses that allow for compliance and external audit.

The answers to the honourable member's additional questions are as follows:

(a) The Auditor-General acknowledged that Governments are increasingly expected to deliver services more effectively and efficiently, and that contracting out of Government services is one instrument used to respond to these expectations.

All major initiatives, including major contracting out initiatives, contain several types of risks, such as commercial, financial and legal risks. This is the case whether contracting out initiatives are put in place by Government or private sector bodies.

It is not possible to eliminate all risks in complex processes such as these. The important point is to identify significant risks and to put in place measures to ensure that those risks are effectively managed.

(b) Contracting out in one form or another has taken place over many years, both by this Government and previous Labor Governments. For example, within my portfolio as Minister for Administrative Services, I am aware that the previous Labor Government contracted out some document courier services through what is now Fleet SA, and contracted out many types of printing through State Print.

It would consume inordinate resources to identify every contracting out instance over many years and many public sector agencies. Even if it were done, the benefit would be minimal. If legal risks exist, they could only be addressed through changes to the contracts in place, and that could only occur if all the contracting parties agreed. If issues exist, the important point is to address what might be done for the future.

(c) The Government has already taken action to address issues such as legal risks involved in contracting out.

The Government has published 'All About Contracting Out', a pamphlet for use by public sector agencies in considering and implementing contracting out proposals. This document has the status of a Cabinet-endorsed administrative instruction to agencies, and under Treasurer's Instructions agencies must use it when purchasing services through contracting out.

The document identifies a number of key issues which apply to contracting out. The first of these is risk analysis, which includes identifying risks, assessing their likelihood of occurrence and the consequences if they occur, and determining which risks are most significant. Contractual risk is specifically identified as one of the types of risk that must be considered.

More recently, the Government's 'Prudential Management Framework' has been published. It also applies to all public sector agencies and has the status of a Cabinet-endorsed administrative instruction.

One of the major aims of this policy is to engender a prudential culture which, amongst other things, results in 'judicious management of legal, financial and policy issues' involved in major contracting out proposals. The identification and management of risks, including legal risks, is another of the Framework's objectives.

As part of the Government's required contracting out process, all major contracting out proposals must be considered by the Prudential Management Group, comprising the Chief Executive of the Department of the Premier and Cabinet, the Chief Executive of the Department of Justice, and the Under Treasurer. Reports to the Prudential Management Group on such proposals must identify significant risks (including legal risks), and include an explanation of the risk management process adopted by the agency to mitigate those risks.

The Government will continue to review and develop its Prudential Management Framework and other policies to ensure that legal risks and other relevant issues are duly considered and addressed as part of major contracting out initiatives.

FINANCIAL SECTOR REFORM (SOUTH AUSTRALIA) BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to facilitate the transfer to the Commonwealth of responsibility for regulating building societies, credit unions and friendly societies as companies under the Corporations Law; to repeal the Financial Institutions (Application of Laws) Act 1992 and the Friendly Societies (South Australia) Act 1997; to amend the South Australian Office of Financial Supervision Act 1992 and provide for the winding up of SAOFS and the expiry of the Act; to amend the Acts Interpretation Act 1915 and certain other Acts; to provide for transitional matters; and for other purposes. Read a first time.

The Hon. K.T. GRIFFIN: I move:

That this Bill be now read a second time.

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

Leave granted.

The *Financial Sector Reform (South Australia) Bill* provides the necessary legislative framework to facilitate a transfer of the responsibility for the corporate and prudential regulation of building societies, credit unions, special service providers and friendly societies from the State and Territory based Financial Institutions Scheme to a national framework overseen by the Australian

Securities and Investments Commission and the new Commonwealth prudential Regulator, the Australian Prudential Regulation Authority (APRA).

The *Financial Sector Reform (South Australia) Bill* is the first, and most important, of a package of two Bills which make up the South Australian legislation necessary to ensure that the reform of the Australian financial system can proceed. The *Financial Sector (Transfer of Business) Bill 1999* is the second of these Bills.

The *Financial Sector Reform (South Australia) Bill* is based on model legislation to be passed by all State and Territory Parliaments by a target "transfer date" of 1 July 1999 and complements legislation introduced into Federal Parliament which is also expected to be passed by the target transfer date.

In 1997 the Commonwealth Government's report into the Australian financial system, the Wallis Report, recommended changes to the regulation of the Australian financial system to establish a more efficient, competitive and flexible financial system, better equipped to deal with change, especially the continued globalisation of financial markets, and rapid advances in technology.

Most significantly, the Wallis Report recommended that all financial institutions, including banks, non-bank financial institutions and friendly societies, be subject to the same regulatory regime, and that the responsibility for regulating this new regime be transferred to a single Commonwealth regulator.

In line with these recommendations, the Commonwealth and all State and Territory Governments agreed as a matter of policy that:

- the corporate and prudential regulation of non-bank deposit taking institutions and friendly societies under the Financial Institutions Scheme would cease;
- all deposit taking institutions and friendly societies would become registered as companies under the *Corporations Law* and that corporate regulation of these entities would become the responsibility of the Australian Securities and Investment Commission (ASIC), formerly the ASC;
- deposit taking institutions would be licensed and prudentially regulated at a federal level under the *Banking Act 1959*, and the "financial" activities of friendly societies (the selling of financial products through benefit funds) would be licensed and prudentially regulated under the *Life Insurance Act 1995*;
- prudential regulation of all deposit taking institutions and the financial activities of friendly societies would become the responsibility of the new federal prudential regulator, the Australian Prudential Regulation Authority (APRA) established under Commonwealth legislation in 1998;
- the transfer of regulatory responsibility would, if possible, occur on 1 July 1999.

The Commonwealth is in the process of passing legislation to achieve the steps detailed above. However, complementary State and Territory legislation is also necessary to complete the transfer. Consequently, the States and Territories have developed model legislation to be introduced in all jurisdictions. The *Financial Sector Reform (South Australia) Bill 1999* is based on this model legislation.

Part 1 of the Bill repeals the *Financial Institutions (Application of Laws) Act 1992* and the *Friendly Societies (South Australia) Act 1997*. This has the effect of cancelling the registration and regulation of building societies, credit unions, special service providers and friendly societies under the Financial Institutions and Friendly Societies Codes.

Part 2 of the Bill confers on ASIC and APRA the power to regulate building societies, credit unions, special service providers and "financial" friendly societies for the purposes of the transition from regulation under the Financial Institution Scheme to the new regime.

Part 3 deals with the winding up of the Australian Financial Institutions Commission (AFIC) a body established under Queensland legislation to coordinate the prudential and corporate regulation of building societies, credit unions, special service providers and friendly societies. Clauses 10, 11 and 14 provide for the transfer of AFIC staff, assets and liabilities to ASIC and APRA, the details of which are to be contained in a transfer agreement entered into between the Commonwealth and the State of Queensland. Clause 15 preserves civil legal proceedings involving AFIC which were commenced prior to the transfer date, with the State of Queensland substituted for AFIC as a party. Clause 16 empowers ASIC and APRA to continue proceedings brought by AFIC for breaches of the AFIC Code.

Part 4 of the Bill provides partly for the winding up of the South Australian Office of Financial Supervision (SAOFS). Clauses 18 and 19 deal with the transfer of SAOFS staff to APRA, the details of which are to be contained in a transfer agreement entered into between the Commonwealth and the Government of South Australia. Clauses 21 and 22 provide for the winding up of the supervision and credit union contingency funds administered by SAOFS. Civil legal proceedings involving SAOFS which were commenced prior to the transfer date are preserved by clause 23, which substitutes the State of State of South Australia for SAOFS as a party. Clause 24 empowers ASIC and APRA to continue proceedings brought by SAOFS for breaches of the Financial Institutions and Friendly Societies Codes.

Clauses 26 to 29 of Part 5 preserve certain provisions of the repealed AFIC, Financial Institutions and Friendly Societies Codes, including provisions empowering AFIC and SAOFS to enforce and to investigate suspected breaches of the Codes. The powers previously exercised by AFIC and SAOFS in this regard are provided to ASIC and APRA. Clause 29 also preserves certain provisions of the Friendly Society Code relating to the restructure and termination of friendly society benefit funds.

Parts 6 and 7 deal with various miscellaneous matters necessary to complete the transfer. The most significant of these are clause 31 which provides that money in dormant accounts is to be transferred back into the account of customers, and clause 32 which is necessary to convert withdrawable shares held by members of the State's building society to deposits prior to the institution transferring to the *Corporations Law*. This will ensure adequate protection is given to these institutional members under the *Corporations Law*. Clauses 34 and 35 ensure that mergers and transfers of engagements commenced under the Financial Institutions or Friendly Societies Code before, but not completed by, the transfer date can be completed under the supervision of ASIC and APRA. Finally, clause 36 deems that all applications made to the defunct Australian Financial Institutions Appeal Tribunal against decisions of either AFIC or SAOFS that have not been decided prior to the transfer date are taken to have been withdrawn. The Government is advised that the only such appeal was withdrawn voluntarily some time ago.

An exemption from State taxes, duties and charges is provided in respect of the transfer agreements transferring assets from AFIC or SAOFS to APRA or ASIC.

The financial sector reforms, and in particular the legislation enacted by the Commonwealth, has necessitated certain consequential amendments to a number of South Australian Acts. These consequential amendments are contained in the Schedule to the Bill. Most of these consequential amendments relate to the conversion of banks, building societies and credit unions into one type of deposit taking institution, 'authorised deposit taking institution'. This reflects amendments to the Commonwealth's *Banking Act*.

Also included in the schedule are provisions completing the winding up of SAOFS, so that the powers of SAOFS are limited to those necessary to effect winding up. The schedule provides that any surplus assets are to be paid back to industry and that once the winding up process is completed, SAOFS must prepare a winding up report. This report must include accounts audited by the Auditor-General. The *South Australian Office of Financial Supervision Act 1992* is then to expire on a date fixed by proclamation.

South Australians have been fortunate to have been served by a strong regional financial sector, based on the growth of non-bank financial institutions. This has complemented the services provided by the traditional banking sector, promoting greater consumer choice of financial institutions and products. There can be no doubt that prudential supervision of this sector under the Financial Institutions Scheme has been successful. Since the scheme's inception, no South Australian has lost money deposited with a South Australian scheme institution. The framework provided by the scheme has also promoted the growth of the non-bank financial sector in this State. There are now 14 credit unions, one building society and four financial friendly societies in South Australia. This State now boasts the largest credit union in the country.

Despite these successes, the Government supports the Commonwealth in its efforts to further reform the regulation of the Australian financial system to make it more competitive and better able to withstand international pressures. The Wallis Report identified the move to a single prudential regulatory regime as the best way to ensure that this occurs. South Australians should also benefit. Our institutions will have access to a truly national financial market which will enhance competition. Consumers will have access to a greater selection of financial service providers and products.

The State's financial institutions and friendly societies have expressed strong support for implementation of the reforms at the earliest possible time. The Commonwealth Government has identi-

fied 1 July 1999 as the most appropriate transfer date. This date is supported by the State and Territory Governments, all of whom are working towards passage of their legislation by 30 June despite the tight time frame.

The Government therefore calls upon all members to ensure passage of this Bill by the 30 June deadline.

I commend this Bill to the Council.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement of certain provisions on assent and certain provisions on the transfer date.

The legislation is complementary to amendments to the *Corporations Law* providing for building societies, credit unions and friendly societies to become companies under that Law on the transfer date. Once complementary legislation has been enacted in each jurisdiction, the transfer date will be specified by the Commonwealth under section 3(16) of the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 1999* of the Commonwealth.

A provision of this measure is to come into operation on the transfer date except where preparatory action is required under the provision, in which case, the provision is to come into operation on assent.

Clause 3: Repeals

The *Financial Institutions (Application of Laws) Act 1992* and the *Friendly Societies (South Australia) Act 1997* are repealed.

Clause 4: Interpretation

This clause contains relevant definitions.

PART 2

CONFERRAL OF FUNCTIONS AND POWERS ON APRA AND ASIC

Clause 5: Conferral of functions and powers on APRA

This clause formally confers functions and powers on the Australian Prudential Regulation Authority (APRA) for the purposes of the measure.

Clause 6: Conferral of functions and powers on ASIC

This clause formally confers functions and powers on the Australian Securities and Investments Commission (ASIC) for the purposes of the measure.

PART 3

PROVISIONS RELATING TO AFIC

DIVISION 1—AFIC TO CONTINUE

Clause 7: Continuation of AFIC for certain purposes

This clause provides that despite the repeal of the relevant legislation the Australian Financial Institutions Commission (AFIC) is to continue for purposes connected with winding up its affairs. AFIC was established under Queensland legislation but the AFIC Code (applied as a law of South Australia) governs appointments to the AFIC board, appointment of staff etc.

Clause 8: Delegation of AFIC's powers

This clause enables the AFIC board to delegate powers to an appropriately qualified employee during the winding up period.

DIVISION 2—PROVISIONS ABOUT AFIC'S STAFF

Clause 9: Interpretation

This clause includes the executive director of AFIC within the term employee for the purposes of the Division.

Clause 10: Transfer of staff to APRA under transfer agreement

The Queensland Minister administering the corresponding legislation in that State is authorised to enter into a transfer agreement under Commonwealth legislation providing for the transfer of AFIC staff to APRA. AFIC staff may also be transferred to ASIC but this is to be achieved through the Commonwealth *Public Service Act*.

Clause 11: Effect of transfer under section or of employees of AFIC becoming appointed to the Australian Public Service

This clause ensures that, on transfer of a person's employment from AFIC to APRA or ASIC, the person's employment with AFIC ends without giving rise to any entitlements for payment for termination of employment.

Clause 12: Statement of accrued benefits etc.

This clause requires AFIC to provide a statement of accrued benefits, remuneration and length of service for each transferring employee.

DIVISION 3—INFORMATION MAY BE GIVEN TO APRA OR ASIC

Clause 13: Giving of information

This clause ensures that information obtained by AFIC may be passed on to ASIC and APRA.

DIVISION 4—TRANSFER OF AFIC'S ASSETS AND LIABILITIES

Clause 14: Transfer of assets and liabilities

The Queensland Minister administering the corresponding legislation in that State is authorised to enter into a transfer agreement under Commonwealth legislation providing for the transfer of AFIC assets and liabilities to APRA or ASIC.

DIVISION 5—PROCEEDINGS INVOLVING AFIC

Clause 15: Continuation and preservation of certain civil proceedings involving AFIC

This clause provides that, from the transfer date, the State of Queensland is to take the place of AFIC in relation to civil proceedings.

Clause 16: Continuation of certain offence proceedings

This clause enables APRA or ASIC to continue to prosecute offences in place of AFIC where a prosecution has been commenced before the transfer date.

PART 4

PROVISIONS RELATING TO SAOFS

DIVISION 1—TRANSFER OF SAOFS' ASSETS AND LIABILITIES

Clause 17: Transfer of assets and liabilities

The State Minister is authorised to enter into a transfer agreement under Commonwealth legislation providing for the transfer of SAOFS assets and liabilities to APRA or ASIC.

DIVISION 2—PROVISIONS ABOUT SAOFS' STAFF

Clause 18: Transfer of staff to APRA under transfer agreement

The State Minister is authorised to enter into a transfer agreement under Commonwealth legislation providing for the transfer of SAOFS staff to APRA. SAOFS staff may also be transferred to ASIC but this is to be achieved through the Commonwealth *Public Service Act*.

Clause 19: Effect of transfer to APRA or APS

This clause ensures that, on transfer of a person's employment from SAOFS to APRA or ASIC, the person's employment with SAOFS ends without giving rise to any entitlements for payment for termination of employment.

Clause 20: Statement of accrued benefits etc.

This clause requires SAOFS to provide a statement of accrued benefits, remuneration and length of service for each transferring employee.

DIVISION 3—WINDING UP OF FUNDS

Clause 21: Supervision Fund

The Supervision Fund is established under the Financial Institutions Code. Building societies, credit unions and friendly societies pay levies into the fund and the expenses of SAOFS are paid out of the fund.

This clause provides for the use of the Supervision Fund during the winding up period. It authorises payments out to APRA and ASIC in respect of transferred liabilities. It also authorises the winding up and other expenses of SAOFS to be paid out of the Fund.

Any surplus in the Fund is to be distributed amongst building societies, credit unions and friendly societies in proportions considered by the Minister to be fair.

Clause 22: Credit Unions Contingency Fund

This clause provides for the winding up of the Credit Unions Contingency Fund and the return of funds to contributing credit unions. This will include distribution of certain funds to Northern Territory credit unions that have contributed to the fund under an agreement entered into under the Financial Institutions Code.

DIVISION 4—PROCEEDINGS INVOLVING SAOFS

Clause 23: Continuation and preservation of civil proceedings involving SAOFS

This clause provides that, from the transfer date, the State is to take the place of SAOFS in relation to civil proceedings.

Clause 24: Continuation of certain offence proceedings

This clause enables APRA or ASIC to continue to prosecute offences in place of SAOFS where a prosecution has been commenced before the transfer date.

DIVISION 5—INFORMATION MAY BE GIVEN BY SAFOS

Clause 25: Giving of information

This clause ensures that information obtained by SAOFS may be passed on to ASIC, APRA or the Minister.

PART 5

ENFORCEMENT BY APRA AND ASIC OF REPEALED CODES

Clause 26: Conferral of enforcement powers on APRA and ASIC

Enforcement powers of AFIC and SAOFS relating to building societies, credit unions and friendly societies are passed on to APRA and ASIC.

Clause 27: AFIC Code provisions

Clause 28: Financial Institutions Code provisions

Clause 29: Friendly Societies Code provisions

Modifications are made to the general enforcement powers contained in the relevant codes for the purposes of enforcement by APRA or ASIC.

Clause 30: Conferral of functions and powers

This clause formally confers functions and powers on APRA and ASIC for the purposes of this Part.

PART 6

OTHER TRANSITIONAL PROVISIONS

Clause 31: Dormant accounts

Under this clause dormant accounts are reinstated as deposit accounts. On the transferring financial institution becoming a company under the *Corporations Law* the matter of unclaimed money will be able to be dealt with under the general law.

Clause 32: Withdrawable shares in building societies

In South Australia there is one building society with withdrawable shares. Under this clause on the transfer date the withdrawable shares will be converted into deposits and the shares cancelled. The clause makes it clear that the holder of the deposit remains a member of the building society.

Clause 33: Matters in relation to deregistered financial bodies and societies

This clause ensures that ASIC may act in relation to deregistered financial bodies and societies in place of SAOFS.

Clause 34: Mergers and transfers of engagements commenced under Financial Institutions (South Australia) Code

Clause 35: Mergers and transfers of engagements commenced under Friendly Societies (South Australia) Code

These clauses allow mergers and transfers to be completed despite the repeal of the codes.

Clause 36: Australian Financial Institutions Appeals Tribunal

The Tribunal was established under Queensland legislation. It will cease to exist on the transfer date by reason of the repeal of that legislation.

This clause brings proceedings before the Tribunal at the transfer date to an immediate end. Orders that the Tribunal could have made would be irrelevant under the new scheme.

PART 7

MISCELLANEOUS

Clause 37: Registration or record of transfer

This clause facilitates registration in this State of transfers of assets from AFIC or SAOFS to APRA or ASIC.

Clause 38: Exemption from State taxes

This clause exempts all transfers of assets from AFIC or SAOFS to APRA or ASIC under the measure from State duties and taxes.

Clause 39: Relationship of Act with other laws

This clause ensures that the transfers of assets and liabilities from AFIC and SAOFS to APRA and ASIC may occur without resulting in a breach of contract etc.

Clause 40: Regulations

A general regulation making power is provided.

SCHEDULE

Related Amendments

The Schedule contains amendments to various Acts resulting from—

- transferring financial institutions becoming companies under the *Corporations Law*; and
- the regulation of transferring building societies and credit unions as authorised deposit-taking institutions under the *Banking Act* of the Commonwealth; and
- the regulation of transferring financial friendly societies under the *Life Insurance Act* of the Commonwealth.

The opportunity has also been taken to tidy up some out of date references.

The *Acts Interpretation Act* is amended to insert definitions of ADI, bank, building society, credit union and friendly society for reference throughout the Statute book. ADI is a broad expression that encompasses banks, building societies and credit unions. The expressions bank holiday and bank (or banker's) cheque are retained despite their wider application to ADIs.

The *South Australian Office of Financial Supervision Act* is amended to provide for the winding up of SAOFS and the expiry of the Act by proclamation once the winding up has been completed. Under the amendments, SAOFS' reporting obligations for the 1998/1999 financial year are extended to cover the period up to the transfer date. SAOFS is also required to prepare reports for the winding up period (a period after the transfer date). SAOFS' assets not covered by a transfer agreement are to be disposed of and any proceeds paid into the Supervision Fund for distribution to building societies, credit unions and friendly societies. Provisions are also included for the finalisation of the Register of financial interests of SAOFS members and staff kept under section 33 of the Act and the delivery of that Register to the Minister.

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

FINANCIAL SECTOR (TRANSFER OF BUSINESS) BILL

The Hon. K.T. GRIFFIN (Attorney-General) obtained leave and introduced a Bill for an Act to provide for the transfers of business between authorised deposit-taking institutions and between life insurance companies; and for other purposes. Read a first time.

The Hon. K.T. GRIFFIN: I move:

That this Bill be now read a second time.

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

Leave granted.

This Bill completes the package of legislation necessary to ensure the transfer of regulatory responsibility for non-bank financial institutions and financial friendly societies to the Commonwealth.

The Financial Institutions (South Australia) Code and Friendly Societies (South Australia) Code contain provisions which enabled building societies, credit unions and friendly societies to transfer, or merge their financial businesses between themselves with the approval of the relevant regulator. The transfers or mergers permitted were either voluntary, or directed for prudential purposes. These provisions are to be repealed on transfer date.

No equivalent scheme is available under the present Commonwealth regime. The State and Territory regulated entities, such as the building societies, credit unions and friendly societies, along with the Commonwealth, State, and Territories, were keen to ensure that these groups were not disadvantaged by the transfer. The Commonwealth is of the view that some of these provisions were useful prudential regulation tools.

Consequently, Commonwealth, State and Territory Governments have agreed to establish a modified transfer of business regime. This scheme is set out in the Commonwealth's *Financial Sector (Transfer of Business) Bill 1999* and will apply to all deposit taking institutions and life insurance companies, treating all such entities equally.

Due to Constitutional limitations, complementary legislation is required in all States and Territories to ensure that assets and liabilities which are subject to the business being transferred pass legally from the transferring institution to the receiving institution. Hence all jurisdictions are required to pass legislation which gives effect to transfers of business conducted under the Commonwealth's Bill.

The *Financial Sector (Transfer of Business) Bill 1999* is based on model legislation developed by the States and Territories in consultation with the Commonwealth. It establishes a complementary framework to allow the transfer of financial business between deposit taking institutions and friendly societies regulated by APRA under the *Commonwealth Life Insurance Act*, where necessary for prudential purposes (compulsory transfers) or where approved by APRA (voluntary transfers), to proceed under the Commonwealth legislation. Clause 4 (voluntary transfers) and clause 5 (compulsory transfers) contain the necessary provisions to ensure transfers of business under the Commonwealth legislation are effective in respect of any assets and liabilities held by either South Australian institutions, or interstate institutions with assets or liabilities located in South Australia

Clause 7 of the Bill requires relevant State authorities, such as the Registrar General to register or record transactions affecting assets or liabilities, or documents relating to such transactions and, on application accompanied by a certificate issued by APRA, register or record the transfer or transfers on production of the appropriate certificate issued by APRA. Clause 8 of the Bill provides an exemption from State taxes and duties in respect of transfers under the

Commonwealth and State legislation. However, subclause 3 of clause 8 requires a receiving body to pay an amount determined by the Treasurer in lieu of the forgone taxes and duties. Under this provision, it is proposed that taxes, duties etc. will be levied in respect of voluntary transfers but not compulsory transfers.

Safeguards to ensure that voluntary transfers of business can only occur in circumstances where the transfer is in the interest of policy holders or depositors are contained in the Commonwealth Bill.

The passage of this Bill is essential to ensure South Australian financial institutions are placed on an equal footing to those institutions located interstate. Strong support for the inclusion of the transfer of business provisions as part of the reforms has been expressed by the State's financial institutions. It is therefore essential this Bill, like the *Financial Sector Reform (South Australia) Bill 1999* is passed by this Parliament before 30 June 1999.

I commend this Bill to the Council.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure is to commence on the transfer date fixed by the Commonwealth for the purposes of the national scheme.

Clause 3: Interpretation

This clause incorporates definitions from the Commonwealth *Financial Sector (Transfer of Business) Act 1999*.

Clause 4: Voluntary transfers

This clause facilitates voluntary transfers of business under Part 3 of the Commonwealth Act for ADIs and life insurance companies.

Clause 5: Compulsory transfers

This clause facilitates compulsory transfers of business under Part 4 of the Commonwealth Act for ADIs and life insurance companies.

Clause 6: Certificates evidencing operation of Act

Certain officers of the Australian Prudential Regulation Authority are authorised to issue certificates evidencing transfers of business under the measure.

Clause 7: Registration or record of transfer

This clause facilitates registration in this State of transfers of assets evidenced by a certificate issued under the preceding clause.

Clause 8: State duties and taxes

This clause exempts transfers of business under the measure from State duties and taxes. However, in the case of a voluntary transfer of business the Treasurer may require a payment to be made based on an estimate of the duties and taxes that would otherwise have been payable by a receiving body. This reflects the approach taken in the *Bank Mergers (South Australia) Act 1997*.

Clause 9: Relationship of Act with other laws

This clause ensures that transfers of business under the measure may occur without resulting in a breach of contract etc.

Clause 10: Regulations

A general regulation making power is provided.

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

ROAD TRAFFIC (DRIVING HOURS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 10 March. Page 904.)

The Hon. CAROLYN PICKLES (Leader of the Opposition): The Opposition supports the second reading of this Bill. It provides for nationally consistent legislation to regulate hours of driving for commercial vehicles. Obligations were made in this respect by the South Australian Government through COAG on 11 April 1995. Payment of $1 billion over 10 years is dependent on the State's meeting obligations under the conditions of payment, which includes obligations to implement the agreed national road transport reforms. There are other pieces of legislation before the Council presently which also are part of that obligation and which we will deal with later.

This legislation was approved as policy by the Transport Ministers' Forum in January 1999, and South Australia is the first jurisdiction to introduce the legislation. Working hours are not presently taken into account under the existing Commercial Motor Vehicles (Hours of Driving) Act. Under the new national regulations, both working and driving, as well as rest time, will be recorded by drivers. A limit of 14 hours in a day is set for aggregated driving and working time.

The new legislation represents a minor loss of flexibility with the current South Australian regulated hours of one day's rest in 14. The transitional fatigue management scheme is an alternative to compliance, whereby up to 14 hours driving in a day is possible. A driver may take two days rest in 14 rather than the prescribed one day in seven. Health checks will have to be passed.

South Australia is seeking a special exemption by regulation for transport of livestock or beef. There is no provision in the national law. These new regulations will apply to heavy trucks over 12 tonnes GVM, a change for South Australia which applies to vehicles with an unladen mass of over 4.5 tonnes. New regulations will apply to buses defined as a motor vehicle with a capacity to seat more than 12 persons. This will result in fewer South Australian vehicles being required to carry log books.

Future use of driver specific monitoring devices will be able to be used as an alternative to a log book. This is new technology which is not yet available on a mass scale but which I believe will ensure a safer delivery of goods by road transport.

The Minister has forwarded to me a proposed amendment that she has drafted in response to some concerns which were raised by the Law Society regarding the powers of entry in clause 110AAB(2)(f), which enacts the power to make regulations in relation to powers of entry and inspection and powers to ask questions and require information. The Opposition will support that amendment.

Can the Minister outline the level of consultation she had with the unions in relation to the preparation of this Bill? My office has contacted the unions, which are genuinely supportive of the legislation. However, they did highlight bigger picture issues such as the debate about drivers being remunerated on an hourly basis versus a kilometre basis. Does the Minister have any comment to make about this?

As this Bill is part of the national road rules legislation, the Opposition will support it. We believe that it is a sensible measure which hopefully will stop to some extent, if not entirely, some of the worst practices in relation to people driving long hours and in some cases taking drugs to keep them awake. We are pleased to support the second reading of the Bill.

The Hon. SANDRA KANCK: The Democrats welcome this legislation. There has been quite a deal of publicity in recent times regarding the abuses that occur in trucking companies and the expectation that drivers will exceed their requirements for time at the wheel and supplement that with various drugs to keep them awake. This Bill sets a maximum of 14 hours combined working and driving time per day for a driver and also requires that drivers have one day off in seven. I think that is a definite improvement on the current situation.

I have one concern, though, and that is that in the end, no matter how good we get the legislation, it will be a matter of enforcement. We have seen that trucking companies have a talent for bending the rules and getting around them, so I would be interested to hear from the Minister just what will happen as regards policing. Will it be as things currently exist

or will more effort be put into it? With that one slight reservation, I indicate support for the Bill.

The Hon. Diana Laidlaw interjecting:

The Hon. SANDRA KANCK: Yes, the issue of enforcement could be a possible amendment.

The Hon. M.J. ELLIOTT: I rise to speak briefly to the Bill. I would not normally do so, but I had the opportunity during a recent committee meeting to raise an issue that is relevant to this matter, and the Minister may like to consider this as an option. We are seeking to limit the hours travelled per day and per week, and we are reliant upon the use of books. Unfortunately, the books are notorious for being fiddled. I know of one trucking company in the South-East who paid one person whose full-time job was fiddling the books. That is the way the business works.

The Hon. A.J. Redford: That's not a generalisation, either.

The Hon. M.J. ELLIOTT: It's not a generalisation. During a recent committee hearing one option was raised—that there are now technologies using satellites and on-board devices that would enable us to pinpoint where a truck is at any time of the night or day. It is not science which is of the future: it does exist. I am not sure whether the current legislation will enable us to put in such a provision. If it does not (because that was not clear on my first reading of the Bill), should we make it quite clear that regulations might also allow for the installation of such devices, because clearly that would be one of the best ways of very accurately recording how far and fast trucks are travelling?

The Hon. A.J. REDFORD secured the adjournment of the debate.

LISTENING DEVICES (MISCELLANEOUS) AMENDMENT BILL

Consideration in Committee of the House of Assembly's amendments:

No. 1. Clause 7, page 4, line 6—Leave out "sections are substituted" and substitute:

section is substituted

No. 2. Clause 7, page 4, line 21 to page 6, line 22 (inclusive)—Leave out proposed new sections 5A to 5G (inclusive).

No. 3. Clause 8, page 7, lines 5 to 11—Leave out proposed subsection (4a).

No. 4. Clause 8, page 7, lines 15 and 16—Leave out paragraph (a) and insert:

(a) If the warrant is for the use of a listening device, the extent to which the privacy of a person would be likely to be interfered with by use of the listening device; and

No. 5. Clause 9, page 9, lines 19 to 21—Leave out proposed paragraph (h).

No. 6. Clause 9, page 10, lines 7 to 11—Leave out proposed paragraph (h) and insert:

(h) the applicant must, as soon as practicable after the issue of the warrant, forward to the judge an affidavit verifying the facts referred to in paragraph (c) and a copy of the duplicate warrant.

No. 7. Clause 10, page 13, line 26—Leave out "following paragraphs" and insert:

following paragraph

No. 8. Clause 10, page 13, lines 33 and 34—Leave out proposed paragraph (d).

No. 9. Clause 11, page 14, lines 5 to 10—Leave out proposed subsection (1).

No. 10. Clause 13, page 17, line 13 to page 18, line 2 (inclusive)—Leave out this clause and substitute:

Amendment of s.8—Possession, etc., of declared listening device

13. Section 8 of the principal Act is amended by striking out the penalty provision at the foot of subsection (2) and substituting the following penalty provision:

Maximum penalty: $10 000 or imprisonment for 2 years.

No. 11. Clause 14, page 18, lines 13 and 14—Leave out "or tracking".

No. 12. Clause 15, page 10, lines 20 and 21—Leave out proposed paragraph (c).

Schedule, page 20, after line 11—Insert the following statute law revision amendments:

Section 8(1)	Strike out "shall apply" and substitute "applies".
Section 8(2)	Strike out "shall" and substitute "must". Strike out "hereby". Insert "or her" after "his".
Section 8(3)	Strike out "of this section".
Section 8(4)	Strike out "upon" and substitute ""on". Strike out "shall" and substitute "will".
Section 8(5)	Strike out "shall be deemed" and substitute "will be taken".
Section 8(6)	Strike out "Chief Executive Officer as defined in the *Government Management and Employment Act 1985*" and substitute "Chief Executive as defined in the *Public Sector Management Act 1995*".

The Hon. K.T. GRIFFIN: Mr Chairman, I draw your attention to the state of the Committee.

A quorum having been formed:

The Hon. K.T. GRIFFIN: At the end of the last part of this session, we had left on the Notice Paper the message from the House of Assembly in respect of amendments it had proposed to this Bill. Obviously, these issues will go to a deadlock conference. They are issues about which the Government feels very strongly. The House of Assembly has sought to remove those amendments made by the Legislative Council, in particular those involving the public interest advocate, a declared tracking device and record keeping of warrants by the National Crime Authority and the police. They are issues about which I will not refresh anyone's memory, apart from listing those headings. I therefore move:

That the amendments be agreed to.

The Hon. CAROLYN PICKLES: The Opposition opposes the amendments moved by the Hon. Attorney-General and will insist on the amendments moved by the Legislative Council being agreed to. We understand that this matter will go to a conference. At the time they were moved by the Hon. Mr Gilfillan we supported them quite strongly, but I understand that they will be further canvassed during the conference.

The Hon. M.J. ELLIOTT: The Democrats will continue to insist on the amendments made by the Legislative Council and therefore we oppose those moved by the Attorney-General.

Motion negatived.

ADJOURNMENT

At 3.50 p.m. the Council adjourned until Wednesday 26 May at 2.15 p.m.