

**HOUSE OF ASSEMBLY****Wednesday 30 June 1999****ESTIMATES COMMITTEE A****Chairman:**

The Hon. D.C. Wotton

**Members:**

The Hon. G.A. Ingerson

The Hon. R.B. Such

Ms L.R. Breuer

Mr J.D. Hill

Mr G. Scalzi

Mr M.J. Wright

*The Committee met at 11 a.m.*


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Department for Environment, Heritage and  
Aboriginal Affairs, \$119 156 000  
Administered Items for Department for Environment,  
Heritage and Aboriginal Affairs, \$1 330 000  
Minister for Environment and Heritage—Other Items  
\$2 777 000

**Witness:**The Hon. D.C. Kotz, Minister for Environment and  
Heritage and Minister for Aboriginal Affairs.**Departmental Advisers:**Mr J. Scanlon, Chief Executive, Department for Environ-  
ment, Heritage and Aboriginal Affairs.Mr D. Rathman, Chief Executive, Division of State  
Aboriginal Affairs (DOSAA).

Mr R. Starkie, Executive Assistant, DOSAA.

Mr D. Moffatt, Financial Coordinator, DOSAA.

Ms C. Divakaran, Team Leader, Strategic Development,  
DOSAA.

Mr P. Campaign, Team Leader, Heritage, DOSAA.

Mr N. Stewart, Project Officer, DOSAA.

**The CHAIRMAN:** Most of us are aware by now that the Estimates Committees are a relatively informal procedure. The Committee will determine an approximate time for consideration of proposed payments to facilitate the change-over of departmental advisers. I presume that the Minister and the Opposition spokesperson have agreed on a timetable for today's proceedings, and I will ask the Minister to advise the Committee on the agreed timetable at the conclusion of my remarks.

Changes to the composition of the Committee will be notified to the Committee as they occur. I ask members to ensure that they provide the Chair with a completed request to be discharged form.

If the Minister undertakes to supply information at a later date, it must be in a form suitable for insertion in *Hansard*, and two copies must be submitted to the Clerk of the House of Assembly no later than Friday 16 July.

I propose to allow the lead speaker for the Opposition and the Minister to make an opening statement, if they desire, of

about 10 minutes' duration but no longer than 15 minutes. There will be a flexible approach to giving the call for asking questions, based on three questions per member, alternating sides. Members may also be allowed to ask a brief supplementary question to conclude a line of questioning, but any supplementary question will be the exception rather than the rule.

Subject to the convenience of the Committee, a member who is outside the Committee and who desires to ask a question will be permitted to do so once the line of questioning on an item has been exhausted by the Committee. An indication to the Chair in advance from the member outside the Committee wishing to ask a question is necessary.

Questions must be based on lines of expenditure as revealed in the Estimates Statement. Reference may also be made to other documents, including the Portfolio Statements, and I would suggest once again that it would be appropriate if members identified a page number of the program and the relevant financial papers from which their question is derived. We have not had much success with that so far, but here is hoping for better things today. Questions not asked at the end of the day must be placed on the next day's House of Assembly Notice Paper.

I remind the Minister that there is no formal facility for the tabling of documents before the Committee. However, documents can be supplied to the Chair for distribution to the Committee. The incorporation of material in *Hansard* is permitted on the same basis as applies in the House of Assembly, that is, that it is purely statistical and limited to one page in length. All questions are to be directed to the Minister, not to her advisers, and the Minister may refer questions to advisers for a response if she so wishes.

I also advise that for the purposes of the Committee some freedom will be allowed for television coverage by allowing a short period of filming from the northern gallery.

**The Hon. D.C. Kotz:** I would like to take the opportunity to make an opening statement. This is the second year I have been able to place on the public record my pleasure to have ministerial responsibility for Aboriginal Affairs in South Australia. I am committed to working closely with the Aboriginal community and, in the spirit of reconciliation, to achieving real outcomes for Aboriginal people. I am particularly keen to create and promote opportunities for economic independence for Aboriginal people, leading to improved quality of life within the community.

The vision in Aboriginal Affairs is to create an environment that enables Aboriginal people to function with a sense of dignity and equality with all Australians. The Division of State Aboriginal Affairs plays a vital role in delivering a diverse range of outputs which include: the maintenance of essential services in Aboriginal communities; administration of the Aboriginal Heritage Act; and support to Aboriginal enterprise development and the State's three landholding authorities.

The division also has an important monitoring role of services provided by Government agencies which target Aboriginal people in the community. In 1998-99, the Division of State Aboriginal Affairs achieved a number of significant outcomes which, for the size of its organisation, is quite outstanding. These achievements, which are listed in the highlights for 1998-99 and commence on page 9.3 of the department's Portfolio Statement, include:

- maintained essential services infrastructure (which include water, power and sewerage) to 18 South Australian Aboriginal communities.

- project managed the construction of a powerline from Leigh Creek to service the Nepabunna Aboriginal community. National Aboriginal health infrastructure projects were completed at Pipalyatjara, Ernabella and Indulkana communities.

- provided the Aboriginal community with assistance in creating employment opportunities through sustainable economic development enterprises and supporting business skills programs for Aboriginal students in high schools. Economic development enterprises assisted include the Kalparrin Farm new cottages, Ceduna emu farm, Salisbury Women's Group and the indigenous business incubator concept.

- established an Aboriginal affairs advisory forum to provide consolidated advice on the whole of government Aboriginal affairs policy.

- facilitated the Government response to the ministerial statement on Aboriginal deaths in custody as part of the national indigenous justice outcomes report which addresses initiatives taken by the State in partnership with the Aboriginal people and communities to address the over-representation of Aboriginal people in the criminal justice system.

- established a women's council which encourages Aboriginal participation from communities across the State, including the South-East, the Riverland, Ceduna, Adelaide and Point Pearce. An Aboriginal women's advocacy group has also been established which includes Aboriginal membership from State and Commonwealth agencies.

- organised an Aboriginal elders' conference in Coober Pedy which involved a high representation of Aboriginal elder women who actively participated in forming recommendations and future actions out of that conference.

- established an office at Netley for the State's three land-holding authorities and Aboriginal Lands Trust administration has relocated to the new premises.

- coordinated the preparation of the Government response to the recommendations in the *Bringing Them Home* report for the National Inquiry into the Forced Removal of Aboriginal and Torres Strait Islander Children from their Families.

- coordinated legislative and administrative work towards the successful handover of Emu to the Maralinga Tjarutja people.

- investigated Aboriginal heritage issues, including skeletal remains at Murray Bridge, Gunyah Beach and Grange sites. Aboriginal site clearances were provided for the Port Augusta aerodrome and Buddhist temple at Aldinga. Art sites were assessed as part of U-Rock project in the Mount Lofty Ranges, and

- coordinated the drafting of a Government submission to the Senate Indigenous Education Inquiry, which provides an insight into educational services to indigenous people in South Australia.

The 1999-2000 outcome for Aboriginal affairs is 'Equity for Aboriginal peoples', and the strategies to work towards this outcome are:

- create economic independence for Aboriginal people in South Australia by assisting the Aboriginal community in the development of sustainable economic enterprises.

- provide sustainable essential services infrastructure that contributes to safer and healthier living environments for Aboriginal communities.

- promote greater coordination and stronger working relationships between the State's land-holding authorities

(Anangu Pitjantjatjara, Maralinga Tjarutja and Aboriginal Lands Trust), and

- improve policy advice in the delivery of outcomes for Aboriginal people including education and training.

The Division of State Aboriginal Affairs has six defined outputs which cover the key roles that service the community with emphasis on ensuring Aboriginal access, involvement and participation in the activities taken for granted by the wider community. To measure the effectiveness of delivering the services, each output has specific and measurable key performance indicators, with targets clearly identified for each indicator under quantity, quality, timeliness and cost. Each output is costed accordingly, and targeted average costing of delivering the key activities is provided. A further initiative which leads to greater financial accountability is the implementation of an activity based costing model to facilitate the allocation of costs to outputs. This model provides a more accurate account of the full expenditure associated with output delivery, including direct and indirect costs.

Aboriginal Affairs has adapted smoothly to the new output management framework and has been especially transparent in enabling its performers to be measured by providing a full breadth of indicators. The key issues for 1999-2000 in Aboriginal Affairs are to create employment for Aboriginal people, continue to provide an excellent level of essential services in communities, greater efficiency in the administration of the three land-holding authorities, more clarity and certainty in Aboriginal heritage decision making, and strengthen our policy and monitoring role. We all acknowledge that 1999-2000 will be another challenging year in Aboriginal Affairs but I am confident that the solid platform that we have already established will guarantee quality and measurable outcomes for the Aboriginal community in South Australia.

**The CHAIRMAN:** Does the member for Lee wish to make an opening statement?

**Mr WRIGHT:** I have a number of omnibus questions that I would like to read through.

**The CHAIRMAN:** It is the prerogative of the Opposition to do so and I suggest to the Minister that, if she wishes to answer any of those questions at the conclusion of the questions asked, an opportunity will be provided for her to do so; otherwise they will need to come back to the Committee through *Hansard*.

**Mr WRIGHT:** I thank the Minister for her opening statement and I welcome the departmental people to the Committee today. My series of omnibus questions are as follows: in relation to all departments and agencies for which the Minister has Cabinet responsibility, including relevant junior Ministers, will the Minister list all consultancies let during 1998-99, indicating to whom the consultancy was awarded, whether tenders or expressions of interest were called for each consultancy and, if not, why not, and the terms of reference and cost of each consultancy?

**The Hon. D.C. Kotz:** The honourable member talked about all agencies under the Minister's area. Is the honourable member referring only to the Aboriginal Affairs area, or does he mean all agencies?

**The CHAIRMAN:** I suggest that the honourable member is speaking over all the agencies that are under the Minister's responsibility.

**Mr WRIGHT:** That is correct. Which consultants submitted reports during 1998-99, what was the date on

which each report was received by the Government and was the report made public?

What was the cost for the financial year 1998-99 of all services provided by EDS, including the costs of processing of data, installation and/or maintenance of equipment, including the cost of any new equipment either purchased or leased through EDS, and all other payments related to the Government's contract to outsource information technology to EDS?

During 1998-99, were there any disputes with EDS concerning the availability, level or timeliness of services provided under the whole-of-Government contract with EDS and, if so, what were the details and how were they resolved?

Which of the Minister's agencies are buying new desktop computers prior to the year 2000? Of these, how many are to be bought, at what cost, who is the manufacturer of the product and what models are being purchased? What is the hardware and software that has been replaced or identified for replacement due to achieve Y2K compliance, and at what cost? Did or will these replacement purchases go to tender?

How much did agencies within the Minister's portfolio spend in contracting the services of Internet providers during 1998-99, and which Internet providers were involved? Detail how many FTEs are employed by the agency in 1998-99 for Information Technology services and detail the figures for 1995-96, 1996-97 and 1997-98.

What are the names and titles of all executives with salary and benefit packages exceeding an annual value of \$100 000? Which executives have contracts that entitle them to bonus payments, and what are details of all bonuses paid in 1998-99? What are the names and titles of staff who have been issued with or who have access to Government credit cards? For what purpose was each of these cards issued, and what was the expenditure on each card for 1998-99?

What are the names and titles of all officers who have been issued with Government owned mobile telephones? What arrangements apply for the payment of mobile telephone accounts, and what restrictions apply to the use of Government mobile telephones for private purposes? What was the total number and cost of separation packages finalised in 1998-99? What is the target number of staff separations in the 1999-2000 budget? How many TVSPs have been approved by the Commissioner for Public Employment for 1998-99 and what classifications of employee have been approved for TVSPs in 1999-2000?

How many vehicles by classification were hired in 1998-99, and what was the cost of vehicle hire and maintenance in that year? List all employees with use of privately plated cars in 1998-99 and outline what conditions are attached to the use of the car by the employee. Did any of the Minister's agencies rent vacant and unused office space during 1998-99 and, if so, what was the cost of rent or lease of this unused office space to the taxpayer? Are there any Government owned premises within the Minister's portfolios that are not currently occupied? What is the cost of holding these properties and where are they located?

Will the Minister detail all executive and staff development exercises undertaken by the Minister's agencies during 1998-99? Will the Minister list all occasions during 1998-99 on which executive staff of the agencies under her portfolio entertained guests at taxpayer expense, all those present on the occasion, the purpose of the occasion and the cost to the taxpayer? How many staff originally from the Minister's portfolios were on the redeployment list in 1998-99? For how long have they been on redeployment and what are their classifications?

How many public help lines did the Minister's agencies operate during 1998-99 which were located in South Australia and which were operated from interstate; information about what issue(s) was each help line intended to provide and what was the cost to the taxpayer of operating each help line? What are the names of the public servants in your portfolio and which, if any, of your ministerial staff currently serve as Government representatives on boards of management of other bodies? What is the category of the board in question? What is the remuneration paid to these individuals for service on each board and at what level of classification are these employees?

I ask the Minister to detail all interstate and overseas travel undertaken during 1998-99 by members of Government boards, their destination, purpose, cost and all individuals who travelled. Detail all advertising and promotional activities and campaigns undertaken by all agencies within your portfolio for 1998-99. What issue(s) were the concerns of these activities, of what did these activities consist, how much did they cost, and what activities are planned for 1999-2000? Detail all local, interstate and overseas conferences attended during 1999-2000 by the Minister, her staff and by public servants within the Minister's portfolio, including the cost, location and purpose of the conference?

Provide the name(s) of any former member of State or Federal Parliament within the Minister's portfolio currently serving as a board member, a member of the Minister's staff, or as a public servant and detail their duties and remuneration. Have any agencies within your portfolio rebadged or otherwise made presentational changes during 1998-99 through changes in letterheads or other stationery, signage, etc.? What was the reason for the change and what was its cost? Has there been any refurbishment of your ministerial office or of any offices of your CEOs during 1998-99? What was the reason for the refurbishment and what was the cost?

Since the 1997 State election have any of your ministerial staff taken up permanent employment in the South Australian public sector? If so, would the Minister name the individuals concerned and indicate the vacancy for which they applied? Were these positions advertised and, if so, when and where? Name all your ministerial staff and their classification and remuneration. Name all staff attached to junior Ministers and their classification and remuneration and advise if they have ministerial cars with drivers, cars without drivers or access to ministerial cars or drivers and on what basis?

During 1998-99 what Government land or other real estate has been disposed of, where were these properties located, did the sale involve a tender process, for how much was each property sold, who purchased the property and who acted as agent and/or legal adviser to the sale?

**The CHAIRMAN:** I provide the opportunity to the Minister now to answer any of those questions if she wishes to do so.

**The Hon. D.C. Kotz:** The only question that was not on that list was exactly how much time and resources it would take the Government to supply that complete list. I put on the record that I believe the means by which the Opposition is utilising these Estimates in terms of these omnibus questions is an abuse of the Estimates system. However, I will take on notice all the questions that have been asked, but I also point out that the number, diversity and variability of each of the questions will put great pressures on the department and its resources to provide these answers. I suggest that, considering the time limits within which the Estimates Committee is

set, we will be hard pressed to comply with the request but we will certainly make an attempt.

**Membership:**

Ms Bedford substituted for Mr Hill.

**Mr WRIGHT:** They were the easy questions; now we get to the interesting ones. Will the Minister provide details of the monitoring of outcomes and negotiations by the Department of State Aboriginal Affairs in relation to the mining venture in the Anangu Pitjantjatjara lands reported recently in the media?

**The Hon. D.C. Kotz:** The Department of State Aboriginal Affairs has been informed that there is a land future access facilitation deed between the AP Executive and Taliwell Pty Ltd, which is in the draft proposal stage. The deed apparently provides for a long term agreement between the two parties where, in return for processing mining applications on the AP lands, Taliwell receives a part interest in the proceeds received from such mining operations. I believe the issues surrounding the deed are centred on consultation with the community at present. Under section 7 of the Pitjantjatjara Land Rights Act 1981 you will be aware that the traditional owners of the land must be consulted and grant their approval before any such major decision that is actually going to affect the community can be made. At this stage that consultation has not taken place. The requisite approval has not been granted for the deed to be advanced past the acceptance stage. The department has apparently also received written confirmation from the AP Executive that the deed is only in the proposal stage at this time. Therefore, apparently there is also the suggestion that the Act may be breached. In this instance that would not be true.

We have also sought legal advice through the department on this matter in order to obtain further information and clarification of all the issues, concerns and possible future ramifications of the deed. At this stage I believe a response has been received but it is under consideration. That is the only information I can provide.

**Mr WRIGHT:** As a supplementary, is the Minister able to advise any potential time lines that we might be looking at for further information as a result of this consultation to which you refer?

**The Hon. D.C. Kotz:** I am not in a position to give that information at this stage because I am not in possession of any time lines.

**Mr WRIGHT:** I refer the Minister to page 9.23 of the Portfolio Statements, output 1.3. Will the Minister provide details on expenditure specifically allocated for native title negotiations and settlement?

**The Hon. D.C. Kotz:** I would like to be able to answer the question but I am advised that the question comes under the Attorney-General's area and we cannot assist with that information.

**Mr WRIGHT:** I refer to page 9.41, outputs in respect to Aboriginal policy and program coordination. Will the Minister provide details of expenditure relating to drug and alcohol programs?

**The Hon. D.C. Kotz:** We have a number of areas that we have dealt with in the drug and alcohol area. The Department of Aboriginal Affairs has prepared a submission to secure Commonwealth funding to negotiate the establishment of kinship support service plans. That is a means to strengthen and support Aboriginal families in their fight against drugs. This proposal has been endorsed by a range of State and

Aboriginal community agencies. It was proposed and approved initially, I am told, by the Chief Executives coordinating committee on drugs and subsequently by the Cabinet committee on illicit drugs for submission to the Commonwealth.

It is expected that, should the department be successful (and there is every reason at this stage to believe that it will be), some \$227 000 of funds per annum for a four-year period will become available in July 1999. The honourable member's question, of course, touches on a very sensitive area for all peoples in society, and of course in the Aboriginal area the use of illicit drugs by Aboriginal people is of concern due to deaths, and certainly the growing incidences of associated offending behaviour.

Combating substance abuse is certainly identified as a priority for each region in the regional health plans that have been developed by the South Australian Aboriginal Health Partnership. Members of the Aboriginal community, which include the Aboriginal Justice Advocacy Committee and the justice executives, have expressed a great deal of concern regarding increased illicit drug use in the Aboriginal community. The consequences for the Aboriginal community have certainly included deaths through suicide or overdose and increasing serious crime that has been associated with supported drug taking habits.

The Justice Strategy Unit convenes a working group on illicit drugs examining its implications on Aboriginal communities. The department is represented on this group. The whole area is covered under health specifically, but the relationship to the support services that DOSAA can assist with, and in terms of its representation on the groups that support the health means, include representatives from the Drug and Alcohol Services Council. This is the group on which DOSAA has representation. SAPOL is included. There is the Department of Human Services, and I believe that a report on this particular matter is being prepared for the Justice Executive Forum at this time.

**Mr WRIGHT:** I ask a supplementary question: can the Minister provide a breakdown in the communities for drug and alcohol prevention programs and any specific detail about the programs in the various communities? What sort of Commonwealth funding is allocated to this expenditure? Does the Minister have any of that detail?

**The Hon. D.C. Kotz:** As I initially indicated, the matters relating to health would specifically go through the Human Services area; but I will take the member's question on notice and will seek to get those questions answered for him.

**The Hon. G.A. INGERSON:** Minister, I refer to page 9.10 of the Portfolio Statements and the heading under Specific Targets for 1999-2000 'Output: Economic development advice to Aboriginal peoples'. Can the Minister provide the Committee with an example of an Aboriginal enterprise that has directly benefited from support and guidance provided by your agency?

**The Hon. D.C. Kotz:** There are certainly many examples of assistance provided by Government, which has, indeed, led to the establishment of enterprise developments directly benefiting Aboriginal people. As Minister for Aboriginal Affairs I was pleased to be able to launch recently the Salisbury women's group, Marra Murrangga Kumangka Incorporated. The opening of this facility is certainly an excellent example of how Government can reach out and help to establish a business enterprise that offers a better future for its members.

Marra Murranga, known as Marra Dreaming, is an outlet that enables Aboriginal people to produce and sell arts and crafts as a commercial venture in Salisbury. Marra Dreaming is involved in creating objects of lasting beauty, which is appropriate in the context of the people who work there. Aboriginal people, as the honourable member knows, have a very long tradition of artistic expression. The complex shapes, very beautiful patterns and intricate designs used by Marra Dreaming go back further than written history. They certainly have been used by Aboriginal people for thousands of years. Having seen many of their products, I can assure the honourable member that these artists can be proud of the link they have with their ancestors.

*Ms Bedford interjecting:*

**The Hon. D.C. Kotz:** No, unfortunately, but it is very similar. Their art is part of the oldest living culture in the world. Establishing that centre was not easy: it took almost two years of very demanding work to arrange a joint venture between Federal and State agencies. There were several officers from the department helping the process and very strong lobbying from the people who make up the centre to progress this project. I first heard of the venture when the Salisbury women's group wrote to the department and requested help to find stable and secure accommodation. At that time they were temporarily housed in a church hall in Salisbury. After some meetings, the department arranged a training program in business skills, which was a first move towards this eventual outcome.

The program made participants eligible to apply for funding from the Federal Government under ATSIC's Business Incentives Program. The department then arranged for incorporation of the group, wrote its constitution and funded the registration fee. However, the biggest hurdle was an outlet for the art work and the goods of the Salisbury women's group. The department had started to look at vacant State and Federal Government properties but, of course, being an art group, the group had some special requirements, and buildings that seemed to be suitable were unfortunately out of financial reach. However, the economic development team of DOSAA noted that there was a Salisbury property that had been vacant for some time and made an offer of about 50 per cent of the initial asking price. And the landlord accepted it.

DOSAA then assisted in drawing up the lease and the State Government provided funding of some \$15 000 to cover the rent payments for the first year of the operation. By this time, the business establishment grant from ATSIC of some \$50 000 had come through and Marra Dreaming was now in business. DOSAA also then helped to truck and deliver the furniture to the centre. The truck, I believe, was courtesy of Salisbury Council, so we had everyone involved in this coming together. As soon as the business was ready to commence, DOSAA also facilitated a grant of some \$10 000 through Employment SA for the main trainer to be assigned to Marra Dreaming. This person is a qualified TAFE instructor who devotes much of their time to improving the skills of the members of the group.

At the time of the opening, just a few weeks ago, I was pleased to be able to provide a further cheque of some \$3 000 from the South Australian Aboriginal Training and Education Advisory Committee that complemented the Employment SA funding and allowed for additional training to take place within the group. It means that several of the group members will be able to complete TAFE qualifications and improve their own status as registered trainers.

So, the business enterprise is well and truly up and running, and orders have begun to come in from as far away as Geelong in Victoria. This is one of many positive examples of what can be achieved when all parties work together with the common goal of achieving a business focused outcome for Aboriginal people.

**The Hon. G.A. INGERSON:** Page 9.15 of the Portfolio Statements concerns the role of Aboriginal Affairs in the criminal justice system. Will the Minister outline the actions being taken to improve the communication and liaison with Aborigines in this criminal justice system of ours?

**The Hon. D.C. Kotz:** I thank the honourable member for this question, because it is an exceedingly important one and a very special initiative. A report prepared as a joint initiative of the Attorney-General's Department and the Courts Administration Authority proposed that Aboriginal Justice Officers be appointed to specifically assist Aboriginal people with fines, and to help them meet those obligations. Three such Aboriginal Justice Officers were appointed in December 1998 and are currently based at the Port Adelaide Magistrates Court. The role of the Aboriginal Justice Officers has been extended since that time to include a community education focus.

The justice officers now educate and inform Aboriginal people about the current and proposed fine enforcement scheme. They also provide policy advice to the Courts Administration Authority on issues such as how fine enforcement processes may affect Aboriginal people and how to assist Aboriginal people with other matters; for example, the warrants that bring Aboriginal people before the courts. The trial of a mock court day in May this year at Port Adelaide courtrooms was largely facilitated by the presence of Aboriginal Justice Officers in the Port Adelaide Magistrates Court. This event was attended by some 40 members of the community and agency representatives, which included the Sheriff's Office, the Courts Administration Authority, DOSAA, the Aboriginal Sobriety Group, Kumangka, Human Services, Police Department, Corrections and the Legal Services Commission.

Participants gave full endorsement to the concept and discussed how the court proceedings could present opportunities for all concerned to assist the defendant and the court as deemed appropriate. It is hoped that, because of these new procedures, the courtroom will be less alienating and more culturally sensitive through greater Aboriginal presence, bringing Aboriginal community justice into the heart of the criminal justice system. Assistance and support from Aboriginal and non-Aboriginal workers and agencies will be crucial to the success of the Aboriginal court day.

The first Aboriginal court day took place on 1 June and has been taking place on a fortnightly basis at the Port Adelaide Magistrates Court. The Senior Magistrate has indicated that this may in fact increase to weekly sittings. So, I suggest that is also a measure of success in this area. Feedback has been extremely positive, with Aboriginal defendants, Aboriginal workers and community representatives, court staff and the Senior Magistrate expressing their satisfaction with the proceeding of hearings and the improved community support that is available to defendants. I am told that the role of the Aboriginal Justice Officer has been well received by court personnel at Port Adelaide.

There is also growing awareness of the role amongst the Aboriginal community, which is extremely important to make this a success. The Aboriginal Justice Officers are now responding to a broad range of inquiries for assistance right

around the State. The Aboriginal Justice Officer is still in a pilot project stage and we will be looking to evaluate the whole system by the end of this year, December 1999.

**The Hon. G.A. INGERSON:** From page 9.15 of the Portfolio Statements it can be seen that Aboriginal Affairs has an important monitoring role in addressing the over-representation of Aboriginal people in the criminal justice system. Will the Minister outline initiatives at a community level that her agency is pursuing?

**The Hon. D.C. Kotz:** This is another important aspect of what we were just talking about. The Division of State Aboriginal Affairs (DOSAA) has prepared an Aboriginal community justice scoping document to address just how the present criminal justice system affects Aboriginal people and how it can be adjusted to allow for cultural differences. The document has three main purposes:

1. To explore and promote the concept of Aboriginal community justice, which is the merging of the principles of retributive justice and indigenous self-determination;
2. To identify the current Aboriginal community justice initiatives within the criminal justice system; and
3. To support greater implementation of Aboriginal community justice initiatives.

The Aboriginal justice officers about whom we just spoke play an important role, as I said, at the Port Adelaide Magistrates Court. It is hoped that the introduction of the Aboriginal court day will better coordinate and consolidate Aboriginal justice resources, and this includes resources realised within the community and Government, the facilitation of Aboriginal defendants having a say in the court process, as well as the provision of improved and more culturally sensitive representation and support for Aboriginal people within the court system.

I did mention that we received feedback from defendants, prosecution defence counsel and, indeed, court staff, and it has all been very positive. In two sittings, I am told that each time only one defendant did not attend the court, and that, in itself, is quite a remarkable turn turnaround, because we have a high failure to attend trend.

*An honourable member interjecting:*

**The Hon. D.C. Kotz:** That's one way of putting it. Such initiatives in which the Division of State Aboriginal Affairs is taking an active role are certainly going a long way to addressing the issue of the over representation of Aboriginal people in the criminal justice system.

**Mr WRIGHT:** I refer to page 9.42, relating to Aboriginal education and training. What are high school completion and truancy rates, and what is being done to address areas such as self-esteem and confidence of Aboriginal students? What expenditure has been allocated to those areas?

**The Hon. D.C. Kotz:** We all realise that that question has been of concern for a very long time. However, I must point out to the member that school absenteeism is a matter for the Minister for Education to comment on. I would like to put on record that some of the reasons for the high rate of absenteeism—particularly when we are looking at Anangu students—could be attributable to many different reasons. Some of them would include the remoteness and the isolation of the Pitjantjatjara lands in the Far North-West of the State; the home lands movement is certainly causing some access problems to schools and to services; and children's health has been pointed out as a serious concern issue, for example, ear problems—namely the *otitis media*—cold sores, and so on. There are no bilingual language problems, although housing has also been noted as a concern.

The South Australian Aboriginal Education Training and Advisory Committee has also been involved in examining the issue of absenteeism from schools by Aboriginal children in other parts of the State. A recent example of this has been the Ceduna and districts education review, which examined the issues in that region. The review found:

- that the participating education services meet to review existing attendance policies to share current practices and to develop consistency and approaches to attendance across their schools;
- that the education services investigate the employment of an attendance counsellor to assist schools in the management of truancy and, indeed, absenteeism;
- that the participating education sites develop, in association with their attendance policies, clear guidelines to effectively manage the return of truanting students to school and that these be worked out in partnership with staff, parents and community support organisations;
- that education sites ensure that their attendance policies include a commitment to assisting transient students; and
- that each education site examine their current parent participation policies in regard to home visits and school and community parent/teacher activities with reference to opportunities for such activities off campus.

I also know that the Minister for Education has taken this up with a degree of great objectivity and has plans in place to include the participation of parents to a far greater degree than has been initiated before. We can only now await the outcomes knowing that a range of areas will be addressed. However, it is an important question and one about which we are also concerned.

**Mr WRIGHT:** What assistance has been made available for Aboriginal sport?

**The Hon. D.C. Kotz:** In 1998-99, DOSAA contributed funds of some \$40 000 towards the running of the South Australian Aboriginal Sports and Recreation Association. The association plays a vital role in assisting Aboriginal communities to develop sport and recreation, and again culturally appropriate programs. It encourages participation in and provides opportunities to individuals to improve and develop skills in sports and recreation. The \$40 000 grant comprised a \$30 000 component for the day-to-day running of the association, including sporting grants to the Aboriginal community and some \$10 000 to cover the costs that relate to the board of management meeting which was held, the National Indigenous Sports Organisation Council meeting and the presentation of information relating to a national football and netball carnival, and to assist with an AP lands sport and recreation development program. For the 1999-2000 financial year, it is estimated that \$40 000 will be funded again for the day-to-day running of the association, including the allocation of sporting grants to the Aboriginal community.

**Ms BREUER:** Despite repeated calls in the past two years for the Parliamentary Aboriginal Lands Trust Committee to meet and a censure motion at the end of the last session in the House, still no date has been given for this committee to meet. I have had a number of meetings with various Aboriginal representatives regarding the Aboriginal Lands Trust—and it needs following up. Has any money been allocated in the budget for the operation of this committee, and when will the committee meet?

**The Hon. D.C. Kotz:** As the member knows, the committee is established under section 20B of the Aboriginal Lands Trust Act 1966. The duties of the committee are

stipulated under the Act, which suggests that the duties of the committee are to take an interest in the operation of the Act and matters that affect the interests of the Aboriginal persons who ordinarily reside on the lands, the manner in which the lands are being managed, used and controlled and to consider any matter referred to by the Minister.

The member would be aware that there is a motion before Parliament at present where this issue is being discussed, and I have already placed a position on the parliamentary record that looks to take us into a review of the Aboriginal Lands Trust Act, once again, predominantly on the basis that this Act originated in the 1930s, and since then both the major Aboriginal community areas designated under that Act and under the sunset clause that was alive and well within the Act no longer exist.

In terms of parliamentary committees having *carte blanche* access to Pitjantjatjara lands and Maralinga Tjarutja, those two Aboriginal communities are no longer, by definition, part of the Aboriginal Lands Trust Act. The Aboriginal Lands Trust Act as it stands at present is anomalous. It is my hope that, in the next few months, we will be able to look at an absolute review of the Act which is at present under way. That will be done in consultation with the Aboriginal community, and that work has begun, and with members of the Opposition, who I know have an active and genuine interest in this area of Aboriginal affairs.

I hope that I will be able to convince them of the need to change the Act. As we move into the twenty-first century, the supervision or observation of the lands by members of Parliament has become almost a paternalistic look at the means by which Aboriginal communities operate. Given that we are moving towards assisting economic development and that we are talking about the empowerment of Aboriginal communities and about independence and economic independence, our present Act of Parliament in today's world is an anomaly. As far as the budget is concerned, that is a Parliament House designation, so it is not within my realm as Minister to designate moneys within that area. It comes under the Parliament House budget.

**Mr WRIGHT:** I have a supplementary question. Are we to glean from the Minister's answer that, despite all the debate that has occurred and despite this Parliament condemning the Minister for not calling the Aboriginal Lands Trust Parliamentary Committee together, notwithstanding the Minister's philosophical position with regard to that committee and the legislation, she will not call the committee together? It is the Minister's responsibility to call the committee together; it is a legal requirement. It is one thing for the Minister to want to change the law because, at this stage, the law states that the committee must be called together, and the Minister has failed in her duty to do so. We have raised this issue in Parliament for 18 months.

The member for Giles has regularly brought back to Parliament information from the respective groups that they do not view the committee as paternalistic. To the contrary, they see the functions of the committee as very important in helping to discover what people in the various areas are saying. Are we to understand from the Minister's answer that, despite the motion that was recently passed unanimously in this Parliament for which no division was required, she is still not going to call this committee together?

**The Hon. D.C. Kotz:** I have not made any such statement. I believe that I was stating an answer to the question asked by the member for Giles.

*Mr Wright interjecting:*

**The Hon. D.C. Kotz:** I have heard your question. I do not require you to interrupt when I am attempting to answer it.

*Mr Wright interjecting:*

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:** I have stated many of the reasons why I believe a review should take place. If members in this Chamber refuse to accept the Aboriginal community's right to self-empowerment and refuse to move towards a confirmation of reconciliation by removing the paternalistic overtones in that Act, I will move to open up the committee in the next session of Parliament. That will be done under protest by me, and members present have heard many of my reasons for that. Indeed, I might have to retract my comments about the genuine interest of members of the Opposition because that might have been a wrong assessment on my part.

*Mr Wright interjecting:*

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:** The genuine interest of members of the Opposition would be confirmed by the fact that they, too, are listening to Aboriginal communities. If before we can move to address the anomalies in the Act they put on record that they want to pursue their paternalistic moves, I will comply with that request. However, I remind them that the resources that will be used to put that parliamentary committee back out into the field, which has not been requested by the Aboriginal communities, will also be on record. However, if that is what members of the Opposition wish, I will move to constitute that parliamentary committee, but it will purely be a means of recognising that the genuine interest that I thought I saw in Opposition members is really not quite there.

**Mr SCALZI:** On page 9.8 of the Portfolio Statements, I note that the Government recognises the importance of assisting the Aboriginal community in the development of sustainable economic enterprises to create employment opportunities. This is a key strategy identified to assist in achieving the portfolio outcome of 'Equality for Aboriginal peoples'. Can the Minister outline strategies and project initiatives that will create increased employment within the Aboriginal community in South Australia?

**The Hon. D.C. Kotz:** I have already designated the role and responsibilities of the Government, and that is to look at increased employment within the Aboriginal communities in South Australia. The Division of State Aboriginal Affairs is working extremely hard with Aboriginal communities to assist in the establishment of business enterprises to increase employment opportunities. The division is providing assistance on a broad range of project initiatives, and I will give the committee some examples.

The Kalparrin Farm, which works out of the community at Kalparrin near Murray Bridge, has asked DOSAA to assist in coordinating a project to build 12 cottages from local stone to ease a very critical shortage of housing. The project is providing training and work experience for a number of young local people. Funding has been secured for the houses. However, site preparation funding has not yet been secured for all of the sites. DOSAA has obtained a grant of some \$15 000 to assist with the employment of four apprentices on the site, as well as funding of \$4 000 for a consultant who is a project coordinator. I am told that the first house is well on its way to completion, and I look forward with great pleasure to seeing it once it has been completed.

The development of Aboriginal owned and operated aquaculture projects is a high priority, and the department has been involved in assisting Aboriginal ownership of an oyster lease at Point Pearce and to continue with the development

of a yabby farm at Gerard. Youth enterprise development is also an initiative in which the department is providing assistance. Business skills programs for Aboriginal high school children have been and will continue to be sponsored by the division. Some of these courses have been held at Murray Bridge, Port Lincoln and Coober Pedy, and new courses are being planned at Meningie, the Riverland and Port Lincoln. Around 100 students have participated in the courses to date, and I believe that there is an expectation that 150 to 200 participants are planned for the 1999-2000 year.

These programs run for a 26 week period. They are aimed at providing young Aboriginal people with an introduction to starting and running their own businesses. The success of the initiative is highlighted by the fact that the participants in the program at Port Lincoln High School won a high achievement award in the National Young Achievement Australia Awards, and I know that that school is very keen to maintain the impetus. Communities have also sought assistance from DOSAA in creating traineeships within their own enterprises and, as the member knows because of his interest in this area, the development of traineeships has the dual benefit of providing skills for young Aboriginals whilst contributing an additional human resource to their community.

The department is also working with the Nalta Ruwe Community Development Employment Program in investigating several different business opportunities, including a yabby farm, a garlic farm, horticulture, art and craft manufacturing and retailing, production of clothing, and looking at planting a vineyard. A variation in a water licence has been approved, and we believe that will greatly assist in developing these new ventures. The department has also been able to assist the Gerard community in the management of an almond orchard, by arranging for a local almond grower to manage the crop in the short term.

The division is now assisting the Gerard community to find ways in which to make the orchard yield better returns to the community and to train local people for local orchard management. In the area of Ceduna, the department has engaged a consultant to assist the local community development employment project to diversify its emu farm. A plan has now been developed to create a small tourism facility on that site, and this will include operating a kiosk and selling arts and crafts to tourists. The community is also considering planting native species as crops.

We have also, through the division, assisted in the marketing and the sale of emu eggs to art and craft groups throughout South Australia. In the South-East, the department has completed much of the preparatory work for the South Australian section of a tourist trail development. The main aim of that trail is to draw attention to Aboriginal businesses and tourism enterprises in the area, and this will improve employment and income levels. It is now expected that further development on the trail will be done through a joint arrangement with other Government agencies.

I would suggest that it is projects such as these that assist local Aboriginal people to gain employment and skills within their own communities. Not only will these initiatives assist them socially and economically in the short term, but it also enables them to apply skills that can be put back into the community in the long term.

**Mr SCALZI:** On page 9.15 of the Portfolio Statements I note that the specific target for 1999-2000 is to facilitate the provision of policy advice relating to Aboriginal community issues impacting on women and families, youth and the

elderly. It is recognised that Aboriginal elders, in particular, play an important role in providing guidance and support to younger members of the Aboriginal community. Can the Minister outline the initiatives planned to actively engage the views and opinions of Aboriginal elders in our community that can be considered in policy development?

**The Hon. D.C. Kotz:** A council of Aboriginal elders of South Australia has been established, following a response developed at the elders' conference in Coober Pedy in October 1998. At that meeting it was recommended that the council be endorsed to give a formal voice to the elders of all regions and communities throughout South Australia. The council is being supported by the Government as an important initiative through the International Year of Older Persons. An interim working party which was elected at the elders' meeting in Coober Pedy has met three times since that meeting to ensure that the recommendations from the elders' conference are, indeed, finalised. The working party has now disbanded to allow the Aboriginal regional forums to complete the task of establishing the council, and will now focus on the role of electing a representative for the State-wide Elders' Council. The council will consist of some 21 members, all 60 years of age or more, and they will be elected from each of the regional forums. This will be done in a way that will ensure that support and input is given at the local level. It is also proposed that the council will meet twice a year to share information and to discuss and resolve issues affecting Aboriginal elders throughout the communities in South Australia.

The Elders' Council is due to meet for the first time in September 1999 in the Coorong. The timing and location of the meeting has been chosen to commemorate the last Aboriginal corroboree in South Australia, which took place about 100 years ago. I know that a number of matters currently being dealt with in the law and justice area will certainly benefit from the input that I am sure will emerge from the Elders' Council. Once established, it is intended that the council will be fully informed of initiatives that it may be able to advise and participate in. It is one of the areas in which the majority of organisations that represent Aboriginal communities throughout the State are taking a keen interest. Although, for the most part, elders within Aboriginal communities receive a great deal of respect from most Aboriginal communities, some of the young people throughout the communities need to be encouraged to remember what respect is all about, and we believe that the Aboriginal Elders' Council is one way of moving towards bringing back into focus the needs of young people and the needs of all of the aspects of community within tribal groups of Aboriginals.

**Mr SCALZI:** It is pleasing to note, on page 9.14 of the Portfolio Statements, that in 1999-2000 a senior advisory group of Government agencies will continue the important role of monitoring and reporting on the implementation of recommendations of the Bringing Them Home report of the national inquiry into the forced removal of Aboriginal and Torres Strait Islander children from their families. Will the Minister provide an overview on the status of the Government's response to the report of the national inquiry?

**The Hon. D.C. Kotz:** Upon the Commonwealth Government's releasing the Bringing Them Home report, the South Australian Government was the first in the country, in a historic session of the South Australian Parliament in May 1997, to pass a unanimous motion apologising for the past actions of separation of Aboriginal children from their families. Bipartisan apology is considered to be an important



step in the reconciliation process, with Government publicly acknowledging the past wrongs and injustices inflicted on Aboriginal people in South Australia. It provides an essential recognition of the truth, which breaks down the barriers to reconciliation for all Australians and certainly enables us all to move forward in the spirit of reconciliation. The South Australian Government recognises that the inquiry's recommendations are clearly directed to a healing and reconciliation process for the benefit of all Australians. The Government's response was submitted to the Human Rights and Equal Opportunity Commission in December 1998. The recommendations from the Bringing Them Home report have been actioned, as they are relevant to South Australia, specifically in the areas of access to records, addressing effects of forced removal and legislation against future forced removals. A senior advisory group comprising representatives from key State agencies now has the important role of monitoring and reporting on the implementation of the recommendations within the Government's response.

At a recent meeting between members of the senior advisory group and ATSIC officials (held on 15 June 1999) strategies were discussed to assist in Aboriginal family tracing and reunion activities. ATSIC is also preparing a paper on how communication links between State Government agencies such as State Records, the South Australian Museum and the Department of Human Services can be improved to provide a regional focus on family tracing and reunion. Once provided, the ATSIC paper will be considered by the advisory group.

The South Australian Government, in preparing its response, holds the belief that the wrongs of the past cannot be corrected but that the healing process can be actively supported, and positive efforts can and must be made to improve the understanding of the plight and the continuing struggle of Aboriginal people in our society.

**Mr WRIGHT:** What expenditure is allocated to support Aboriginal prisoners in Correctional Services institutions upon their release, and the wider Aboriginal community assisting upon their release?

**The Hon. D.C. Kotz:** I am checking to see whether that inquiry falls under our jurisdiction. The honourable member should recognise that the question does relate specifically to the Correctional Services portfolio, so that information is not available from this agency. The only thing I can add, in terms of support from our agency, is that we do provide funding of \$65 000 per annum to the Aboriginal Legal Rights Movement, which employs a justice liaison officer, who not only provides executive support to the AJDC but also represents it in negotiations with Government.

**Mr WRIGHT:** As a supplementary question, is the Minister able to provide detail of any studies commissioned or funding allocated to inquire into suicide rates associated with the Aboriginal community, particularly in relation to those people who have served prison sentences?

**The Hon. D.C. Kotz:** Again, that area would relate to the health portfolio. I believe that some studies have been done, but I cannot advise the honourable member of any. Perhaps that detail could be sought through the Human Services portfolio.

**Ms BREUER:** I am starting to wonder what the department actually covers because nothing we have talked about today seems to be covered by it. I suggest that as part of the Minister's review of the Aboriginal Lands Trust she review the role of her department. I was interested in the questions from the member for Bragg relating to the courts and the

Minister's statements about Aboriginal justice officers. I was pleased to hear about that. The Minister said that she hoped that this might extend to the rest of the State. I am particularly interested in the northern and far west courts. Aboriginal people are over-represented in trials as defendants; in particular, the rate of offences for junior Aboriginals appears to be much higher than that for their white counterparts.

Aborigines comprise 1.6 per cent of the Australian population, yet they are not proportionally represented on juries, even in parts of Australia where there are high numbers of Aborigines in the population. This failure casts doubts on the system's claim of impartiality and representativeness. Pools from which potential jurors are drawn are often concentrated in urban areas where indigenous populations are often remote, highly mobile and not on the electoral roll. Has the department done anything to look at and alleviate this situation and perhaps come up with some proposals for the future?

**The Hon. D.C. Kotz:** To what did the honourable member's last question relate?

**Ms BREUER:** Aboriginal representation on juries.

**The Hon. D.C. Kotz:** I believe that extensive work has been done on juries in relation to Aboriginal people and the remoteness of some areas. In a moment I will ask Mr David Rathman to address that issue. However, in terms of the honourable member's query about what the Department of Aboriginal Affairs actually does, perhaps the honourable member would like to pick up the document that is part of the budget for this year and read 'Highlights for 1998-99', which relates to the output class of Aboriginal development. That section also goes through a whole series of other areas that highlight exactly the work of the Department of Aboriginal Affairs.

Perhaps the honourable member may have missed the comments I made in my opening statement which addressed many of these aspects. I could take the time to explain to the honourable member, if she was genuinely interested, rather than making throw-away comments about her inability to understand what the department actually does. I could advise the member from these pages. However, this would probably take me some considerable time, mainly because they are filled with not only the achievements of this department in its assistance to Aboriginal communities but also the many new initiatives that, in some instances, are the first ever taken in Australia.

To dismiss in such a manner the means by which this department operates in the area of Aboriginal Affairs was perhaps an incorrect means of attempting to get a point across. I can assure the honourable member that if she cares to take the time to read the aspects that have been placed within the budget documents she will find that this department certainly can be reckoned with when it comes to dealing with and supporting all Aboriginal communities in a whole range of matters. I ask Mr Rathman to give the Committee his advice on the jury question asked by the honourable member.

**Mr Rathman:** The question about representation on juries commences with the fact that a number of restrictions apply to representation on juries. One restriction is the 150 kilometre radius from a sitting court, which creates some problems if the court is being conducted in Port Augusta, for instance, and the matter concerns Anangu Pitjantjatjara, Yankunytjatjara or Ngaaratjara people. That situation presents some problems.

The other issue is about people not being listed on the electoral roll. That presents as a problem for Aboriginal

people being represented on juries. Another factor relates to prior convictions, which can cause difficulties for people. To this end we have conducted, with the assistance of Flinders University, Susie Hutchings and Mark Israel, a research project on the composition of juries and the impact on Aboriginal defendants.

At present we are actively working with the Courts Authority and the judiciary to encourage the means of providing projects that will assist Aboriginal people to get adequate representation through other means. Through the Aboriginal Court Day an opportunity is presented to families to sit at the table with the magistrate. The magistrate does not sit in the normal seating arrangement: he actually sits at a table, very much like this one.

Family members sit with the accused person and exchange views with the magistrate and the family member concerned about the impacts on them. A project is being looked at by senior judicial officers for the Anangu Pitjantjatjara lands to try to address some of the anomalies that exist in that area, and I think this will avert the need to look specifically at jury representation, although we are, as I said, interested in that issue. A desktop review of the composition of juries has found that representation in terms of Aboriginal people is not good, but there are alternative means to ensure that that representation takes place.

**Ms BEDFORD:** I refer the Minister to page 9.31 of the Portfolio Statement and output 9.61 under 'National Parks Management Services'. Will the Minister provide details of the Government's position in relation to native title and claimants' rights and interests in national parks? In particular, how many joint management agreements currently exist between local Aboriginal communities and National Parks and Wildlife; how many joint management projects have been established over the past five years; and have any studies been done into their effectiveness and, if so, what resources have been made available to these projects?

**The Hon. D.C. Kotz:** The development of policies and strategies reflecting the interests of Aboriginal people in parks management is certainly identified as an important means of facilitating the resolution of native title. The department is certainly working with a number of Aboriginal communities once again to progress cooperative arrangements and, of course, these arrangements need to be cooperative. Discussions in response to Ngarrindjeri approaches to increase their management involvement in the Coorong National Park are still progressing. Arrangements for the Mannum Aboriginal community to manage and interpret a significant cultural engraving site in the Ngautngaut Conservation Park are currently being finalised. Discussions relating to Aboriginal management involvement in the Flinders Ranges, currently being managed by the National Native Title Tribunal, are progressing slowly. The Adnyamathanha native title claimants have consolidated their claims into one. However, before the Government can recommence discussions towards a land use agreement, an accord between the Adnyamathanha and the Kujani still needs to be reached.

In terms of Witjira National Park, there is a four year National Heritage Trust funded project that will refine the operation of the Witjira National Park joint management arrangements which commenced in 1998-99. The Commonwealth has provided funding of \$148 000 over the four year period. The State Government is also contributing \$151 900 over this time with \$55 300 being allocated for the 1999-2000 financial year. The local Aboriginal community contributed

\$4 000 towards this project in 1998-99. The project itself focuses on a review of the management plan and the development of ways to improve what are critically important communications between agency staff and the Aboriginal community.

Negotiations with the Maralinga Tjarutja community on co-management of the Unnamed Conservation Park in the State's Far West are still continuing. Joint management of this park would certainly reflect the need for Maralinga Tjarutja to be involved in the protection of their cultural heritage and caring for the land with which they are traditionally associated. There is quite a degree of activity that will progress throughout this next year in moving towards a very secure and cooperative means of joint management.

**Ms BEDFORD:** Will there be a way to measure the effectiveness of these projects? Is there some mechanism in place to work out the effectiveness of what is going on?

**The Hon. D.C. Kotz:** This is a means for the operational management of the national parks and it is the policy now in terms of the areas we have nominated that joint management should be progressed. In an operational sense this will be something progressed to a resolution.

**Ms BEDFORD:** I refer the Minister to page 9.29 of the Portfolio Statements, output 5.1 'Heritage conservation services'. In the Government's opinion is DOSAA the most appropriate department to administer the Aboriginal Heritage Act? What knowledge base and expertise do departmental staff have to administer the Aboriginal Heritage Act and how effective is the current system and what studies have been conducted to ascertain Aboriginal people's feelings about the current system or possible changes?

**The Hon. D.C. Kotz:** With the knowledge that I have gained through working with the Department of State Aboriginal Affairs I would give you a very solid 'Yes' to all those questions. However, I believe the committee should hear from the Chief Executive Officer. I know he has a great deal of knowledge, background, understanding and expertise in this area and I would feel it a privilege if Mr Rathman would comment on the questions asked.

**Mr Rathman:** The Division of State Aboriginal Affairs has archaeologists, anthropologists and consulting specialists from the museum and other places who work with us. The State Aboriginal Heritage Committee Chairman, Mr Garnet Wilson, is an Aboriginal person of 33 years' involvement in Aboriginal affairs in a formal sense and his role and expertise is quite outstanding in terms of the committee's function, and the number of people who attend that committee from various parts of the State bring with them a large amount of expertise. In the past 12 to 18 months we have commenced to decentralise some of our operations into Port Augusta, where our regional office operates.

We are particularly interested in seeing a dissemination of the role and responsibilities related to Aboriginal heritage going more towards community control. That is the focus upon which we have tried to create opportunities for Aboriginal people. As to the issue of our expertise, I would like to think our expertise is quite acceptable.

**The Hon. D.C. Kotz:** It is exceptional.

**Mr Rathman:** I would be more modest than that and say it is acceptable because sometimes we do not meet everyone's expectations, but I believe the agency is quite capable of delivering on the requirements—and sometimes this is overlooked—of the Aboriginal Heritage Act. That is what we are there for—not for broader avenues of research which are carried out by universities such as Flinders, Adelaide and the

University of South Australia and individual groups. Our role specifically is the administration of the Aboriginal Heritage Act and I believe we are quite capable to undertake that role.

**Ms BEDFORD:** What studies have been conducted to ascertain Aboriginal people's feelings about the current system? Are they happy with it?

**The Hon. D.C. Kotz:** There has been Government consideration to amend the Aboriginal Heritage Act to look at increasing effective protection for Aboriginal heritage, also to improve compatibility between Federal and State heritage legislation, to strengthen South Australian adherence to the proposed national principles for heritage protection, but also to look at providing Aboriginal communities in South Australia with an administrative process that will assist them to clarify their territory and membership and to provide timely and reliable processes by which affected parties can deal with Aboriginal heritage issues relating to their property and to maintain South Australia's leadership in Aboriginal heritage legislation in respect of which, as I mentioned before, there are many areas where we are the forerunner throughout Australia.

The proposed amendments that we would look at in the Act would incorporate as many comments and suggestions as possible as have been gathered during the consultation process. On 2 April 1998 the Commonwealth introduced a Bill to amend the Aboriginal and Torres Strait Islander Heritage Protection Act 1984 to enable State Aboriginal Heritage regimes to be accredited, removing the likelihood of Commonwealth intervention. Following the Federal election an amended Commonwealth Bill was introduced on 12 November. Following the passage of that Commonwealth legislation, the State will review its legislation.

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#### Membership:

Mr Hill substituted for Mr Wright.

#### Additional Departmental Advisers:

Mr J. Scanlon, Environment and Heritage Portfolio Chief Executive.

Ms A. Harvey, Director, Corporate Strategy and Business Services.

Mr R. Janssan, Manager, Corporate Finance.

Mr D. Carman, Principal Consultant, Corporate Planning.

Mr A. Holmes, Director, Heritage and Biodiversity.

Mr J. O'Malley, Business Manager, Heritage and Biodiversity Division.

Mr P. Gardner, Director, Resource Information.

Mr A. Pastorelli, Manager, Business and Strategic Services, Resource Information.

Mr P. Hoey, Director, Environment Policy.

Mr C. Schonfeldt, Deputy Director, Environment Policy.

Ms M. Cervini, Finance Officer, Environment Policy.

Mr R. Thomas, Executive Director, Environment Protection Agency.

Mr M. Harvey, Manager, Operation Branch, EDA.

Mr R. French, Executive Officer, EPA.

**The CHAIRMAN:** Does the Minister wish to make an opening statement?

**The Hon. D.C. Kotz:** Yes Sir. The Environment and Heritage portfolio makes a significant contribution to the economic, social and environmental wellbeing of this State.

In conjunction with the Aboriginal Affairs portfolio, it has responsibility for management, or management oversight, of 81 per cent of South Australia's land mass under National Parks (21 per cent), Aboriginal lands (21 per cent) and pastoral lands (39 per cent). It manages or provides management oversight of 4 829 kilometres of mainland coastline and a further 3 254 kilometres of island coastline, and, after the establishment of two new catchment water management boards later this year, will provide support for and policy advice to water boards which cover nearly 95 per cent of the State.

The Environment and Heritage portfolio directly contributes to South Australia's future by protecting the basic essentials of life, and I talking about air, water and land, by providing the foundations for a sustainable economic development for the State, and by engaging communities in sustainable life.

The 1999-2000 Portfolio Statement contains a number of enhancements in content and presentation over last year. While this undoubtedly improves the overall quality of the information, this second year of significant change means that comparison between years is still not straightforward. The 1998-99 Portfolio Statement identified and costed output classes. This year, costing has been refined down to the output level, providing a much greater level of detail, which aligns more closely with the products and services provided by the portfolio. The portfolio's outputs have also been reviewed and revised since the tabling of the 1998-99 budget. This realignment has also made comparison across financial years more difficult.

Additional performance measures have been provided this year for most outputs to increase transparency and accountability in relation to the services delivered by Government. The practicalities of space limit the range of activities that can be represented by measures within a given output. However, the identification of a number of measures for the chosen representative activity, under headings of quantity, quality, timeliness and cost, provides a more complete picture of the performance of that particular activity.

Further work during 1999-2000 will ensure that measurement systems are developed and improved and that quality, quantity, timeliness and cost measures are presented for all outputs next year.

The 1999-2000 budget again introduces further reform in the area of public sector financial management. The 1998-99 budget reflected accrual accounting concepts for the first time. Many of the budgeted figures reflect the best estimates of Treasury and Finance and the department. An additional 12 months experience has revealed the need for a number of adjustments in the current year's budgets to correct earlier assumptions. The process of budget reform is still very much in transition.

While presentation of budget information and the move to accrual accounting is improving, a number of accounting issues have presented a number of significant challenges to Treasury officers and to portfolio staff. One such accounting issue, funding depreciation expense, has resulted in an estimated operating loss for 1998-99 in the agency's operating statement. The 1998-99 budget estimates for depreciation expense and the profile of the agency's asset base have been revised significantly following further work on asset identification and valuations since May 1998. The resulting increased depreciation expense for 1998-99 has not been funded by the Government. It is anticipated that the next phase of the Government's budget reform agenda will address

the agency's equity/net asset position that has been impacted by this transitional accrual accounting issue.

Importantly, the Government has agreed to purchase all of the agency's outputs in 1999-2000, based on the estimated full accrual cost, resulting in a break-even result for the department in aggregate. Despite the overall budget neutral result, some outputs reflect a surplus while the remainder show a net cost. Given also that output costs reflect a subjective apportionment of corporate overheads and intermediate activities, the net expenses and price paid listed in the Outputs Operating Statement on pages 9.49 and 9.50 should be treated as indicative only.

Also, the 1999-2000 budget includes additional funding provided for a number of new water resource and environmental initiatives, as well as full supplementation for wage increases during 1999-2000 under the Government's 'parity' wage deal. The budget for the forthcoming year also reflects the impact of the estimated reduction in Commonwealth funding, other income and one-off initiatives and zero-based items. Interestingly, the State's contribution to the Murray-Darling Basin Commission is one such zero-based funding item, which has decreased in 1999-2000 relative to the estimated result for 1998-99. Rather than this reflecting a lessening of the State Government's commitment to the environment, the \$2.7 million reduction represents, in effect, a beneficial outcome for South Australia, in that South Australia will contribute a fairer but smaller contribution to the national 'cake', which means that on-ground activity will not be reduced.

After adjusting for changes in Commonwealth funding and one-off items and comparing like with like, the total expenses for the portfolio have increased marginally across financial years. Outlays data incorporated within the Treasurer's 'Budget at a glance' document has highlighted the differences between the accrual portfolio Financial Statement and alternative statistical time series information developed under differing methodologies and prepared for a different Australian Bureau of Statistics' perspective. The outlays and accrual data are not directly comparable.

The 1999-2000 capital program reflects the finalisation of a number of one-off investment projects. Focusing attention on some of the key priorities for our portfolio for the coming year, we currently provide advice on water allocation plans for 23 prescribed areas and six catchment water management boards. The portfolio leads South Australia's participation in cross-border water initiatives, including the Murray-Darling Basin initiative (with representation from the Commonwealth, New South Wales, Victoria, Queensland, the ACT and South Australia); the Lake Eyre Basin (including the Commonwealth, Queensland and South Australia); and the Great Artesian Basin (the Commonwealth, Queensland, New South Wales, the Northern Territory and South Australia). It plays a significant role in microeconomic reform, in particular by securing South Australia's portion of the National Competition Policy tranche payments through implementation of the water reform agenda.

Key initiatives within the environment policy output during 1999-2000 include the establishment of two new catchment water management boards, for the arid areas and the Eyre Peninsula. This will bring the total number of boards established in South Australia to eight, covering nearly 95 per cent of the State's land area. The new boards will provide for community involvement in the management of water resources in the more remote and sparsely populated regions of the State. These regions encompass some of Australia's

most important water features, including the Great Artesian Basin (and associated wetlands and mound springs); the major arid rivers of the Lake Eyre Basin (including the Ramsar-listed Coongie Lakes); and the economically important ground water resources of Eyre Peninsula.

The Lake Eyre Basin Agreement is an agreement between South Australia, Queensland and the Commonwealth that seeks to maintain delicate ecological processes by ensuring variable and near-natural flows of the Cooper and Diamantina River systems. The South Australian Government is committed to ensuring that the provisions in the Heads of Agreement are progressed to protect the long-term future of the Lake Eyre Basin. The respective parties are expected to sign this agreement by the end of this year. The Great Artesian Basin supports extensive pastoral and mining activities, and is the water source for mound springs. South Australia has committed capital works funding of some \$300 000 per annum for the next three years towards rehabilitation and capping of uncontrolled bores and implementation of the Great Artesian Basin Consultative Council's Strategic Management Plan.

Water is a vital ingredient for South Australia's future prosperity. The State Water Plan provides the policy framework for water resources management and use throughout the State. This plan will be reviewed and updated during this coming financial year to include a contemporary assessment of the State and condition of our water resources. Three new Environment Protection Policies will be developed under the Environment Protection Act 1993, covering water quality, noise and waste. It is also planned to review the Environment Protection Act 1993 and to introduce amendments to incorporate provisions covering contaminated sites.

The portfolio ensures environment protection compliance (1 876 licences for 'activities of environmental significance' and 509 referrals were processed last financial year. Approximately 190 industry Environmental Improvement Programs have been negotiated with industry, with an estimated industry investment of some \$250 million). The portfolio also manages or provides management oversight to 4 829 kilometres of mainland coastline and a further 3 254 kilometres of island coastline. The implementation of a comprehensive waste management strategy remains a high priority for this Government. This year sees the beginning of a \$1.5 million program over four years to collect, safely manage and destroy a range of unwanted farm chemicals and pesticides from rural areas.

DEHAA provides the South Australian contribution to the Murray-Darling Basin Commission's budget, which for 1999-2000 is \$11.59 million. Approximately 40 per cent will be expended on development and implementation of policies and strategies for improved management of the basin's natural resources; the remaining 60 per cent of the budget will be expended on activities associated with the operation and maintenance of water regulation and salinity control infrastructure. The Murray-Darling 2001 program also aims to contribute to the rehabilitation of the Murray-Darling Basin, with a view to achieving a sustainable future for the basin, its natural systems and its communities.

Funding for the 1999-2000 program has been sought through the State Natural Heritage Trust bid. The State component is made up of \$3 million from the River Murray Catchment Water Management Board and \$1 million from DEHAA. Protection and management of the State's coastline is a priority to safeguard an important recreational asset and to ensure the future integrity of our coastal system and marine biodiversity. Approximately 21 per cent of South Australia's

land mass is managed under 314 national parks and three botanic and heritage gardens. The parks agenda launched by the Premier in 1997 entails a commitment by the Government to provide \$30 million to parks and wildlife management over six years, commencing in 1997-98; \$13 million has already been allocated to the Parks Agenda during the first three years of the program.

The Biological Survey of South Australia, which receives funding through the Parks Agenda, will continue in 1999-2000. 1997-98 was the first full year of the operation of the Natural Heritage Trust. In that year the South Australian Government allocated an additional \$3.4 million of new funds to boost this State's ability to secure matching Commonwealth funding under NHT. Funding of \$6.8 million per year for a further four years (starting from 1998-99) has subsequently been approved, to attract and support additional NHT projects in South Australia. As at 1 March 1999, \$23.6 million of Commonwealth funds had been approved for South Australia for 1998-99; another \$500 000 is still being negotiated. South Australia will be seeking \$26.8 million of NHT funds from the Commonwealth for 1999-2000.

The Environment and Heritage portfolio provides information for the management of land, including the real estate industry (38 000 section 7 statements; 3.1 million land ownership inquiries per annum). I would like to comment on two major spatial projects that will significantly enhance Government services across the business sector. The Property Cadastre will provide a graphical representation of the State's property boundaries and will have whole-of-Government and community benefits through increased efficiencies in planning, coordinating and developing the State's infrastructure. The collection of data is well in progress, and this major task should be completed by December 2000.

A prototype of an application called Property Assist was recently completed. This application is significant in that it will enable access to the Land Ownership Tenure System (LOTS), selected spatial data and image data systems in an integrated manner. Access will be through the Internet, making it available to a much wider group of customers. In addition to the many external objectives and targets set for 1999-2000, DEHAA will undertake a range of initiatives to improve its internal performance. Key initiatives include programs to improve work force management, and management and information systems. Specific systems targeted for improvement include EPA investigation and prosecution procedures, water and environment protection licence administration, procurement processes, internal control, financial management processes and systems, business planning, and water and environment protection policy development.

In summary, the Environment and Heritage portfolio faces a challenging and exciting time over the coming year, with a wide range of initiatives being planned. The successful attainment of the portfolio outcomes is critical to the achievement of the State's social, economic and environmental wellbeing.

**Mr HILL:** I do not wish to make an opening statement. For the benefit of the officers here, my intention is to ask some general questions about the budget bottom line and then go through the output classes one by one. However, I will make an exception, given the great public interest in the oil spill that has occurred over the past couple of days off the south coast. I would like to refer initially to that issue, which is probably output classes 7.1 and 7.2, dealing with the Environment Protection Agency. The Opposition is con-

cerned about this spill and a number of aspects of its management by the EPA. Going back to 1996 there was another spill at the site, and the EPA investigated that. As I understand it, the EPA report into that spill is still a private document that has not been made public. The Opposition would like to know why that is the case.

Secondly, during the last Estimates Committee I asked the Minister about the resources that were available to look at investigation and compliance with EPA guidelines etc. At that stage very few resources were available and the Minister said that more would be made available in the next year. I would like to know about that level of resourcing, and in particular what resources are being applied to the spill at the oil refinery today. Thirdly, and a more fundamental question, I guess, especially in light of the Esso disaster in Victoria, is whether or not the Minister believes that the self-regulation that is currently in place in relation to the refinery should be reviewed. Should we head down the path of the Western Australian Government, where there is much tighter governmental control?

I will go through the questions one by one. What resources are now available to the EPA to investigate accidents such as the one at the Mobil oil refinery? In particular, how are those resources being applied to investigate this latest spill? What are the terms of reference of the inquiry? Will the Minister give an undertaking to release the findings?

**The Hon. D.C. Kotz:** In addressing the member's question, I make quite clear from the start that the member, as a member of Parliament, I am quite sure is aware of the different jurisdictions under which legislation determines the laws of the land. In this instance, there is an Act of Parliament, known as the Pollution of Waters by Oil and Noxious Substances Act 1997. The spill about which the member is talking comes directly under that Act. Therefore, the responsibility for this Act is vested with Transport SA. I make that very clear from the start.

Of course, there is a deep and determined interest by the Environment Protection Agency in terms of anything that relates to environmental disasters, and I am quite sure that all members of this Committee can relate to the fact that the one thing that nobody likes to see is some incident that could mean severe damage to the environment. However, in the first instance, it must be clarified that the law and the legislation in this instance relates specifically to the Act that I have mentioned and the responsibility vested with Transport SA.

In relation to the information I have that surrounds this incident, at about 6 a.m. on Monday 28 June a spill of light crude oil occurred at the Mobil refinery. Transport SA, which is tasked with the responsibility of immediate response to such spills, took charge of that incident. The Environment Protection Agency acts as an environmental consultant to Transport SA in these incidents. Purely for the member's information, section 7(2)(b) of the Environment Protection Act specifically provides that the Act does not apply to circumstances to which the Pollution of Waters by Oil and Noxious Substances Act 1987 applies.

A joint Transport South Australia-EPA team is investigating the incident. The EPA will look to see whether any conditions of Mobil's licence under the Environment Protection Act 1993 have been breached. The EPA has arranged for a failed component, thought to have been the cause of the spill, to be secured so that an independent engineer can assess that component.

The member is also correct that the last significant spill of crude oil from the refinery occurred in 1996. In November 1996 the Environment Protection Authority determined that it would investigate the spill, with a view to prosecuting Mobil for causing environmental harm. After intensive investigations, the authority did not find evidence that Mobil had been negligent. The authority received legal advice that a prosecution under the Environment Protection Act would not succeed. Accordingly, the authority decided not to pursue a prosecution. The authority will investigate the circumstances surrounding the latest oil spill to determine whether any action under the Environment Protection Act is warranted to prevent any further incidents.

As to the deregulation or non-regulatory effect that the member seems to think relates to Mobil, when industry is licensed, certain conditions are expected to be met, and that is not a voluntary but a mandatory compliance. In terms of an update on the spill—and people outside this Chamber may have more of an idea on that than we have—the last update I had was early this morning, and the oil slick apparently has hit Sellicks Beach. I am told the affected area is about 500 metres long and 1 metre wide. Crews are searching the shoreline for further contaminated areas. There are 16 clean-up crews consisting of six people each on standby, and the wildlife response trailer is ready to go if required. A helicopter is also being used to locate further oiled areas and to report on the condition and location of the oil. It is still unlikely that there will be any significant wildlife impact because, although Sellicks Beach is a popular beach with people, birds tend to avoid it.

The Onkaparinga has been boomed off as a precautionary measure, as have the smaller creeks which drain into this area of the coast. The RSPCA is also on-site and, if need be, it has resources that will be deployed as required. It is never pleasant to see or hear of an incident such as this, but it is heartening to know that the measures and management of all the organisations that relate to emergency services or to emergency disasters are certainly there on board when the occasion calls. At this stage, the management of the end result of that incident, which is the oil slick, is certainly one for which I commend the people involved in keeping it under the best control that they can at present.

In regard to the portion of the member's question that related to the resources reflected in the EPA, some 40 authorised EPA officers in the field are licensed coordinators and, where necessary, these officers initiate civil proceedings such as clean-up and environment protection orders. They also deal with stormwater pollution incidents and work with councils to deal with smaller incidents. These civil proceedings are powerful enforcement instruments, and the EPA has had a great success with them. Last year, 299 environment protection orders were issued by EPA officers and the police. Compliance with these orders has almost been at 100 per cent and, where necessary, the EPA will prosecute.

The EPA Investigations Unit was established on 1 July 1998 to add to the investigation area of serious breaches of the Environment Protection Act 1993, the Water Resources Act 1997 and the Coast Protection Act 1972. The Investigations Unit is staffed by a seconded Government investigations officer from the Government Investigations Unit, Deputy Crown Solicitor's Office, two environment protection officers and an administrative officer. The training of the environment protection officer attached to the unit and other authorised officers have been given a high priority to ensure adequate enforcement capacity.

Two successful investigations and prosecutions have already resulted. A large corporation was recently fined some \$24 000 for causing material environmental harm, and the EPA has another two prosecutions under way. However, it should be noted that the EPA will not be successful with every prosecution it launches, and each case will definitely be considered on its merits. In some cases, it has been difficult to prosecute because of the difficulty in proving environmental harm and the lack of emphasis on strict liability.

The Chairman of the Environment Protection Authority has brought this to my attention, and I certainly agreed that this area and a number of others will be reviewed as part of the Environment Protection Act review which is being undertaken at present. I expect to be provided with a discussion paper on the review in the next six months.

Environment protection orders have been used very successfully to enforce compliance with the Act by many organisations and people. Orders have been served on industrial and commercial operators requiring compliance with the environment protection (industrial noise) policy, and these orders are usually withdrawn when appropriate noise control works have been carried out. Similarly, orders have been given to persons who have allowed contaminated stormwater to enter the stormwater system from their premises.

Clean-up orders have been issued to landfill operators who allowed friable asbestos to be taken into a site which was not suitable and for which an appropriate licence was not held. These orders have required the operators to remove the asbestos properly contained to a site licensed to receive the material. There is a host of other areas which I could identify to the member that is under the care and control of the EPA, and the many successful means by which the EPA services the environment and the people of South Australia.

*[Sitting suspended from 1.4 to 2.5 p.m.]*

**Mr HILL:** This question is supplementary to the one that I asked prior to the lunch break. In her answer, the Minister mentioned that 40 officers were involved in pursuing breaches of the EPA. Can the Minister tell the committee what budget allocation there is for the investigative arm of that agency?

**The Hon. D.C. Kotz:** The honourable member's question relates to the 40 officers that I detailed in the compliance section. In terms of the budget for 1999-2000, the member will note in the outputs operating statement that there is an amount of \$9 million in the area of environment protection compliance services.

**Mr HILL:** Is that the salary for all those officers?

**The Hon. D.C. Kotz:** That is the budget for the operations of those officers doing that specific job in compliance operations. The investigations area is a separate unit again.

*Mr Hill interjecting:*

**The Hon. D.C. Kotz:** Is the honourable member asking about the budget for the investigations unit?

**Mr HILL:** Yes.

**The Hon. D.C. Kotz:** In the investigation unit at the moment, there are three specialised officers and it is estimated that the budget is of the order of \$250 000.

**Mr HILL:** I want to talk generally about the budget figures—the bottom lines. It is a complicated matter, as I know the Minister will agree. I will ask an overall question about budget bottom lines and invite the Minister to respond.

I note in the budget papers that the estimated result for 1998-99 shows an overrun of \$21.49 million (page 9.53, Budget Paper 4, Volume 2). It also shows that expenditure on supplies and services was \$16 million over budget. It shows that depreciation increased from \$9.7 million to \$33.5 million. The Budget at a Glance document shows that there was a \$14.5 million negative variation between the 1998-99 estimated result and the 1999-2000 budget, and that was the only negative variation across all portfolios.

The outputs operating statement shows that there is a \$9 million reduction in expenses from \$179 million in 1998-99 to \$170 million in 1999-2000. It shows that net expenses fell by \$4.3 million from \$127.55 million to \$123.2 million from 1998-99 to 1999-2000. In addition, it shows that investment outcomes reduced from \$16.36 million to \$10.77 million from 1998-99 to 1999-2000. It is very unclear from looking at the budget papers, and I am sure that the Minister finds this too, whether there has been a cut in expenditure on environmental programs or whether there are merely changes in accounting procedures. Can the Minister give details of the programs that have received less funding in 1999-2000 than in previous years and the nature of any cuts?

**The Hon. D.C. Kotz:** There is no real simple answer but, effectively, there have been no specific cuts in programs and the overall budget comes out marginally increased on our budget from last year. However, the member has asked three individual questions, and I would like to be able to answer him in two seconds flat and make it simple. However, each of those questions has a degree of complexity in terms of their answer, so I will ask for his indulgence because, to explain this properly, I need to run through the range and put it in its context. The honourable member has rightly identified that there are anomalies through the different figure ranges in each of the different documents.

The first question that the member alluded to specifically picked up the depreciation area. In order to explain the estimated 1998-99 operating result, there is a need to revisit the position that was faced by the agency at the time of the preparation of the 1998-99 budget in relation to the identification and valuation of its assets. Under Australian Accounting Standard 29, accrual reporting for Government departments, there are transitional provisions that allow recognition of assets in accounting terms to be delayed until 30 June 1999.

Therefore, the 1998-99 budget figures, including depreciation expense and asset holdings, were based on an estimate as at the 30 June 1999 position, based on the best available information that was at hand during April-May 1998. I can assure the honourable member that the last 12 months have been well utilised to ensure that all the assets of the Department of Environment, Heritage and Aboriginal Affairs are identified, correctly valued and assigned before they are taken up in the statement of position. As the honourable member would appreciate, only upon completion of the evaluation and identification exercise can the true amount of depreciation expense for the department be calculated. The 1998-99 budget included an estimate of depreciation expense of \$9.7 million based on our knowledge and understanding of the scope of the department's asset holdings as at May 1998.

As a result of additional work that was undertaken in identifying and valuing assets since May 1998, the estimated 1998-99 outcome and the 1999-2000 budget indicate that depreciation expense will be approximately \$33.5 million. As the Government was and still is in a transitional period in relation to the provision of appropriation based on the

estimated full accrual costs of outputs including the depreciation expense, the department was not provided with additional appropriation for the difference in the budgeted depreciation expense in 1998-99 and the estimated result for 1998-99, and that has resulted in a projected deficit of the \$21.5 million that the member rightly picked up, and a commensurate fall in the portfolio's net assets, as presented in the statement of financial position. This may well be an interim position as part of the full transition to accrual budgeting.

The next phase of the Government's budget reform agenda includes a number of elements incorporating ownership issues involving the management of the Government's, and by definition the portfolio's, balance sheet or the statement of financial position. Ownership issues are proposed to be addressed in the coming financial year, including a review of the agency's capital structure, that is, the portfolio's level of borrowings and its equity or its net asset position.

In noting the estimated result for 1998-99 and the associated effect on the department's balance sheet, it also needs to be appreciated that the full range of accrual accounting issues are yet to be addressed in a comprehensive manner by Government, Treasury and Finance, and the portfolio offices. Notably, appropriation, which is outputs purchased for the 1999-2000 financial year, has been based on the new estimates of depreciation, which is about \$33 million. In summary, the estimated 1998-99 result is considered to be a one-off anomaly and subject to further review as to how the impact on the portfolio's financial statements can be managed in the context of further balance sheet reform, which as I have stated will be undertaken during 1999-2000.

In terms of the variation that the honourable member identified of \$14.5 million, page 5 of the Budget at a Glance document presents total outlays by portfolio. The summary shows DEHAA outlays falling from an estimated result of \$136 million in 1998-99 to \$121.5 million in 1999-2000, and that is the variation of \$14.5 million. The outlays information that is shown in the Budget at a glance document is compiled on a Government finance statistics basis. This is a methodology that is used by the Australian Bureau of Statistics as part of a uniform presentation of budget statistics across all jurisdictions. The outlays data is subject to separate, definitional and coverage issues from the agency's financial statements, from which I believe a clearer picture can be drawn. It needs to be pointed out that the outlays data is not directly comparable with the expenses information that is shown in the agency's budgeted operating statement or the cash flow statement.

Those not versed in the ABS methodology could certainly be excused for thinking, from a layperson's point of view, that outlays are synonymous with expenditure. However, this is not the case. The reasons for this inconsistency include: outlays includes both controlled and administered payments for operating and capital investing purposes as well as transactions that relate to the various catchment water management boards and ministerial other budget payments. Outlays is cash-based, that is, it takes no account of non-cash expenses and other accrual items that are reflected in the agency's controlled budgeted operating statement. Outlays also offset operating cash receipts against operating cash payments, to give a net outlay figure. Outlays excludes certain cash payments included in the department's controlled general purpose financial reports and, in particular, any grants or transfers that are paid to other Government agencies and back to the Consolidated Account. I will provide to the

honourable member a table that depicts the movements of outlays between financial years.

**The CHAIRMAN:** Order! Will the Minister please provide a copy of the table to all members, if it is to be provided?

**The Hon. D.C. Kotz:** Yes, I can do that. The data in the table has been supplied by officers from the Budget Branch, Department of Treasury and Finance. Members will notice a net variation of \$7.8 million that can be attributed to the agency's controlled outlays, and that takes into account certain components. One is the additional funding of \$7.6 million that has been provided within the agency for specific initiatives. Another is the reduction in income—and that is primarily from external sources—and that results in the commensurate decrease in expenditure of some \$5.2 million; withdrawal of funding of \$4.4 million provided in the 1998-99 for one-off initiatives such as the LOTS project, or zero-based items such as the Murray-Darling Basin Commission contribution; various transferred payments excluded from the agency's general purpose statements to avoid double counting at the whole-of-government level, which amounts to about \$2 million; and completion of a number of capital investing projects has resulted in a decrease in proposed investment payments of about \$3.8 million during the 1999-2000 year, compared to the estimated result for 1998-99. If we are to look at an area where it may become even more meaningful in terms of explanation, I would refer members to the presentation of accrual budget information for the portfolio that is presented in the Portfolio Statements on pages 9.49-9.65 inclusive.

The last of the areas that the honourable member mentioned—again with respect to variances—was the \$9 million. Again, from an accrual accounting perspective, the agency's control position as presented in the controlled operating statement (which is outlined on page 9.53 of the Portfolio Statements) reflects a reduction in expenditure of about \$9 million from the estimated 1998-99 result, which result was \$179 million, to the 1999-2000 budget of approximately \$170 million: so, that is a variance of \$9 million.

As can be seen from the commentary that is outlined on pages 9.66 and 9.67 of the Portfolio Statements, a number of significant changes in revenues and expenditure have contributed to that bottom line figure. Fluctuations in Commonwealth income and State funding provided on a one-off basis are the main contributing factors. In particular, Commonwealth grants and payments are budgeted in 1999-2000 to decrease by \$2 million from the estimated 1998-99 result. In addition, in my opening speech I also alluded to the favourable outcome for the State arising from the State's reduced contribution to the Murray-Darling Basin Commission as an example of the State's one-off allocation reduction.

In summary, without going into greater detail, after taking into account the changing profile of Commonwealth income and the one-off payments across years, as well as the carryover expenditure from one year to the next, I advise that the base level of expenditure provided to the Department of Environment, Heritage and Aboriginal Affairs during 1999-2000 is marginally above that available during the 1998-99 year on a comparable basis. I will provide members with a copy of the reconciliation, presenting the base portfolio expenditure for 1998-99 and through the 1999-2000 financial year. As with other portfolios, DEHAA will address its activities, systems and processes to eliminate overlap and

duplication in order to release funding to other higher priority Government initiatives.

**The Hon. R.B. SUCH:** Before asking my question I would like to make an observation, as I have a very keen interest in the environment. There seems to be a view abroad that we have saved the environment. Nothing could be further from the truth. The environment will always be under threat and challenge, and I commend the Minister and her officers and staff for trying to protect the environment in what is often a very hostile world.

My first question relates to a review of the Environment Protection Act. Does the Minister intend to conduct a review of the Act given that it has been in operation now for some four years?

**The Hon. D.C. Kotz:** I thank the honourable member for his kind words. I know that the officers of the department, who work extremely hard in all areas of environment conservation and protection, are certainly appreciative of any words that recognise the type of effort and commitment that they put into the whole range of environmental concerns. The question that the honourable member asked related to a review of the Environment Protection Act. I can assure the honourable member that the review is, indeed, well underway. The department is working on the review in cooperation with other relevant Government agencies, and of course industry, conservation groups and the community will be consulted in the course of this review.

There are a number of important reasons that I would like to place on record for the benefit of the Committee with respect to why the Environment Protection Act should be reviewed. First, we believe that South Australia needs legislation which better deals with site contamination. The draft Bill will, amongst other things, consider matters such as liability for site contamination, identification and auditing of site contamination and site clean-up. The proposed amendments will certainly complement the national environment protection measures for the assessment of site contamination which are currently being developed. In terms of the focus on an environmental incident today, enforcement provisions within the Act certainly need to be revisited to ensure that offences and penalties are consistent with current community standards.

A draft discussion paper has therefore been prepared which will be released for public consultation. The paper covers issues such as the concept of environmental harm and administrative penalties. The environment protection fees and levy regulations of 1994 also require review following an agreement with the South Australian Employers' Chamber of Commerce and Industry to try to achieve greater application of the 'polluter pays' principles. A discussion paper covering the current fee structure, fee levels and monitoring and integration with the National Pollutant Inventory is being prepared, and we expect that also to be released for consultation shortly.

It is also timely to review the Environment Protection Act 1993, as the National Competition Principles Agreement of 1995 requires that it be reviewed by the end of the year in any case. DEHAA will continue to work on this review and will seek to have it completed by the end of this year (December).

**The Hon. R.B. SUCH:** My next question relates to the Belair National Park. Before asking that question, so that there is no ambiguity, my own position is that I am strongly opposed to any development within the park. I believe that the leased area should be assessed on its merit. What is the current status of the proposal by Murtfam Pty Ltd to develop



not only in its lease area but also within the Belair National Park?

**The Hon. D.C. Kotz:** I put on the record that, at that stage of the process, the department had been approached by a proponent to look at development within the park. That proposal, in terms of development as a process, is only a concept; thus an initial public consultation period has begun to determine the opinions of local people in relation to further redevelopment within the park. I point out that, at this stage, no firm proposal has been put either to me or to the department in terms of the redevelopment of Belair. We believe that a proposal is due very shortly but I do not have a time line. It is entirely up to the proponents of this development to approach us with its proposal.

At that time we will decide whether the proposal is worthy of further consideration or whether it should be rejected out of hand. That decision has not yet been made. If the department and I believe that there is an opportunity to support such a development, it would go out for a further three months' community consultation so that an amendment to the management plan of Belair park can be assessed. However, I stress that at the moment no decision has been taken by Government or me in terms of this development and, as such, we are still waiting for the actual proposal that will identify the overall development.

I am sure that the honourable member, with his interest in the area, knows that the Belair National Park was established in 1891 and rededicated as a recreation park in 1972. This was done to reflect the multiple recreational activities and the visitor facilities that the park offers, such as tennis courts, ovals, kiosks and the nursery. Following detailed consideration of the park's historic values and its public recognition as the Belair National Park, the original dedication of the national park was reinstated in 1991.

The proponent, Murtfam Pty Ltd, submitted its proposal to the Government to redevelop the caravan park at Belair National Park and extend accommodation development into six hectares of the park which it is seeking to lease. I have already said that whether this proposal proceeds is contingent on a series of events still to take place. Hassell Consultants has been engaged to prepare an amendment to the Belair park management plan and to facilitate the three month community consultation on the proposed plan amendment. The Government has sought to provide the public with a comprehensive picture of what development is proposed, and that would be via a plan amendment, thus enabling the community to be well informed before making submissions to the plan. So, a component of the proposal would go out, if it was accepted, for community consultation.

Following my consideration of a preliminary proposal, adjustments were made by the proponent to address conservation requirements making use of degraded areas, such as the old soccer pitch and tennis courts, and by avoiding areas of significant native vegetation. Comments received on the proposed amendment development plan will, of course, be taken into account when determining whether or not the proposal will proceed.

Suffice to say that it needs to be known and accepted that I have an open mind on the proposal. Certainly, I will consider all aspects when the proposal has been firmed up and presented to the department. At that time a decision will be made as to whether the proposal will go ahead or whether we will then look at releasing it for public consultation to gauge the reaction of the community.

**The Hon. R.B. Such:** My question relates to container deposit legislation. I am aware that the Minister acted recently to stop abuses of that legislation. How will that abuse be minimised, and has any consideration been given to extending the provisions to relate to cardboard and other milk and fast food containers about which I receive many complaints from constituents?

**The Hon. D.C. Kotz:** The honourable member alluded to the changes in definition which the Government had recently implemented to stop an abuse of the container deposit scheme. Members in this Chamber would be aware that this was to stop the importation into the State by unscrupulous people interstate of large quantities of beverage containers which had not been purchased in South Australia and for which no deposit had been paid. Of course, there has been some criticism from the member for Gordon regarding the timeliness of the Government's reaction on the issue. I certainly stand by my statement that both the EPA and the Government reacted promptly and decisively.

We were first alerted to the possibility of there being an intractable problem with the operation of CDL towards the end of 1998. That concern was formalised by way of a letter which was received from industry on 6 January and which verified the legitimacy of the comments that we had received. At that time the EPA began to examine a range of possible solutions. I can assure the honourable member that, at that stage, communications between the ministerial office, the EPA and industry regarding an effective solution were constant and certainly extensive.

On 20 January a progress report from EPA officers was received and the next day (21 January) legal opinion was received. It was certainly clear at that time that this matter was not a straightforward one at all. Further advice was then sought from legal areas on 1 February, and my office and the EPA kept in constant touch. A meeting was held between industry and the EPA at which the difficulties of achieving a solution were certainly recognised.

With reference to the member for Gordon's comments, it was only on 18 January, when the member for Gordon first telephoned my office and expressed his views, that my office, of course, quite appropriately advised that the matter was receiving careful attention. However, legal matters surrounding the issues were still being pursued.

Consistent with this very extensive approach on a very important subject, a meeting was held on 19 March between industry representatives, the EPA and my office, at which time seven different options were considered. Following that meeting I instructed the department to structure a legislative solution. This was based on advice we received to that date, but I also directed that the protocols involving the Environment Protection Authority be observed. At that stage the EPA adopted a 'legislate for position' at its meeting on 24 March. However, it was considered that, as Parliament was about to stand down on 25 March, a legislative approach may not be suitable as we would have to wait until Parliament resumed. Legal advice was then asked on regulatory amendments. The legal advice came back to say that the regulatory approach would suffice and the Environment Protection Authority endorsed and recommended this approach at its meeting on 30 April.

It is worth noting that on 4 May, four days after the authority's endorsement, I met with the member for Gordon on a courtesy call during my visit to Mount Gambier and advised that a resolution was being sought through a regulatory mechanism and that I expected the matter to be resolved

within a fortnight. I am not sure whether the member for Gordon had a memory lapse or that the facts may spoil a good story. However, the facts are somewhat in contrast to the member's statement in Parliament on 3 June when he said, in part:

On 1 March I received a response and I heard no more until yesterday, 2 June.

My calendar shows that May comes after March and before June. I would also point out that the member chose to take words from my announcement out of context to fabricate this view, which I consider to be quite unconscionable. Clearly, as my response shows, the Government did respond quickly and comprehensively on this issue and it is fair to say in recent weeks feedback of new attempts by interstate firms to exploit the CDL have come to my attention. The member for Gordon's memory also failed to remind him that Parliament rose on 25 March and did not resume until 25 May and, therefore, no legislative action could have taken place during that two month period, hence the request for legal advice on regulatory amendment. Gazette followed on 27 May, the announcement on 2 June and I do not think now it can be proved that legislation would have been any quicker.

So, by redefining a beverage container in the regulations to include only those that were sold in South Australia and on which a deposit has been paid, a solution has been found. This will stop interstate pirates from bringing their truckloads of refundable containers from across the border which could have effectively sabotaged our system for their own financial gain. Depot operators in South Australia can now refuse to accept containers that were sold interstate, ensuring the integrity and continuation of this South Australian litter and recycling success story.

The other part of the question related to extending the container deposit legislation. I advise the member that this is also being reviewed at present to ensure that it does continue to meet community expectations. The legislation has not been revised for many years, as I believe the member would well know, and it may certainly need to reflect the changes in beverage types, container types and community behaviour with respect to littering. I also expect a report from the Litter Committee shortly showing industry's performance at managing its own litter. The aim of the Government is to build on to the success of CDL, to bring about improved outcomes in the recycling of litter in South Australia. That has been a success story, as I know all members of Parliament would agree.

**The Hon. R.B. SUCH:** Perhaps container deposit legislation or that type of operation may not be appropriate, but will the Minister consider for some of those items the possibility of a litter levy if a deposit scheme is not feasible or workable? I am talking particularly about some of the fast food wrappers and containers and some of the smaller plastic and cardboard milk and orange juice containers.

**The Hon. D.C. Kotz:** I am aware of a range of areas that relate to beverage containers about which community concern has been expressed for some time. I am also aware of the member's own representations in this case. I can assure you that all aspects and options under this review will be opened up to assess the whole situation.

**Mr HILL:** I refer to animal welfare services, output 3.1. My first question has to do with the Prevention of Cruelty to Animals Act. Is the Minister confident that the Act is sufficient to protect against all cases of cruelty to animals and, in particular, battery hens and duck hunting? In that

context I refer to part of a letter I have received from the Conservation Council which raises concerns about duck hunting. The author, Tim Doyle, the council's President, states, in part:

We remain seriously concerned that the Prevention of Cruelty to Animals Act does not in fact offer the necessary remedies. This is not through any fault of the drafting of the Act, but because of the peculiar nature of this activity [duck hunting]. The President of the RSPCA is a solicitor with much experience of prosecution under the PCA Act, and advises us that a prosecution of a drug shooter under the Act as it stands would have too little chance of success to be worth attempting. This is because a shooter accused of wounding a bird, and failing thereafter to kill it humanely (effectively the only possible grounds for a charge) would have the following lines of defence:

I will not read them, but there are about four grounds of defence. He goes on to state:

This leads us to the final difficulty which is that of enforcement. It is rare for a duck shooter to be observed by anyone other than another shooter, let alone someone who is both empowered and willing to enforce the Prevention of Cruelty to Animals Act. DEHAA officials are not, in the long experience of many observers, willing to enforce the Act. Even if they did try to enforce it, they could only have a marginal effect, because of the inherently inhumane nature of the activity. Consequently, there is in my opinion only one remedy, which is through a legislative amendment to the Prevention of Cruelty to Animals Act, naming recreational duck shooting with shotguns as an offence.

**The Hon. D.C. Kotz:** This is one of the perennial questions that appears almost on a yearly basis. The Government has put its position down many times in terms of the shooting of ducks taking place in South Australia. The question of the review of the Act always has merit. I have always considered that in any area of law reviews must be continually made and, relating even to the last question asked in this Chamber, the means by which community attitudes change and develop over time is a rational reason to continue to review the parliamentary outcomes of the legal processes that end up in changes to legislation. Certainly, I have an open mind in terms of review. As they stand, most parliamentary laws are moving towards some form of review. I will certainly check that out for the member.

Duck shooting is an emotive issue for many groups. However, the terms by which the Act determines the means by which hunters have to apply for permits includes specific restrictions on the shooting of particular species. That is a very determined aspect within the processes of law in South Australia. In many instances the sporting shooter organisations involved in hunting are also the wildlife conservationists. It is they who contribute a great deal of funding and voluntary labour to support some of our conservation areas in the State. There is a balance between the two and generally this Government supports duck shooting.

In other areas of Australia, where duck shooting has been forced to cease under some legal requirement, investigations have shown a greater number of destruction permits have been issued and, therefore, more species and more birds are being shot than when there was controlled supplying of hunters with licences. There will always be continual discussion and debate between opposing forces of different organisations. At this stage I can only say that we will continue to review community attitudes to the situation involving duck shooting but will also look at the continued review of Acts of Parliament which relate to these issues.

**Mr HILL:** My second question is to do with dolphins and to do with the advice given by Dr Mike Bossley about the effect on dolphins that the Pelican Point development might have. I shall read briefly from the statement made by

Dr Bossley. This is in relation to a statement that Dr Metcalfe had made about Dr Bossley's attitude. Dr Bossley says:

What I did tell him [Dr Metcalfe] is that after consulting the international literature and marine mammal experts all over the world there is no clear evidence that thermal effluent has an impact on dolphin movements or health. Equally important, I told him that there is no evidence that thermal impact will NOT have an impact on dolphin movements or health.

He then goes on to say:

Quite clearly, there is no clear scientific evidence which can predict what the impact of the power station will be on dolphins. Constructing it in its present location and with its present design is therefore fundamentally a gamble, and an unnecessary gamble at that. Given that the effect is unpredictable I also told him that it is now accepted environmental practice to apply the 'Precautionary Principle' and to not undertake construction unless the environmental effects can be predicted with confidence.

So, I ask the Minister: does she agree with his assessment regarding the threat to the dolphins of the construction of the Pelican Point power station?

**The Hon. D.C. Kotz:** I thank the honourable member for his question. I believe that Dr Bossley has certainly made many different comments in relation to all aspects of the Port River, and dolphins in particular. I know that at one stage there was a comment attributed to Dr Bossley—whether, in fact, it was correct or not in terms of it being his comment—which was quoted in the *Advertiser*, and we all know that if it is printed in the paper then it must be true! I believe that Dr Bossley suggested at that stage that we were about to boil dolphins because of the power station. I trust that that was not a scientific expression of major interest in this area, because that would be extremely disappointing.

However, in terms of the question that the honourable member has asked, I remind him that, as to Torrens Island Power Station, which has been there for a number of years now and which is in close relationship to the water and the thermal output, I am advised that some very healthy fishing breeding takes place within the thermal waters in the vicinity of Torrens Island Power Station. I am also advised that the temperatures in the Port River range somewhere between—and this is from memory but I believe this is correct—17° and 23°, whereas the thermal output expected from the power station would be under 2°. So I doubt that the dolphins that swim up and down the Port River that are now subject to a 6° temperature alteration will actually have any difficulty, from the advice that I have received, with a less than 2° alteration to the temperature of the Port River.

**Mr HILL:** My third question under animal welfare is to do with the Minister's decision recently to allow the destruction without licence by certain classes of individuals of Rainbow Lorikeets, Musk Lorikeets and Adelaide and Yellow Rosellas. I refer the Minister to a few pieces of correspondence. The first is a letter to her on 22 June from Dr Tim Doyle from the Conservation Council. He says, in part:

(1) DEHAA has apparently made no preparation to assess the effect of large-scale destruction on the populations of the species concerned. . .

(2) nothing is to be done to prevent illegal abuses which, on the contrary, are being encouraged by giving orchardists the impression that these species are nothing but obnoxious vermin. . .

(3) no incentive is being given to orchardists who adopt acceptable means of protecting their trees, such as nets and cages.

I also refer to correspondence of 16 June from the Bird Care and Conservation Society, which states:

No consultation has taken place with animal welfare or conservation organisations.

The department has not conducted an audit of the species selected for destruction and we have been told that no monitoring of populations of those selected will be conducted.

It goes on to say:

The Adelaide Rosella and Yellow Rosella only occur in this small region, nowhere else in the world.

The BCCS has had no reports of Yellow Rosellas being brought in for care at all. There is no evidence that either of these species is in plague proportions.

I also refer to yesterday's *Southern Times Messenger*, where we are told:

But Hamilton Wines supervisor, Nigel Storer, with 30 years experience in grape growing, said that he has, 'never seen a Musk Lorikeet or Adelaide Rosella eat grapes'.

And McLaren Vales Farmers Federation President Adam Jacobs agreed.

Mr Jacobs said introduced birds, not native species, were the biggest threat to vineyards in the area. . .

Mr Jacobs said McLaren Vale grape growers were not consulted about the Government's decision on controlling native pest birds.

'I see (the decision) as misinformed and an over-reaction to the problem. There's been no consultation with us by the Minister. . . if there was, we would be against it because the birds don't do any damage.

So my question is: what consultation did occur? What resources will be applied to monitor the destruction of the birds? Is it true that certain members of the Wildlife Advisory Committee advocated the use of section 50 of the National Parks and Wildlife Act in this case because they were concerned that unless it was used it might well be dropped from the Act altogether during a review of the Act?

**The Hon. D.C. Kotz:** The answer to the last question is a categorical 'No.' In relation to the rest of the question, the native bird species indeed continue to cause problems throughout South Australia, and the problems being experienced concern farming enterprises, particularly orchard areas, residential living areas and, in some cases, competition with endangered native birds. Some problems relate to the simple conflict between people and wildlife for space in the environment. However, more often the problems arise from increasing numbers of birds such as galahs and corellas, which we have dealt with in the past, which I am sure the honourable member knows. That results, of course, from altered ecological conditions. The creation of open woodland habitats and agricultural and urban environments is one of the major factors that has led to this change.

During 1999-2000, National Parks and Wildlife South Australia will commence implementing recommendations of the report titled 'Managing Pest Native Birds in South Australia', which was produced by the Wildlife Advisory Committee. In summary that report recommends development of integrated native bird management programs that are formulated and implemented at a regional level, with specialist support. It includes recommendations on acceptable techniques for controlling pest native birds. It includes a set of standards for humane implementation of techniques, and strategies for developing trained operators in bird control techniques to provide support both to councils and to landholders.

An important element in the proposed strategies providing support for regional task groups is to develop proactive pest native bird action plans. National Parks and Wildlife will provide specialist support, and in some cases training for task groups. This has been partially successful to date, with integrated action plans being implemented in some of the traditional problem areas. The first year of implementation is facilitated by a reallocation of recurrent departmental

resources. That would be approximately .6 FTEs and some \$5 000 in operating funds, and involvement of local communities and commercial operators that are prepared to offer a pest bird control service.

I also advise the member that the previous means by which people sought to destroy native pest birds was through destruction permits. Therefore, the changes that have taken place are not dissimilar to, in effect, what has happened in the past, and that was that when an orchardist or a person in the farming community was being inundated with birds that were causing immense damage to their crops they would apply for a destruction order from the National Parks and Wildlife Service; they would be given one; that would be opened for a year; and the only task that would be sought of the farmer or the orchardist receiving his destruction permit was to notify the department on the number of birds that they had actually destroyed.

The operation of destruction permits after application, and then noting and taking records of the destruction number of birds, did have a very high administrative cost. The only change has really been that the orchardist, in this instance, no longer for a period of a year (which would have been the period of the destruction permit in any case) has to legally apply for a destruction permit. I also suggest that the means of shooting would in very few cases destroy too many birds. It is just another part of a technique to scare, and there are many different techniques used out there in the operation of farm, horticultural and viticultural enterprises to frighten birds away from causing the destruction from which the complaints are generally laid.

In terms of decisions that are now being emotively taken by members of conservation groups and others, I believe that the manner in which we have dealt with this is quite reasonable. There is no great change to the system that was in place previously, other than the actual removal of the personal applying for a destruction permit. However, this will be evaluated at the end of that one year period.

**Mr HILL:** As a supplementary question, I asked the Minister what resources were being applied to monitor the effect on the species, and I do not think she answered that part of my question.

**The Hon. D.C. Kotz:** I think I did, in terms of departmental resources. We are looking at the whole range of aspects of techniques to support the means to address this problem, and that will be facilitated by .6 FTE and a \$5 000 operating budget.

**Mr SCALZI:** DEHAA was restructured in October 1997. Will the Minister advise of any benefits that have been realised from this initiative?

**The Hon. D.C. Kotz:** The Department for Environment, Heritage and Aboriginal Affairs was established on 23 October 1997 and is comprised of the former Department of Environment and Natural Resources (minus Land Services) and the former Department of State Aboriginal Affairs. DEHAA was restructured internally in January 1998 to ensure that it is best placed to achieve whole-of-Government objectives; Government policies in relation to the environment, heritage and Aboriginal affairs; and the provision of responsive, effective and efficient services to the community and Government. The department now comprises six different divisions:

- the Division of State Aboriginal Affairs (DOSAA), which has responsibility for economic development advice to Aboriginal people; Aboriginal community infrastructure maintenance services; coordination services to State land

holding authorities; Aboriginal heritage administration services; monitoring and evaluation of Aboriginal education and training; and Aboriginal policy and program coordination;

- the Environment Policy Division, which has responsibility for the development of environmental policy; development and review of environmental regulation and provision of environmental reporting, primarily through the State of the Environment report;

- the Environment Protection Agency, which has responsibility for the operational aspects of coast protection, environment protection and Water Resources Acts, including compliance and monitoring and evaluating the effectiveness of such programs;

- the Heritage and Biodiversity Division, which has responsibility for animal welfare; administration of Crown lands; biodiversity conservation; pastoral land management; native vegetation management; heritage conservation; and National Parks and Botanic Gardens management;

- the Resource Information Division, which manages the fundamental spatial information infrastructure in South Australia, incorporating development and maintenance of fundamental datasets; and managing client access to data and spatial products and services; and

- the Corporate Strategy and Business Services Division, which provides a range of corporate services that support the Chief Executive and divisions.

Although DEHAA operates as one administrative unit, the Minister holds two portfolios: Environment and Heritage, and Aboriginal Affairs. The new agency now has management or management oversight of approximately 81 per cent of the State's land area, as I think I noted in my opening statement, and therefore has a major role in ensuring the environmental and economic sustainability of South Australia. The new agency has created enhanced opportunities to link whole-of-Government objectives with service delivery, and has realised benefits to the State through each of its restructured divisions.

**Mr SCALZI:** Page 9.9 of the Portfolio Statements refers to the implementation of the Parks Agenda and Natural Heritage Trust programs to improve community understanding, commitment and participation in nature conservation. National parks can provide significant development opportunities for South Australia. What employment initiatives have been proposed for National Parks in South Australia?

**The Hon. D.C. Kotz:** This is an area from which we believe a great deal of satisfaction is derived in looking at the means by which we can support employment opportunities. We have a total of 266 staff employed in the parks system. These comprise 186 permanent positions, 45 temporary and 35 casual positions. Amongst these are 104 ranger positions and 60 specialist research administrative positions, with the balance being weekly paid employees. The Parks Agenda program has provided for a significant increase in National Parks and Wildlife South Australia positions. National Parks and Wildlife, which manages the State's parks, has employed 69 trainees across park management and administration areas under the Government's Youth Training Program, with an increased emphasis on park management training positions.

National Parks has made a significant commitment to provide employment for Aboriginal people in the parks system in specific areas. We have nine permanent employees and two casual employees; one Natural Heritage Trust-funded joint management position; six contract appointments for project work; and eight traineeships under the Government's Youth Training Program. Five additional Youth Training

Program trainees will be selected shortly, and three trainees have obtained employment with DEHAA following the completion of Ngarrindjeri's Community Education and Development Program in the Coorong National Park.

Natural Heritage Trust funding has resulted in 18 contract positions with a further 13 positions contingent on the 1999-2000 round of funding, which at this time we believe will be accessible to us. In terms of employment within the parks area and under the Parks Agenda, I believe the department shows much more by action the means by which it has moved to improve the aspect of taking young people into the parks programs, and the main outcome that we would seek from any of the positions that National Parks or the department as a whole offers is to look to permanency of employment from that training program.

**Mr SCALZI:** In June 1998 the Minister announced in this House that she had approved the initiation of consultation towards the constitution of wilderness protection areas within both Lincoln National Park and Coffin Bay National Park. What progress has been made towards the achievement of that goal?

**The Hon. D.C. Kotz:** We all recognise that the Wilderness Protection Act 1992 is an important piece of legislation for South Australia. It provides for the reservation and maintenance of some of the most intact natural areas of the State, and it allows ecosystems to be conserved for future generations and to evolve unhindered by adverse human impact. Therefore, the object of the Act is to protect the condition of areas of South Australia that have remained largely unchanged for thousands of years. Since the Act was passed (with the support of the Liberal Opposition in 1992), five wilderness protection areas have been constituted. These are all to be found on Kangaroo Island.

In accordance with its obligations under the Act, the Wilderness Advisory Committee is in the process of carrying out an assessment of the remainder of South Australia. In its assessment of the wilderness quality of the Southern Eyre Peninsula, the committee has advised that parts of Lincoln and Coffin Bay National Parks meet wilderness criteria to such an extent as to warrant protection and should, therefore, be given that protection under Act. These areas are considered highly suitable for protection as wilderness under the Act due to their careful management by National Parks and Wildlife South Australia over many years to preserve what is, in effect, their wild and natural attributes.

I am therefore pleased to be able to inform the honourable member that the wilderness proposals for Lincoln and Coffin Bay National Parks will be incorporated within a draft management plan for the two parks and released for public comment within the next two weeks. I know that you, Mr Chairman, will be more than pleased to hear that the moves in which I know you have had a great interest for some time will now be put into play to address these areas. New draft management plans have been prepared for both the reserves, so comments will be sought on the management plans at the same time as comment is sought on the wilderness proposals, as the two issues are obviously interlinked.

The management plans aim to balance the protection of natural and cultural resources, including the protection of wilderness values and recreational use and enjoyment of the parks. Ample opportunity will be given for interested parties to comment; in particular, the views of Aboriginal people who have traditional interests in these natural areas will be taken into consideration. I have already written to representatives of native title claimants in the area seeking their

comment. So, the Aboriginal communities will have received notification of and information on the draft management plan before the general public does so. After the release publicly across the board, the public will have a three month period in which to comment on the park management plans and the wilderness area proposals. I would encourage the people of Eyre Peninsula to take advantage of this opportunity to comment on the future management of this unique part of the State.

**Mr HILL:** In the light of the Minister's comments some time ago about the potential use of Cape Barren geese for culinary purposes, what is the Government's policy on the sustainable use of wildlife and, in particular, will she say whether any further regulations are required to ensure that this undertaking is properly conducted? How is the decision about Cape Barren geese and a general policy of the sustainable use of wildlife consistent with outcome strategy on page 9.9 that part of the Minister's job is look after the welfare of all animals throughout South Australia?

**The Hon. D.C. Kotz:** As the honourable member has said, he has certainly elicited my views on the Cape Barren geese issue which I clearly stated in this Parliament, especially the means by which the management plan has now been sought to integrate all the concerns and opinions that range about the possible farming proposals, which, of course, include harvesting, and the many different options that appear to be open in terms of management.

The member is also aware that this issue has been placed very firmly in the hands of a management group, which will now review the whole process in the local region. The Chairman of that group will be the local member of Parliament in the area, Ms Liz Penfold. In due course, I expect that I will hear from that committee with respect to all aspects of its determinations and the means by which it believes the local community and all groups are involved in this issue, that is, all the stakeholders, including those from the Conservation Council, ornithology groups etc. Until I receive their input and their assessment of the situation on the ground, I cannot tell the member a great deal. I have no personal desire to try Cape Barren geese in a culinary fashion. However, other people obviously have a different view on this, so we will just have to wait and see.

**Mr HILL:** I turn to output 4.1., Biodiversity Conservation Services. With regard to the Innamincka 10 year audit, which made a number of recommendations, what responses is the Government making to these recommendations in terms of action and resources? The two recommendations to which I refer in particular are a recommendation that a review of the Coongie Lakes control zone should be conducted, and also the realisation that not enough data had been collected to conduct legitimate scientific reviews, especially of the Simpson Desert. They are two recommendations. How will the Minister respond to them?

**The Hon. D.C. Kotz:** I thank the honourable member for his question, which is a very important one involving a sensitive area of the State. The Innamincka regional reserve in the far north-east of the State occupies almost 1.4 million hectares and was established in 1988 to protect, amongst other things, the outstanding wetlands of the Cooper Creek river system. Innamincka was the first regional reserve established in South Australia, and that provided a framework for the protection of its highly significant natural values, whilst also allowing for carefully managed tourism, hydrocarbon exploration, and production and pastoralism.

When the reserve was established in 1988, an agreement governing petroleum activities within a specially defined Coongie Lakes control zone was signed by the then Minister for Environment and Planning, the Minister for Mines and the licence holders of petroleum exploration licences that covered the zone.

The agreement recognised the high environmental values of the area, but did provide for a petroleum exploration and production with special conditions aimed at protecting the high wetland values of the zone. In accordance with the agreement, SANTOS conducted a carefully supervised seismic survey throughout the area in late 1997 and in early 1998. I am advised that that survey was carried out to the highest environmental standards ever required for seismic work in Australia. Five separate environmental reports and audits were carried out, both during and after the work, including one by an independent ecologist and respected conservationist, Dr Julian Reid, which concluded that the area's internationally significant wetland values had not been compromised.

At the same time, there was concern within both the community and the Government to ensure that the best possible management approaches were being applied to the control zone. Coinciding with the expiry on 28 February 1999 of petroleum exploration licences five and six, which had formerly covered the Coongie Lakes area, a review of the management arrangements for any future petroleum operations within the Coongie Lakes area was announced.

No new petroleum exploration tenements will be considered for the control zone and its immediate surrounds until the review report is considered by the Government later this year. At the same time, SANTOS and its joint venture partners had a legal right to apply for petroleum production licences up to the time of expiry of the petroleum exploration licences.

Consistent with this, Primary Industries and Resources SA received by the 28 February four petroleum production licences over the Moolion gas field, and two of the applications are located within the south-eastern portion of the control zone. The Deputy Premier announced in Parliament on 4 March that the two applications falling within the control zone will not be assessed until community consultation associated with the review is completed.

The review of the Innamincka Regional Reserve and its function as a multiple use reserve, as the member rightly stated, was tabled in Parliament in December 1998. This document provides a very important background for preparing a management plan for the Coongie Lakes wetlands as it relates to a core area of the Ramsar wetlands of international importance. Following the development of a specific issues paper by targeted community groups addressing pastoralism, petroleum and gas production, water resources, Aboriginal interests, tourism, conservation and a public workshop, a draft plan has been prepared. This plan addresses issues relating to a naturally flowing Cooper Creek, wise use of the resources, better understanding of the area and working together to achieve the long-term conservation and use of the Coongie Lakes Ramsar wetlands. A draft management plan is undergoing final review by the Department of Environment, Heritage and Aboriginal Affairs prior to release for public comment.

**Mr HILL:** I refer to the Ramsar management plan process in relation to Coongie Lakes. I understand that a consultation process has been going on for some time but it has run into difficulties and, as a result of those difficulties, the conserva-

tion groups have withdrawn from the process. Does the Minister still have confidence that the Ramsar management plan will be a satisfactory one from an environmental point of view, given the removal from the process of the conservation representatives?

**The Hon. D.C. Kotz:** The member is quite right, a community reference group was established in December 1996 to look at the facilitation and preparation of a management plan in the area that the member is talking about. However, the situation that developed is rather disappointing because those who choose to sit around a table and negotiate represent organisations that have community support. It is very difficult to criticise the end result if a group is not there to participate. From that point of view, I find it extremely disappointing that people did not choose to stay and negotiate when they had the opportunity to do so.

I do not believe that I have been made aware of any problems that will arise out of continuing the process, which will reach its final conclusions and therefore make recommendations. However, in my view, it would be a far better outcome if those who obviously would be considered under any other circumstances to be stakeholders in these areas, because of the opinions and representative views that they offer, had remained at the table. However, that has not stopped the process.

**Mr HILL:** As a supplementary question, what action has the Minister taken to bring those conservation groups back into the negotiation process?

**The Hon. D.C. Kotz:** Informal consultation and participation has continued but the means by which people wish to deal is entirely up to them. They will be welcome at any time they choose to bring themselves back into the negotiations, but that is a matter for their judgment and for them to decide.

**Mr HILL:** I refer to output 4.2, pastoral management services. Will the Pastoral Management Board publish an annual report and, if so, when?

**The Hon. D.C. Kotz:** The Pastoral Board will publish an annual report by the required date.

**The Hon. G.A. INGERSON:** Page 9.5 of the Portfolio Statements refers to an interim Waste Management Committee appointed to replace Recycle 2000. As the Minister knows, the community has a very strong interest in recycling. Can she advise what steps are being taken in this area?

**The Hon. D.C. Kotz:** The Waste Management Committee has taken over the reins from Recycle 2000 and it is focusing on developing solutions to problems that are being faced by communities, local government and industry across South Australia with regard not only to recycling but waste management in general. The six member committee, which is made up of representatives of the Local Government Association, the EPA and the Employers Chamber of Commerce and Industry, is grappling with the many issues that face recycling, and I am hopeful that it will announce a number of programs soon to assist local government and industry, in particular, with their waste problems.

Priority areas identified so far include green waste recycling, newsprint and construction and demolition wastes. We all recognise that one of the areas in which we fail very badly is the recycling of commodities such as steel, cans and newspapers, yet in other areas, as a result of CDL, which I spoke of earlier, we do exceptionally well. These commodities are being addressed with awareness campaigns and other strategies. However, the big tonnages entering our landfills comprise wastes such as construction, demolition wastes,

soils and domestic green waste. The Waste Management Committee will make recommendations on these issues.

The committee will also be focused on market development for recycled materials and will be promoting environmental purchasing policies to State Government, local government and industry. I would say that it is clear that, unless we develop markets to use the materials, the recycling process is unsustainable. Building on the success of our container deposit legislation, the Waste Management Committee will provide the framework for further action in that area.

**The Hon. G.A. INGERSON:** How will the revenue generated by the solid waste levy for materials disposed to landfill be utilised?

**The Hon. D.C. Kotz:** Effective from 1 July 1999, the solid waste levy in metropolitan Adelaide will be \$4.62 and, for non-metropolitan areas, it will be \$2.34. The different charges reflect the significance of the waste management issues in the metropolitan region. The levy is a broad-based charge which generates revenue without significant financial burdens being placed on individuals. The landfill levy is also an appropriate funding source for environmental initiatives, given the broad based impact of individuals on the environment. Funds generated from the solid waste levy are currently used to fund the EPA, KESAB and the South Australian Employers Chamber of Commerce and Industry to develop programs to reduce commercial and industrial waste outputs.

The programs specifically target construction and demolition wastes, packaging, and waste resulting from production processes. One dollar per tonne goes to the interim Waste Management Committee, which replaced the former Recycle 2000 in January this year. The Waste Management Committee has recently indicated its intention to develop a number of projects that target specific areas of waste management in South Australia—importantly, as I have mentioned before, green waste recycling infrastructure in rural and regional areas, and construction, building and demolition waste. Twenty cents per tonne goes to the South Australian Employers Chamber of Commerce and Industry for use in industry-based waste management programs; 30¢ per tonne goes to KESAB to fund the State's litter strategy initiatives; 5 per cent of the total levy paid by each landfill operator goes to the environment protection fund; and the remainder goes to the EPA for enforcement, administration, waste reduction programs, strategy development and implementation, and so on. This is in the order of some \$290 000, which is provided to assist in the funding of KESAB.

A tipping fee (and that is not a gratuitous tip; this is those who tip vehicles) is charged by landfill operators for waste disposed of at the landfill. The EPA then invoices the operators of landfills on the basis of the tonnage returns to the EPA. Current proposals to require weight-based reporting at landfills receiving over 10 000 tonnes of waste per annum should, in fact, return an increased levy payment compared to what we have experienced over previous years. So, the honourable member can see that a range of advantageous benefits flow from the levies that are collected through this area.

**The Hon. G.A. INGERSON:** I assure the Minister that I have not written this question, but I do have a current interest in this topic. Can the Minister advise the Committee of the review that is taking place in relation to the current planning regarding the State water plan?

**The Hon. D.C. Kotz:** I am always pleased to hear that our members have an increased interest in the water of this State.

The document entitled South Australia—Our Water, Our Future was published in September 1995 and adopted as the State water plan under the Water Resources Act of 1997, when it came into operation on 2 July 1997. The Government is currently reviewing the State water plan and updating it to provide a contemporary assessment of the State and the condition of the State's water resources and to set out the South Australian Government's strategic policy directions for development and management of our water resources. The State water plan will be a statement of high level water policy from the Government of South Australia and, as such, will guide investment that relies on access to reliable water supplies. A steering committee chaired by Mr Robert Champion de Crespigny has been established to oversee the project and provide private sector input to the plan. Whole-of-government input is delivered through the South Australian Water Policy Committee. It is proposed to release a draft plan for consultation with interested parties (of whom I know the honourable member will be one) on 17 October 1999 as part of National Water Week. It is intended that the final plan will be published in early 2000.

*The Hon. G.A. Ingerson interjecting:*

**The Hon. D.C. Kotz:** So will I.

**Mr HILL:** I refer to output 4.3, Native Vegetation Management Services, with respect to the review of the native vegetation regulations. Can the Minister explain what process she will go through to review the regulations—in particular, who will be invited to participate; what will be the time frame; who will conduct the review; and what are the terms of reference?

**The Hon. D.C. Kotz:** The major purpose of the regulations, of course, is to establish a series of exemptions whereby certain categories of native vegetation clearance can be undertaken without the need for consent from the Native Vegetation Council. Since 1991, it has become evident that some of the exemptions are, in fact, unclear, some are ambiguous and some have been challenged as being open to abuse. Amendments to three exemptions were gazetted on 21 August 1998, with the objective to provide more flexibility for both the NVC and for land-holders in dealing with issues such as fire prevention, the control of plant and animal pests and native plants that, in fact, are creating management problems because of their invasive characteristics.

The new regulations were prepared after lengthy consultation with the Conservation Council of South Australia and the South Australian Farmers Federation. Both parties have expressed an interest in a substantial review of the present regulations and, as a result, I have approved a broad review of all the regulations by a group of three persons with expertise in environmental law, conservation of native vegetation and farming.

**Mr HILL:** Can the Minister name those persons?

**The Hon. D.C. Kotz:** They are Robert Sharrad, David Boundy and Paul Leadbetter.

**Mr HILL:** The Minister would be aware of great concern over recent decisions of the Native Vegetation Council about clearance—in particular, there was great concern about clearance in the Barossa Valley area (Eden Valley) recently. With respect to the last meeting of the council (which was, I believe, in early June), can the Minister indicate what decisions have been made, what public notification of the meeting was given and what notification has been given of the decisions of the meeting?

**The Hon. D.C. Kotz:** I gather that the honourable member's question relates to a specific meeting and decisions

made in June of the Native Vegetation Council. The honourable member would also be aware that the Native Vegetation Council is an independent body. I do not sit in on the meetings of the Native Vegetation Council—and it is an operational group, in any case. So, at this stage, I certainly would not have information on any of the decisions that were made in a very recent meeting, because it is not my way of operating to seek to have immediate information, across the board, with respect to meetings that are held.

However, I believe that the honourable member mentioned the decision of the NVC regarding the Mildara Blass application with respect to clearance. I have been informed that, earlier this year, prior to submitting a clearance application to the Native Vegetation Council, Mildara Blass had discussed its plans with the Biodiversity Monitoring and Evaluation Section of the Department of Environment, Heritage and Aboriginal Affairs and, as a result of those discussions, Mildara Blass made a business decision to employ external consultants to assess some 400 trees on the property. After the work had been completed and reviewed, Mildara Blass applied to clear some 229 trees, but subsequently reduced the application to 180. On 7 June, the Native Vegetation Council approved the clearance of 88 trees subject to a total of 90 hectares being set aside elsewhere on the property for conservation purposes.

The decision, in part, was based on the data that had been gathered by the consultants and reviewed and endorsed by the Department for Environment, Heritage and Aboriginal Affairs. The process in this instance was believed to be effective in transferring some of the cost burden in assessing the trees from the department, and therefore public moneys, to the proponent.

In terms of the concerns expressed in a general manner by the honourable member in relation to decisions of the Native Vegetation Council, perhaps I can outline the overall decision making relating to clearances of trees, shrubs and other vegetation that occurred over the past year. In the first nine months of the 1998-99 financial year, the Native Vegetation Council received applications to clear 12 323 trees. That compared to applications to clear 14 059 trees for the previous whole year. Of the applications to clear 12 323 trees, the clearance of 8 899 trees was refused and 3 424 approved. That is a 28 per cent approval rate compared to a 55 per cent approval rate the year before. When the clearance of native vegetation is approved, the NVC requires that other land be set aside for conservation purposes to achieve a significant environmental gain. This gain may be achieved through protection of existing bushland on a property or through revegetation.

In the years 1996-97 and 1997-98 the council required that five trees were to be planted for every tree that was cleared. A new policy was introduced in 1998-99 as a mechanism for the NVC to determine appropriate conditions that more accurately reflect the biodiversity value of each tree approved for clearance. Largely, as a result of this change, a dramatic increase occurred in the ratio of 17 to one for the first nine months of this year, with 60 024 trees and shrubs required to be planted as a condition of clearing the 3 424 trees.

**Mr HILL:** Can the Minister advise the Committee of the names of the current membership of the Native Vegetation Council, when they were appointed, when their terms expire and what is their background and expertise?

**The Hon. D.C. Kotz:** The Native Vegetation Council was reappointed in February this year for a two year term, with Mr Peter Dunn continuing as the Presiding Member. On the

new council, Miss Annette Bley replaced Miss Sue Rymer as the Commonwealth's Environment Minister's nominee. Other members on that committee have remained unchanged. The Native Vegetation Council comprises seven members with expertise in farming, conservation, management of native vegetation, local government and soil conservation. The council plays a critical role in balancing the opportunities for regional development throughout the State and the conservation and enhancement of native vegetation.

The council, I know, together with accredited people who have been doing a considerable and, in some instances, exceptional job over the past couple of years, will continue to develop and refine policies that are designed to streamline the application processes but in a manner that does not compromise biodiversity conservation.

In terms of the individual skills that apply to each of the board members, the Act designates the skills required of the people appointed to that board. I have run through the range of expertise that is required as set out by legislation, and the members of the board comply with those requirements.

**The CHAIRMAN:** Minister, the Committee would be aware that it is the prerogative of the Chair to ask a question or two, and I intend to do so. Can the Minister indicate what progress has been made in the establishment of the Greater Mount Lofty Conservation Park, recognising that it was a major plank in the policy on which the Government went to the people at the last election?

**The Hon. D.C. Kotz:** I recognise not only the Chair's authority to ask questions but also that a great part of this initial plan was supported by him very strongly for some time. The Greater Mount Lofty Ranges Park is certainly a very important initiative of this Government and, in consultation with Government agencies, is progressing. At the moment consultation is taking place between National Parks, Forestry SA and others who have a role in the planning of land management in the Mount Lofty Ranges.

A number of projects have already been implemented in line with the Government's pre-election commitment to the Greater Mount Lofty Ranges Park. First is the master development plan that has been developed for the Morialta Conservation Park, focusing on day visitor facilities for the upgrade of the extensive walking trail network. The work currently being undertaken in consultation with the community aims to improve substantially visitor appreciation and enjoyment. We also have the visitor facilities and infrastructure at Waterfall Gully, which has undergone a substantial upgrade with approximately \$900 000 committed to maintaining its heritage appeal and to meet the needs of increasing visitation. The Chair would be aware that both Waterfall Gully and the Morialta Conservation Park provide the gateway to a much more extensive network of walking trails throughout the Adelaide Hills.

A walking trail strategy focused on the Morialta Conservation Park is currently being developed to improve track standards and to interlink the walking trails between the major parks. Transport routes and areas of public interest across the Greater Mount Lofty Ranges and initial work on the walking trail are progressing with the involvement of a youth trainee team and volunteers coordinated by the Australian Trust for Conservation Volunteers.

Farther afield, the visitor facilities at the Mount Lofty Botanic Gardens are currently being developed through a \$950 000 upgrade which focuses on improved parking, signage and day visitor facilities. A project officer will be appointed shortly to facilitate coordination of agency and



community involvement in progressing this initiative. The initiative provides for the coordinated development of an investment strategy in land management issues, such as fire, weed and vermin control and the provision of visitor services and facilities, and will enable improved recreation and tourism facilities across Government lands within the Greater Mount Lofty Ranges area.

Other strategic initiatives, such as catchment water management programs and bioregional planning are contemplated by this initiative, which provides the opportunity to involve the community and neighbouring landholders through National Heritage Trust programs, such as Landcare, Bushcare, the Friends of Park groups and other community groups. Other aspects are being dealt with on an ongoing basis, such as continually talking to private owners in the areas that may help us in the future to move towards inter-linking a greater area than we presently have. I suggest to the Chair that a great deal has been done over the past year and, certainly, we will be taking a great step forward in the coming year.

**The CHAIRMAN:** As a supplementary question, when can we anticipate the establishment of that park's being recognised in the community?

**The Hon. D.C. Kotz:** The Chair knows that at different times Government Ministers love to make unscheduled announcements. I suggest that there is still a little way to go to complete the facilities that we would like to see in the areas I have mentioned, particularly in the areas of capital investment that are still being concluded. Once that process has been completed, I will be able to give the honourable member a greater indication about when that announcement will be made.

**The CHAIRMAN:** My second question relates to the Mount Lofty Ranges catchment program. At the outset I want to recognise the excellent work that is being done through that program. I also need to say, recognising that the responsibility for that program is a joint one between yourself and Minister Kerin, that I asked a similar question of Minister Kerin from the Chair yesterday. I would like to know specifically what consideration has been given to the need to reconstitute the Mount Lofty Ranges Catchment Program and the board to provide a greater opportunity for the board and program to consider integrated resource management issues. I am aware that a proposal was put to you and to Minister Kerin in July last year to reconstitute the program as the Mount Lofty Ranges Natural Resources Program and to replace the current board of management with a natural resources committee. I appreciate that the board has just recently be reinstated, but I am interested in your thoughts about the proposal put to you last year, particularly in support of the whole integrated resource management program that could be introduced as a result.

**The Hon. D.C. Kotz:** As you would be aware, in January 1998 the Minister for Primary Industries, Natural Resources and Regional Development and the Minister for Environment and Heritage agreed that a review of the proposed terms of reference, membership and boundaries of the board of the Mount Lofty Catchment Program was necessary. Since the inception of the program considerable changes have occurred, including the formation of several catchment water management boards, as the member would know. The current board has continued to operate during the period of the review. The Mount Lofty Ranges Catchment Program was established in 1993 with a community advisory committee, later the board

of management, reporting to the then Ministers for Primary Industries and Environment and Natural Resources.

The initial Commonwealth funding support for the program is worth approximately \$11 million over four financial years and it had been approved in principle at that time. These funds are being sought from the Natural Heritage Trust and they will be matched by in kind State support, that is, State, local government and the community. The NHT funding year runs from October to September. Where we have clearly defined catchments such as in the Mt Lofty Ranges and the western part of the Murray-Darling Basin, I believe, we should manage water on a catchment basis. I do not necessarily think it is in South Australia's best interests to threaten the integrity of the nationally accepted boundary of the Murray-Darling Basin, given its significance to South Australia, especially where it is topographically well defined.

It is likely that physical catchments are also the appropriate management unit for other natural resources such as vegetation and soils. This would certainly be the case if one accepts that water is indeed the dominant force of nature in a well defined catchment. In this situation water has a direct impact on other natural resources. For example, it is water which erodes soil; it is water which transports herbicides and pesticides through catchment environments and into public water supplies; and it is water which distributes pest plants. So the regions and community groups established to manage the Natural Heritage Trust Fund are working well and this includes the Mount Lofty Catchment Program. I believe these groups should remain in place until we have the whole range of implementation factors that come out of our new legislation bedded down.

**Mr HILL:** Once again, I refer to native vegetation. Recently I visited the Keith area with a couple of local environmentalists who pointed out some of the concerns they had with the application of the native vegetation regulations and rules. Without going into all the detail, they pointed out to me areas of land that had been cleared illegally; and verge vegetation on roadways which presumably had been cleared legally but which nonetheless had an effect on corridors that many species are dependent upon. They pointed out to me practices where farmers allow cattle and sheep to graze in amongst native vegetation but do it so extensively that, in fact, they ensure that there is no regeneration, that ringbarking of trees occurs. They pointed out to me the proliferation of lerps, borers and Mundulla yellows, all of which affect the vegetation in the south. So, there is a whole range of problems and I guess that this is true in other parts of the State as well.

*Members interjecting:*

**Mr HILL:** I did: I saw every single tree down there, I can assure you. My question is twofold. First, does the Minister believe that the Native Vegetation Council's role should be proactive as well as reactive? Secondly, are enough resources put into enforcement of breaches of the Act and can the Minister say what those resources currently are?

**The Hon. D.C. Kotz:** They are certainly questions which have been highlighted in different areas of the State, through different councils, different organisations and certainly by Labor members of Parliament who seem to be taking a great interest in the country areas of the State over the past few months. I never realised that they were quite the rural rump that they seem to be providing at the moment, but it is interesting to know. In terms of the resources for native vegetation funding, we will always have the battle between those who believe that resources and the manner in which

applications are assessed and decisions are taken are competent, efficient and delivering a service as required, as opposed to people on the other side who will always consider that, in the area of native vegetation, there is never enough funding, and there is more vegetation being cleared than there is being saved.

Where we have those two totally opposing forces, obviously we are going to have a number of anecdotes and, whether they are true or not, is very difficult to prove. It is very easy to make comment provided by anecdotes and rumour. The Native Vegetation Council has certainly had more than its share of questions raised but, in most instances, the comments that have been made have not been proven to have any substantive bearing. There are others where it is questionable whether greater action could have been taken but, in terms of prosecutions, it is extremely difficult in most circumstances to be able to identify where a breach of the Act has taken place.

There have been numerous complaints and, if a person can deliver a specific claim and can assist with an evidence factor that will enable the agency to look at prosecutions, I can assure the honourable member that they would be more than happy to take this up. However, unless you have an individual officer sitting on every hectare throughout the State, I am afraid it would be entirely impossible to police to the degree that some of the suggestions towards funding would realise. As that is an unrealistic assessment, I can assure you the processes through the department in terms of assessing and policing those processes are under continuous review.

More resources have been put into those areas and in recent times we have also had bushcare officers who are now relocated to many areas of the State and who offer another facility to farmers and landowners to revive, remind and educate people about the positive nature of vegetation programs. The Government funded native vegetation programs are going to receive some \$5 million in 1999-2000, with over \$3 million coming from the State and the balance from the Commonwealth. About \$1 million will be spent on administration of the Native Vegetation Act and about \$1 million will be spent on heritage agreement incentive management for heritage agreement holders. There will be a further \$2.5 million spent on conservation on private land and on the bush care program to which I referred earlier.

In excess of some \$700 000 will be made available to the urban forest program and research projects. In addition, the State will benefit from many millions of dollars of Natural Heritage Trust funded programs that are being carried out in the private sector. So I would suggest to the honourable member that, although in all areas of any service provision, and all areas of operational management throughout the public sector or indeed any private industry area, it is always necessary to continue to evaluate and to monitor and to create greater efficiencies where you can. In this instance, I believe that we do have, to the greatest degree, the balance right between the decisions that are made, the assessments that are undertaken and the outcomes that the Native Vegetation Council and the native vegetation area in general have achieved.

**The Hon. R.B. SUCH:** Briefly, following up on the matter of vegetation, I must say that I share some of the community concern about what has been happening, and it has not just been in recent times. It has been happening for a long time in South Australia. I think our performance in terms of retaining native vegetation has been nothing short of appalling, and I would describe it in many cases as nothing

short of vandalism. In terms of general aspects of conservation, in regard to education can the Minister indicate what sort of resources the department is putting into educating the community and, in particular, say, the farming community, in regard to biological diversity and ecological principles? Further, what effort is put into making people who have migrated to Australia aware of the significance and importance of conservation in this country?

I mention that because I am aware that many people have come here from countries where there is even less regard for the environment than we have, and I think it would be prudent and proper for us to put resources into making those people aware of the importance of conservation, just as has happened to some extent via our school program over the last 20 years. So this relates to the question of educating the total community, and in particular the farming community, the rural community, and, further, to people who have migrated here who may not have an understanding of the significance and importance of conservation in general terms and specifically in relation to Australian flora and fauna.

**The Hon. D.C. Kotz:** There is certainly a range of initiatives that seek to address the educational and awareness factors of individual people to all aspects of the environment. There is the Parks Agenda, which of course is a \$30 million program announced by the Premier in 1997. The bushcare projects that are under way now are very specifically regional operations, which look at biodiversity and seek to engage the general community in all aspects of environment and the education thereof. They have a very public profile that is starting to increase. They have been on the ground in the last year. I think it was just this year that we have started to see the bushcare officers come on to the ground. As it stands now, they are people who relate to specific regions of the State. They know the local communities, and the strategies that they form to engage local communities in discussions on all aspects of environment have been extremely successful to date, and I believe that that is where we are going to see a greater awareness, in particular through these very specific programs that will be engendered through those areas.

We also have the Urban Forest Project. There is also Wildlife on Farms. The Parks and Wildlife Festival I think was a great means of continuing to encourage the greater community to be aware of the environment at large. There is the new project specifically brought on line by the National Parks Foundation, Walk for Wildlife, which in this instance was very lucky to be able to secure corporate sponsorship, as Optus was involved in that. Further, with Friends of the Parks in the last decades we have seen volunteers in parks go from a figure in the region of 400 to 600 to a figure to the tune of 6 000 or 7 000. That is a tremendous range of individual people right across this whole State that have taken up a commitment and an interest in the environment sufficient to become involved with groups such as Friends of the Parks, which is an incorporated body.

Educational aspects and awareness are being addressed on many fronts. There is also—and I am sure the honourable member was probably thinking of this himself when he asked the question—the State Government's partnership with local government on Local Agenda 21 programs, and particularly here in South Australia we have been extremely successful in encouraging councils to sign up for those particular programs, which all address environmental matters within the locale of particular council areas. So, in relation to the amount of contact with the community and the amount of education I think we could also throw in the catchment boards

as well, because one of the tenets under the Water Resources Act is for a very high degree of community awareness and community education, through community consultation.

In relation to the comprehensive management plans that the Water Resources Act seek of catchment boards, those plans then become the legal mechanisms under which the boards operate. But to get them to the developed stage the Act determines that community consultation at a very high level is necessary. I have read through the lists of achievements of two of the boards that have been established for the longest period of time, over three years at this stage. The Chairman would know that I am alluding to the Patawalonga and the Torrens. When we look at the list of achievements there we see the number of educational programs that have been written and run.

The aspect of the honourable member's question that we have not picked up is perhaps to look at ethnic groups which may not have the English language as a first language, and those people may find the means by which we derive attitude to the environment very different from the ones that they perhaps have held in their own country. The only means by which we have dealt along those lines so far has perhaps been when Government has had a prescriptive control or a specific management over an area, where we know that the residential area has a majority of overseas nationalities, and therefore we develop a brochure that advises of a particular event or a particular management process that is going to affect them. But I take on board the member's point, and I thank him for making it.

**Mr HILL:** I would like to ask about the Ngarkat fire that occurred last summer. On my recent visit to the Upper South-East I was taken to have a look at Ngarkat and had conversations with a number of people there, including those involved in firefighting. I was advised that the fire in question started at 8 o'clock one evening, and the CFS was advised at Bordertown. It in turn contacted the Department of Environment at around 10 o'clock. Unfortunately, the Manager of National Parks and Wildlife from that area was in Adelaide, the District Manager was also away and only juniors were around in Lameroo. About 30 phone calls occurred around the South-East by about midnight, trying to work out what to do.

The group officer in Bordertown, it was described to me, was sitting in the fence during all this, and there was an argument about who was in control. Eventually, the following morning the Manager of Parks and Wildlife, who was in Adelaide, drove to Murray Bridge and then flew over the fire and saw it at about 7.30 a.m. (I am not sure whether that was Murray Bridge or Mount Gambier: my notes are a bit unclear). So, there was a period of about 12 hours before the senior officer who should have been responsible for this fire actually was in a position to do anything about it. I was advised by people in the South-East that, as a result of that, nothing happened and the fire went absolutely out of control and some 100 000 hectares was burnt, although that figure may be a bit wrong.

If they had been able to get in there and there was clear decision making, a lot of vegetation would have been saved. Members of the CFS in the South-East have told me that they will not fight fires in future unless they are run by the CFS and seen to be running properly. Obviously, there is a very big concern in the area about how you handle fires. I know that the Minister has organised some sort of reporting on this. Will she make that report public and tell us the outcomes of that reporting process?

**The Hon. D.C. Kotz:** I thank the honourable member for his question, which is an outrageous fabrication of any type of fact in relation to the Ngarkat fire that I have ever had the misfortune to hear. I am not sure where the honourable member has been as a member of this Parliament, for not only have I stood in this place and given a report that clearly denies any of the miserable types of allegations that the member has just spoken about, but the Minister for Emergency Services has also given a report. There were many debriefings, involving not only the emergency services but also members of the community, in several meetings held across the State immediately after that fire.

I refer the honourable member to *Hansard*. Both these reports have been handed down verbally in this place so that members could hear exactly what the outcome was of a very well handled fire, with very good cooperation not only from the CFS and National Parks and Wildlife but also from members from the Victorian side of the border, who cooperated with all the forces on our side to make sure that that fire was controlled in the most efficient manner possible.

**The Hon. R.B. SUCH:** I understand from media reports that a comprehensive review of the Dog and Cat Management Act will be undertaken. Can the Minister confirm that? I have had concerns for a considerable time that in relation to cats the Act seems to be somewhat lacking. I will not indulge in any puns, but in terms of managing dogs it seems to be working effectively. I understand that in relation to the management of cats only two councils have come up with any sort of policy and the rest are still trying to work out what to do. The consequence is that cats seem to be able to do what they like, where they like, and annoy a lot of people. Is the Act under review, about to be reviewed, and will attention be paid particularly to the issue of cat management?

**The Hon. D.C. Kotz:** As the honourable member would be aware, the Dog and Cat Management Board was appointed specifically to look at all aspects of the management of dogs and cats in the State. I must compliment each member of the board for the commitment they give to that board and the very solid work output that we have seen from that board over the time that it has been constituted. The Act is under review at this time.

**The Hon. R.B. SUCH:** I have corresponded with various authorities on the matter of noise generated by trains going through the Adelaide Hills, and I am aware that the Minister has taken an interest in the issue. Members who have not experienced the joy of that noise have not really missed anything. What is the result of action taken by the Environment Protection Authority in trying to deal with that very annoying activity as freight trains go round the curves in the Adelaide Hills?

**The Hon. D.C. Kotz:** The honourable member is correct: there has been considerable community concern in relation to train noise, and particularly to freight train noise to residents in the Adelaide Hills. Since the conversion of the rail line to standard gauge, complaints to the EPA regarding this noise have increased considerably, due, I believe, to the increased length of trains and, therefore, the time taken for a train to pass, with the consequence that the noise lasts considerably longer. It is also due to the increased weight of individual trucks, the upgrade of the track, which required the use of concrete sleepers (which have less vibration absorbing quality than wood) and the increasing frequency of trains.

The noise apparently emanates from the locomotive engine and the shriek of wheels as they slip on the rails, the shriek apparently being the major source of complaint. The

EPA licenses railway operators, and the condition of licence requires the major users and the track owner to address the noise issue via the development of an Environmental Improvement Program, with the aim of minimising any adverse effects to the affected residential areas. The EPA will be continually monitoring the efforts of the railway industry to ensure that all reasonable options are considered. The industry itself has recognised the need for an integrated approach to address this problem and has established a working group to ensure that the relevant parties are well aware of their general environmental duty to undertake all reasonable and practical means to minimise environmental nuisance.

The EPA will also be participating in that working group. The industry has recently arranged to meet with local residents and the local member (Hon. Iain Evans), and they will look at undertaking effective community consultation as part of that Environment Improvement Program. However, it should be noted that this issue has a high degree of complexity, and I do not believe that it will be an easy matter to resolve, particularly in the short term. The honourable member can rest assured that steps are being taken at the moment, under the auspices of the EPA and through the Environmental Improvement Programs, and we hope to be able to progress that matter as soon as possible.

**Mr HILL:** What action has the Government taken on the comprehensive and representative reserve system which this State has committed to having in place by the year 2000? Will the Minister table the DEHAA strategy which documents the present quality of the reserve system as described in last year's annual report on page 32? I am now referring to Output 6.1.

**The Hon. D.C. Kotz:** In 1996, the Premier signed the national strategy for the conservation of Australia's biodiversity that, over the next 10 years, undertakes to establish a comprehensive, adequate and representative system of protected areas covering Australia's biological diversity. Analysis by departmental staff against national guidelines has identified that additions to the reserve system are required to meet national targets.

The Natural Heritage Trust national reserve system program provides two for one funding to purchase and establish new protected areas to fill the gaps in the national reserve system. The Natural Heritage Trust has approved \$580 500 in grants to purchase five properties. The National Parks Foundation of South Australia Incorporated has donated some \$104 000 towards the purchase of four properties. The department has provided \$241 000 to match the NHT funding, and land already purchased is located at Mount Cone and Carroona Creek near Burra, Mount Remarkable and Mount Brown, Southern Flinders Ranges and Carpenter Rocks near Mount Gambier. Therefore, these properties have secured areas of grassland, grassy woodland and a number of rare or threatened species and communities. Land worth \$926 000 covering 3 488 hectares has been purchased.

The operating costs for the scheme in 1998-99 were \$220 000, which included the employment of a full-time project officer and the cost of initiating the project, for example, fencing and gate construction. The estimated cost for 1999-2000 is \$145 000, some of which may be supplemented through an NHT grant. For the member's information, the CARRS project is on-going, and this Government certainly strives to ensure that an adequate and representative cross-section of the State's biodiversity is protected. A

project officer who commenced employment in 1988 will provide the scientific support for the ongoing purchase and assessment of land for a period of three years.

**Mr HILL:** Did the Minister mislead the House on 18 February 1999 when she described the proposed Belair National Park development as 'a proposal that seeks to upgrade and redevelop within areas of existing facilities of the park', given that the proposed development plans to excise some 12 additional hectares of parkland currently zoned as being for conservation and recreation purposes?

**The Hon. D.C. Kotz:** As the member is well aware, the manner in which that question was asked is highly offensive because he used the word 'misleading'. I should have thought that the member would make sure of his facts before he even suggested that that was even a possibility. The member would be well aware that in this proposal an area not of 12 hectares but six hectares is being considered. I am advised that the area of six hectares indeed already contains built environs such as tennis courts, a soccer oval, and so on. So, I put to rest very quickly that rather negligent question.

**Mr SCALZI:** The development projects in the Torrens catchment by the Catchment Water Management Board are contributing to a significant water improvement in the region. The Minister would be well aware of my historical interest in the area. What pollution controls and other projects have been developed by the board? I was pleased with the installation of trash racks, and so on, in Felixstow and Campbelltown, and that has been accepted very well in the area. Are there any more developments?

**The Hon. D.C. Kotz:** I certainly recognise the member's historical support for many of the achievements of the Torrens board. In fact, on occasions both he and I have been privileged to be at the launching of some of the new methods used to gain better water quality throughout the area of the Torrens Linear Park. In particular, I recall one of the recent ones where a new trash rack was launched. Thank goodness it became operational because the rains hit very strongly and swept down a great amount of rubbish that would have continued its merry way through the river system if that trash rack had not been there. I thank the member for his continued support.

The major achievements of the Torrens board are many. If I was to detail to the Committee the range of achievements, we would probably take up the next hour. So I will pick out some highlights that need to be discussed and publicly profiled. Of course, the important part of setting up the boards is to enable the preparation of the comprehensive management water plan which outlines the program that the boards then put into place for the coming years. In this case, the Torrens board's comprehensive management plan is in fact an award winning plan and, therefore, is an achievement in itself outright throughout Australia, and that is very pleasing to see.

The Torrens board was also involved in the dredging of the Torrens Lake, which in itself was almost an historical objective, because that was the first time in 60 years that the lake had been dredged, and that was done in partnership with the City of Adelaide and the Department of Environment, Heritage and Aboriginal Affairs. Further investigations to develop a management strategy for eliminating or managing the recurrence of algal blooms in the Torrens Lake has been another important aspect of management that the board has undertaken.

The board has also been involved in the provision of funds to more than 125 private landholders on the River Torrens to

undertake the remedial works along the riparian zone on their properties. The riparian management programs, which involve the removal of exotic trees and woody weeds, revegetation and fencing of watercourses, extends along more than 100 kilometres of watercourses in the Torrens catchment and that, in itself, is a major achievement.

The installation or near completion of trash racks or gross pollutant traps at seven different locations throughout the Torrens catchment has, again, meant that the board has worked most efficiently in being able to move through its work plan to enable those trash racks to be put in place in such a short space of time. It has also provided funds to the Tea Tree Gully City Council to conduct a wetland at Dernancourt, and it has an agreement to make a contribution to the project to connect properties along Waterfall Gully Road in Burnside to the sewerage system and, of course, by the provision of funds, that should certainly ensure that that project proceeds.

*The Hon. G.A. Ingerson interjecting:*

**The Hon. D.C. Kotz:** I'm glad you approve. As I said, the range of achievements are many, and I commend both the board and its members and the local member of Parliament for the solid commitment and effort that has been put into this board. I wish them all the best for the further developments that I know will enthral us all as they move towards greater programs throughout the next financial year.

**Mr SCALZI:** Page 9.10 of the Portfolio Statements refers to strategies to improve monitoring and reporting on water quality and quantity. Water quality is an issue in which we all have an interest. What programs are in place to monitor water quality in South Australia?

**The Hon. D.C. Kotz:** This relates to the Water Resources Act and the catchment board, and water quality is a major aspect of development. The monitoring river health initiative in South Australia is a program that provides a comprehensive biological assessment of the ecological health of rivers and streams in South Australia, and the work is based on the use of aquatic invertebrates as biological indicators. The work will assess the impact of pollution and other human-induced impacts on our rivers and streams and develop predictive models to assist in planning and pollution management. This work is part of a national study that is funded by Environment Australia under the national river health program.

Throughout South Australia, we have some 700 sites that will be assessed by July 2000. The total investment in the South Australian component of this work will be about \$4 086 000 by 30 June this year. That comprises \$925 800 from the Land and Water Resources R&D Corporation and Environment Australia. These funds have met most of the direct salary, operating and travel costs for the project. There is some \$2 021 000 in-kind support from the South Australian EPA and the Department for Environment, Heritage and Aboriginal Affairs and \$883 974 in-kind support from the Australian Water Quality Centre. There has also been in-kind support of \$250 417 from the catchment boards, and the South Australian Museum has also had an in-kind dollar input of \$5 300.

**The Hon. G.A. INGERSON:** I have noticed with interest in recent times some of the public comments from the Environmental Defenders Office. Is there any public funding of this office and, if so, what are the terms of reference for that funding? Its comments in relation to tuna cages and olive developments have been quite interesting.

**The Hon. D.C. Kotz:** The Environmental Defenders Office is generally a non-profit community legal centre that

offers free advice to individuals and groups on all matters of environmental law. The EDO receives funding from the Commonwealth Government as a community legal centre and the terms of the Commonwealth grant preclude it from being used to fund litigation. The Government provided some funding to the EDO under the community grants program to the value of \$12 500 in 1998-99, and this money is used primarily for educationally focused activities, including the production of fact sheets on environmental issues or environmental legislation. This corresponds to the advised objective to involve the community in environment and heritage protection and conservation.

The advisory service offered by the EDO includes the provision of information on appeals and civil remedies under the Environment Protection Act, public participation in licensing and policy formulation, development plan reviews, procedures in the Environment and Resources Development Court, and freedom of information among others. In accordance with requirements for proper accountability for expenditure of Government funds and directions by the Treasurer, grant moneys must be properly accounted for and used only for the purposes for which they were provided. To this end, our department has drawn up a service agreement to identify the appropriate areas of expenditure and the necessary conditions that ensure accountability.

**The Hon. G.A. INGERSON:** Have we received a report on that accountability?

**The Hon. D.C. Kotz:** Since the service agreement was drawn up, I do not believe that we have had the requirement to do so.

**Mr HILL:** I refer again to the Belair National Park, and I accept the correction made by the Minister that it is six hectares rather than 12 hectares that is intended for excision by the proposed development. That rather supports my statement because, if six hectares or 12 hectares are excised from the park, that suggests that a proposal that seeks to upgrade and redevelop the park within the existing facilities of the park is misleading. Is it not true, as the Save Belair National Park Coalition says, that development on those six hectares will affect rare vegetation communities and threaten species? It says that five hectares of the area proposed for rezoning contain grassy woodland of conservation significance and, of this, two hectares are of high conservation value containing over 13 indigenous plant species with conservation ratings. It may be six and not 12 hectares, and I apologise for that error, but when the Minister says to this Chamber that the project seeks to redevelop the park within existing facilities, that is plainly not true, because there is an excision of additional land that will require rezoning.

**The Hon. D.C. Kotz:** I do not know how many more times I can make clear that the area that we are talking about has existing development in terms of tennis courts, soccer oval and other areas. Any areas of significant vegetation will not be included in any proposal. I also remind the member that I stated quite clearly in the first instance that, at this stage, an absolute proposal has not been put to the Government. Until it is, no decision will be made. However, the concept of what was proposed has been made publicly available. The knowledge that I have on the site that the proponents were looking at has been made available to the public. At this stage, there is no absolute plan. However, what was mentioned in the first instance was a six hectare area which has existing built environs within it.

**Mr HILL:** I refer the Minister to page 9.12 of the Portfolio Statements, Volume 2. With respect to each of the

parks targeted for major projects in 1999-2000, how much land in each case will be used for private purposes and what is the nature of that use in each case? Will EIAs be conducted prior to each development?

**The Hon. D.C. Kotz:** To my knowledge there are no plans for any private development within the parks.

**Mr HILL:** During Estimates last year, I asked the Minister about amounts spent on individual parks, and the Minister said:

We could probably provide the honourable member with the amounts that would have been spent in the range of parks at the end of this financial year. . .

Can the Minister provide that information to me now?

**The Hon. D.C. Kotz:** Yes, I believe that I can assist the honourable member with that information, although the question, as answered last year, is still concise, because individual parks are not necessarily the means by which moneys are allocated through the budget. In many instances, it will be a matter of looking at a district area, and therefore there may be two or three parks involved. However, I will take this question on notice to enable that answer to be given to the honourable member.

**Mr SCALZI:** My question relates to the Northern Adelaide Plains and water meters. Page 9.10 of the Portfolio Statements highlights the need to improve monitoring and reporting of water quality and quantity as part of the protection of air, water and land. What has the Minister done to rehabilitate water meters in the Northern Adelaide Plains?

**The Hon. D.C. Kotz:** In November last year, the Government was able to announce a package of works that commits this Government to spending more than \$1 million on a water action plan for the Northern Adelaide Plains. The plan was developed in conjunction with the Northern Adelaide and Barossa Catchment Water Management Board, and I certainly compliment the board for the means by which that plan was put into organisation. It incorporates a program to replace the current ageing water meters with new meters. I am told that there are some 1 050 water meters in the Northern Adelaide Plains prescribed wells area. They are at least 25 years old and are certainly at the end of their service life.

The accelerated capital works program, which is expected to be completed this year, will result in considerable savings for irrigators in the region. That will include such things as the supply and the fitting of the new meters to be free of charge, and the removal of the annual meter maintenance or rental charge on new meters, which will amount to a saving of up to \$160 per year on each meter owned by an irrigator. The new meters will provide an accurate record of underground water use and will also assist in minimising illegal use of ground water resources, which can affect every grower in a specific region of prescribed wells. So, I certainly look forward to the improved ground water resource use that should now flow from this very special capital works program.

**Mr SCALZI:** My next question relates to the Murray River. The salinity in the Murray River is rising: what is the Government doing to address this issue?

**The Hon. D.C. Kotz:** This, indeed, is a very important question, and I believe that throughout Australia in the coming months reports will be presented that will highlight the aspect of the degree of importance with respect to the question of salinity throughout many areas of the Murray-Darling, in particular. Increasing salinity in the Murray River has long been recognised as a major threat to agricultural activities and to urban water supplies in South Australia. To

address this problem, the State has actively pursued and jointly funded major salinity mitigation schemes through much of the Riverland region. Recent data has certainly highlighted the seriousness of the situation, not only in this State but also in the upstream States and, in particular, in New South Wales. It is now recognised that dry land salinity will probably affect over five million hectares in New South Wales over the next 50 years. The issue of increasing salt loads that enter our river systems is being tackled on both the large whole of basin scale, with cooperative programs through the Murray-Darling Basin Commission and, indeed, at the local level, with specific drainage and salt interception schemes.

The approach by the South Australian Government has focused on a comprehensive campaign of education and encouragement for on farm activities and works, the rehabilitation of irrigation infrastructure and the installation of major salt interception schemes. As an example of this commitment, the Government recently approved some \$3.6 million for a drainage scheme for the Qualco Sunlands region. This is jointly funded by the State Government, the community and the Natural Heritage Trust. Other schemes to reduce salt loads entering the river system in South Australia are currently being considered, together with proposals, to ensure that new irrigation development does not add further to this very serious problem. A small inter-agency working group is currently being established to review the internal State strategy to manage both dry land salinity and irrigation induced salinity in the Murray Basin in South Australia. The aim of this group will be to ensure that we are, indeed, in a very strong position to respond to the increased awareness of the issue right across the whole of the Murray-Darling Basin.

In addition, the Government is actively participating in both national and regional initiatives seeking to address this problem. One of the officers of our department is currently the coordinator of the National Dry Land Salinity Program, which involves some five States and several research and development organisations. I thank the honourable member for his question. This is an area that we will be dealing with quite severely in the coming time.

**Mr SCALZI:** I am sure that if Herodotus, the great historian, was here today he would say that South Australia was a gift to the Murray. The Government has identified expenditure on the monitoring of environmental changes in the Coorong, and the possibility of closure of the Murray Mouth would obviously have an effect on the ecology of this unique area of our State. Can the Minister advise of the outcome of the latest flush of the Murray Mouth?

**The Hon. D.C. Kotz:** I thank the honourable member for what is once again an extremely important question. The Committee would be well aware of the fact that the low rainfall that has occurred throughout the whole of Australia over the past 10 years has certainly caused us problems with respect to flows through the Murray River. Over the period of the past few months, the Murray River Mouth has been in danger many times of closing, and therefore causing significant damage that could affect the Coorong, Lake Alexandrina, the irrigators in the area, the very significant wetlands, the migratory birds: there is a host of areas that could suffer environmental damage if, in fact, the Murray were to close.

Over the past few months, we have continually made the effort to attempt to hold specific flows that have come through the Murray and then use that to flush the Murray Mouth and hope that we can move the silt and the sediment and open the mouth. Just recently, the Murray Mouth was

again in danger: it had closed to some 50 metres—which, in fact, was the smallest width that I think we have seen for over a year or more. So, I am very pleased to be able to tell the honourable member that the latest flush of the Murray Mouth that occurred in the past week has, in fact, significantly increased the width and the depth of both the Murray channel and the adjacent Coorong channel. Some 120 000 megalitres of water was released through the mouth during the past week. Additional flows, of course, enabled us to build up that 120 000 megalitres and to therefore have the opportunity to carry out a further flush to prevent the closure of the mouth.

I am pleased to say that, a short time ago, I was advised that the width of the mouth has increased to 75 metres. As well, the deeper sections of the channel have increased from three metres below sea level to five metres below sea level. There has also been a very major improvement in the flows that lead into the Coorong channel. In particular a new channel has cut its way through a very large sweeping sandbar that had been threatening to block the Coorong channel. So, the widening and deepening of both the mouth and the Coorong channels has made this latest flush a success. It has once again eased the threat for the channels. It is particularly important during the winter months when stormy conditions have the potential to push additional sand into the mouth.

I also advise the honourable member that while this flush has had obvious benefits for the local environment it cannot be seen as a guarantee that the mouth will not close before the spring flows arrive. However, it is very satisfying. I again thank the Murray Mouth Advisory Committee because this exercise has certainly reduced the risk of such an occurrence.

**Mr HILL:** I want to ask three questions about the Yumbarra Conservation Park. It is no secret that the Government is very keen to allow exploration for mining purposes in part of that park. The Government for some time has been attempting to make changes to the Act to allow that to happen. Recent changes in the other place have made that somewhat easier, I gather. If the Government does proceed with this move, what role will she or her department have in amending legislation to allow it to happen?

**The Hon. D.C. Kotz:** The Yumbarra Conservation Park in western South Australia comprises two portions: one is the central portion of 106 190 hectares proclaimed in 1968 with no mining access allowed. Adjoining areas totalling 214 937 hectares were proclaimed in 1990 when mining access was a permitted land use. In 1992 (and the honourable member is obviously aware of this, as are all members), an aeromagnetic survey revealed a geological anomaly within that section currently unavailable for mining. On the advice of then Mines and Energy South Australia, further exploratory investigation is required to assess its economic worth.

The authority to conduct exploration activities on a reserve not available for mining requires a resolution of both Houses of Parliament. In April 1996, Parliament appointed a select committee to review the situation. It reported in March 1997. The committee's principal recommendation was that the reserve should be reproclaimed for a limited period of up to three years to allow mineral exploration of the anomaly. However, I can advise the honourable member that, as yet (and I am sure he is aware of this), no proposal has been put to this Parliament seeking authority to explore the anomaly. As I reiterated a moment ago, it will take a resolution of both Houses of Parliament to change that aspect of mining within Yumbarra.

**Mr HILL:** I refer to a memo from Mr Ric Horn, Director of Minerals, to his CEO dated 24 October 1995. I have previously read much of this memo into the *Hansard* so I will not go through it all again other than to say that Mr Horn makes the point that the Government's efforts to mine in Yumbarra are political rather than economic. Mr Horn makes the following interesting statement:

Government and the mining industry must recognise that there are areas of the State which are 'no go' areas, that is, areas which should be or could be reserved for all time. We preach economically sustainable development and yet we are now seeking to open up the entire Yumbarra Park for mineral exploration and redevelopment. Why not go for all parks and reserves being accessible, even Belair Recreation Park or the entire Flinders Ranges National Park?

Does the Minister agree with Mr Horn that there should be 'no go' areas, and could she specify for the Committee what she believes those 'no go' areas are and whether they include Yumbarra?

**The Hon. D.C. Kotz:** I suggest that, in the first instance, anyone who made the statement that Government action in this area would be political rather than economic is not necessarily someone who would have a great deal of credibility in my eyes. However, in terms of the rest of the honourable member's question, it is not a matter for personal reflection of the Minister for Environment. Certain aspects of law, legislation and processes come under the responsibilities and jurisdiction of the Minister for Environment and Heritage. Until the sequence of events to which the honourable member seems to be alluding actually happens there are no determinations for me to make.

**Mr HILL:** I asked you, as Minister for the Environment, whether or not you believe—not hypothetically—there are some areas of the State in which mining should not be permitted and, if so, which areas they are. As Minister for the Environment, do you not have a view?

**The Hon. D.C. Kotz:** I again tell the honourable member that, under the legislation and the laws of this State, I have a role to play, and that is to administer the law as it stands. Any personal reflections are not for me to express in terms of Government policy and therefore administering a jurisdiction under this area.

**Mr HILL:** I can clearly tell from that response that there is either no policy or that all areas of the State should be opened up.

I refer to a letter from the Aboriginal Legal Rights Movement to the Hon. John Olsen which is dated 24 March 1999 and which refers to comments made in the press about Yumbarra and about the role of Aboriginals from that West Coast area who have been involved in discussions. One paragraph of the letter signed by Stewart Moffa, legal officer in the Native Title Unit, states:

An article was published in the *Advertiser* newspaper on 23 March 1999 entitled 'Aborigines Back Mining in Park'. It is misleading to the extent that it treats Aborigines as a generic and homogenous group. Its contents rely on the assertion made by one Aboriginal group, the Wirangu Association. The days in which 'Aborigines' are referred to and treated as a generic group must end. The Government of South Australia, members of Parliament and stakeholders should recognise that there are a multiplicity of Aboriginal groups with interests in the far west coast region. All Aboriginal groups in the region must be consulted before it can be asserted that the degazettement of the park is supported by Aboriginal groups.

In that context I refer to a statement made yesterday by the Hon. Mr Kerin in answer to a question of mine about Yumbarra. At page 180, the Minister said in passing:

That community has worked extremely closely—

he is talking about the Far West community—

with the Aboriginal community to ensure that there is an understanding, and certainly the Aboriginal community now is showing strong support for this project as well.

I ask the Minister, both in her capacity as Minister for the Environment and as Minister for Aboriginal Affairs, whether she will ensure that the Deputy Premier understands the differences that the legal rights officer makes and that all Aboriginal groups in the Far West are consulted about this proposal?

**The Hon. D.C. Kotz:** Most aspects of the honourable member's question are highly irrelevant in terms of a direct question to me. The answer given to the honourable member by another Minister who has jurisdiction of the area about which the honourable member seems very interested at the moment answers the honourable member's question. Therefore, the honourable member's nonsense in the form of a supposed question is highly irrelevant.

**Mr HILL:** That is nonsense. You are the Aboriginal Affairs Minister. That is absolutely outrageous.

**The Hon. D.C. Kotz:** I do not want the member for Kurna to misinterpret what I am saying, which seems very easy for him to do, as he does not appear to listen. The honourable member has made a series of glib comments that are supposed to represent questions. He has a letter addressed to the Premier of the State on which he seems to be basing some of his questions. I suggest to the honourable member that, as the Aboriginal Affairs Minister, I understand fully the nature of the multiplicity of the Aboriginal clans and tribes and the necessity to consult right across the board, and I doubt that that should even be in question.

The major question asked by the honourable member in an attempt to make a point—although it was not exactly clear in any terms at all—was answered yesterday by the Minister who is responsible for the area to which the honourable member's question related.

**Mr HILL:** The Minister has it completely wrong. My question to her, if she did not understand it—

**The CHAIRMAN:** Is this a supplementary question?

**Mr HILL:** Yes, Sir. Will the Minister ensure that the various Aboriginal interests on the West Coast are consulted?

**The Hon. D.C. Kotz:** Once again, the member has to understand that, as a member of Parliament, it is his duty to understand, and it is not mine to instruct, to entreat or to educate him, but there are different roles and responsibilities that are aligned to different Ministers with different administrations. In terms of any consultative process that will be undertaken directly affecting mining in this State, that is the jurisdiction of another Minister.

*Mr Hill interjecting:*

**The Hon. D.C. Kotz:** We are talking about members of Parliament upholding the laws and the legislation of this State, and I suggest that you should understand, as a member of Parliament, just where those roles and responsibilities lie. Very clearly, this one lies with the Deputy Premier. As I stated, you answered yourself in reading Minister Kerin's reply to you in *Hansard* of yesterday.

**The Hon. R.B. SUCH:** My question relates not only to the parks agenda but generally in terms of the provision of areas under the heading of conservation areas, whether they be Government or privately owned. What is the consequence of the Parks Agenda in terms of funding for parks? Can the Minister touch on the department's commitment to conserving native vegetation and establishing new parks, whether they be publicly or privately owned?

**The Hon. D.C. Kotz:** As to the intent of the question, you referred to the parks agenda in terms of conservation and native vegetation?

**The Hon. R.B. SUCH:** I refer to funding from the parks agenda in relation to national parks in the forthcoming financial year but also the general issue of conserving native vegetation and the establishment of new parks and supporting private conservation activity as well in terms of agreements and the like.

**The Hon. D.C. Kotz:** In terms of our parks the member would be well aware that they provide an invaluable resource in areas of our rapidly developing nature based tourism industry. Through the initiative of the parks agenda launched in 1997 there was a commitment to address the threats to the natural values of our parks and improving infrastructure for visitors and tourists. This has generally been done until now through State Government funding and State Government support. In the past five years the Government has invested about \$18 million in visitor infrastructure in parks and this investment has been concentrated in a group of parks identified as being of major significance in relation to the tourism industry in South Australia. I can assure the member that this investment is set to continue during 1999-2000.

Certain of the parks are going to have a major upgrade throughout 1999: Flinders Chase National Park, on Kangaroo Island, and Rocky River, Cape du Couedic, the Remarkable Rocks facility; the Flinders Ranges; and the Coorong National Parks will have a continuation of a major upgrade of visitor facilities through the parks. I have no knowledge at this stage of any private investment that may be suggested in each of those areas. These are State and Commonwealth funded upgrades. I refer to stage 2 of the Waterfall Gully upgrade, which I think I mentioned earlier in a reference to the Grater Mount Lofty Park. It will commence also in 1999 as will the construction of a park headquarters and visitor precinct at Stenhouse Bay, at Innes National Park. Completion of the Dalhousie Springs visitor centre in the Witjera National Park will also occur and there will be a continued program of the maintenance of park facilities statewide.

This also includes a collection of programs that are based on supplementary labour sources, including youth trainees, Green Corps and correctional services. Also scheduled for 1999 is the completion of a walking trail plan and upgrading walking trails from Morialta, and a major trail head for the Mt Lofty Ranges. In terms of native vegetation a host of programs are scheduled throughout the year. I recently had the pleasure of visiting the Riverland and, on behalf of the Deputy Premier, as Minister for Primary Industries, Natural Resources and Regional Development, and in conjunction with myself as Minister for Environment and Heritage, I had the pleasure of launching a revegetation program which once again I believe will be driven quite fiercely by greater knowledge of salinity problems that South Australia will face unless revegetation becomes a major focus.

In terms of the parks agenda, a lot of dollars and time have been put in to feral animal control and pest plant removal, and the calicivirus has eliminated a major component of the rabbit pest throughout South Australia. In turn, this has enabled revegetation to occur throughout our parks system. We have had some tremendous successes out of the parks agenda and also out of operation bounceback, which enabled threatened species to bounce back. We had the yellow footed rock wallaby, which was estimated to be in population numbers of only 80 or 90 about two or three years ago and their bounceback numbers are now back to 600 to 800. In all of



those ranges, we are covering the different aspects of the question, including, as I said earlier, the acquisition of land through the representative program CARRS; and the Native Vegetation Act itself has seen heritage agreements pass 1 000 and we are now up to 1 030.

This means we have some 550 000 hectares of the State under conservation for native vegetation under heritage agreements. The list goes on, but I can assure the Committee that the programs involved around improving parks and moving on revegetation programs obviously all have an effect on the biodiversity and the ecological systems of the range of parks that we have and they will be continued.

**The Hon. R.B. SUCH:** Is the Federal Government contributing towards the conservation of fauna and flora, whether it be through the purchase of land and/or in other ways and, if so, can the Minister indicate the extent of that financial contribution from the Commonwealth and whether it is expected to grow in the next financial year?

**The Hon. D.C. Kotz:** I refer the member to a question I answered earlier from the member for Kuarna on the CARRS system. I indicated the contributions of State and Federal funding that support those reserve systems across the State in terms of Natural Heritage Trust money which, of course, is money collected from the sale of Telstra. This means that the States are able to bid State moneys to ensure a proportion of that money comes into our State. It is a 2:1 ratio and the Natural Heritage Trust Funds that have come to South Australia have been extensive. In the first year of 1997-98 about \$45 million was expended on environmental programs throughout South Australia and that was with the assistance of the Federal Government through money in the Natural Heritage Trust but with the States putting up funds 2:1. The sum of \$45 million is a wonderful amount to come into South Australia. Last year we showed about \$60 million and it could be even more that will be expended throughout the end of this last financial year. So, over a two year period over \$100 million has come into this State to be spent on very specific on-ground projects, right across the State, and that, as I have said time and time again, is something that has never happened in the history of environment in South Australia.

**The Hon. R.B. SUCH:** In relation to the Great Artesian Basin, and obvious interest and concern by people throughout the country about the future of that basin, I ask the Minister: what steps are being taken to manage that water resource? As an additional question I ask whether the people who have benefited from extracting the water are going to be asked to contribute towards the rehabilitation of that resource and, in particular, closing off unwanted bores?

**The Hon. D.C. Kotz:** The Great Artesian Basin, of course, underlies the western areas of Queensland and New South Wales, with the lesser part of the Northern Territory, and approximately one third of the land area of South Australia. The GAB's effective management is therefore being undertaken by cooperative arrangements between those four State and Territory Governments, the Commonwealth and the community. In December 1996 the New South Wales, Queensland, South Australian, Northern Territory and Commonwealth Governments established what has become known as the Great Artesian Basin Consultative Committee, which is a non-ministerial body to coordinate the effective management of the Great Artesian Basin.

The council's primary role is to advise State Governments on the management of the GAB on a whole-of-basin basis. One of its primary functions is to produce a strategic

management plan for the entire basin. The draft strategic management plan was actually launched here in Adelaide on 20 November 1998 and is open for public comment. Following the community comment on the draft plan and subsequently the preparation and the approval of the final plan, the State Governments would then be responsible for ensuring the effective implementation of the final plan within their respective jurisdictions.

In the case of South Australia, the Arid Areas Water Resources Council, or the soon to be established Arid Areas Catchment Water Management Board, will certainly play a key role in its implementation. The operators of this council are funded by each of the States contributing some \$26 600 a year, with the Commonwealth Government contributing \$20 000 per year. In addition, South Australia provided a further \$10 000, Queensland and New South Wales each provided a further \$30 000 and the Commonwealth provided a further \$70 000 to produce the draft strategic management plan.

The Commonwealth Government has allocated some \$30 million towards capping a significant proportion of uncontrolled bores in the basin and the implementation of that strategic management plan. The Commonwealth would expect, of course, the States to match its funding; however, a formula for allocating these funds between the States is still to be worked out. But the South Australian Government has already committed capital works money of some \$300 000 per annum for three years, and that is from 1998-99 through to 2000-2001, towards bore rehabilitation and other works.

It is a very vital area, as the member would know. Some of those artesian wells have been pumping out megalitres upon megalitres of water throughout the area without stop and the capping of the bores has been a program that is almost complete at this stage. I believe there are only about a dozen or more that are actually required to be capped, out of about 400 that were initially identified. So the process is still continuing. But it is an extremely important area considering that, once again, we are talking about water in a State that is one of the driest in Australia. I am advised that there are just 10 artesian wells, out of some 100, that are left now remaining to be capped.

**The Hon. R.B. SUCH:** Have the people, whoever they were, who initially put in those bores ever been asked for any contribution for capping them? Presumably people have had, in effect, a free source of water, have left the bores operational, and the taxpayer then picks up the tab. I just wonder whether there is a process of accountability so that that old cowboy mentality does not continue.

**The Hon. D.C. Kotz:** I am advised that predominantly the bores were in fact owned by Government—railway and stock work bores. So in terms of responsibility I am afraid it comes down to the Government's picking up the dollars, and obviously that is what is happening at the present time.

**Mr HILL:** I refer again to national parks and reserves. Budget Paper 4, page 9.52, refers to the capital funding. It shows that \$7.2 million was allocated last year for capital in national parks, only \$5.9 million was expended, and this is falling to \$3.723 million this year. Can the Minister explain the under-expenditure last year and the cut this year?

**The Hon. D.C. Kotz:** I thank the honourable member for his question, and I certainly thank him, too, for the identification of the area that he is talking about. The Investing Summary Statement on page 9.52 of the Portfolio Statement indicates a DEEHA budget of some \$12.477 million for the 1999-2000 financial year, as the member states. This

represents a reduction of about \$3.9 million from the estimated result of \$16.36 million during 1998-99. The reduced investment program during 1999-2000 is due to a number of major projects having been finalised in the 1998-99 financial year, therefore explaining the reduction. We have the Mount Lofty Botanic Gardens upgrade; that was about \$849 000. The Waterfall Gully upgrade was about \$316 000. The Mount Lofty Summit development was some \$115 000. The Botanic Gardens watering system upgrade was \$206 000. It also includes a number of IT related projects.

The estimated result for 1998-99 is, in fact, \$16.36 million, an estimated increase of some \$880 000 from the budget estimate of \$15.48 million. The revised estimate is due to a series of components also, including a minor adjustment of agency priorities, a review of work schedules due to weather conditions and to contractual delays, and, as I explained earlier, definitional classification revisions as a result of the transition from cash based budgeting to accrual based budgets during the financial year.

I would also like to take the opportunity to clarify what is an apparent anomaly in reported budget figuring which appears in different budget documents. I have already referred to the investing budget position outlined in the Portfolio Statement at page 9.52. In contrast to the 1999-2000 allocation referred to in the document, the Capital Investment Statement, Budget Paper No. 5, quotes estimated expenditure of some \$13.247 million by the Environment, Heritage and Aboriginal Affairs portfolio, a discrepancy of some \$770 000. This variation reflects the impact of forecast investing expenditures by the Patawalonga and the River Torrens Catchment Water Management Boards of some \$270 000 in one instance and \$500 000 in the other. The Patawalonga and River Torrens Catchment Water Management Boards' expenditure is excluded from the agency's budget, given their separate statutory authority status.

**Ms BEDFORD:** Can the Minister confirm that over the past five years there has been a decrease in funding for National Parks positions, such as rangers and park assistants, and that there is a growing reliance on volunteers to undertake duties once performed by paid workers?

**The Hon. D.C. Kotz:** I believe that I answered the question, although it may have been put in a different way in this instance. In terms of employment within National Parks, there is a range that would disprove any theory of cutting back. I identified earlier that we have a total staff of 266 employed in the parks system. I can go through this again if the honourable member wishes, but I did relate all these areas, including the extra employment that we provided for a whole range of different people, including young people, trainees and Aboriginal people in the parks system. New programs this year are also bringing in five additional Youth Training Program trainees to be selected.

There is a whole range of programs that, in terms of employment numbers, would put paid to the suggestion that there is a downward trend. I would hate to think that a rumour was going round that we are looking at bringing in unpaid people to do paid people's work. That is not true at all. I would not like the rumour to go out, mainly because we have a dedicated force of volunteers out there who believe wholeheartedly in the commitment to the environment. These are wonderful people, and if there was some form of rumour out there that suggested they were taking over the jobs of other people, they would be horrified. I hope that this is not a rumour and is not put about, because it is untrue.

We want to continue to encourage volunteers in the system, because their numbers have been increasing every year. Generally, there has been some heartache across different organisations throughout the community, as it has been difficult in a range of areas and organisations for people to acquire volunteers. The honourable member is interested in Meals on Wheels. Although it has nothing to do with the environment, it has a lot of volunteers, yet it is struggling to get a depth of people to fill the positions of those who are there now. Red Cross and sporting organisations all have this difficulty, yet they were the organisations in which you could count your volunteers in years gone by. There may be a disappointment in those areas, but I suggest that volunteers have not died off; they have just switched their attitudes and their commitment to a different area. That area has been the environment, and we have gained substantially by the numbers that have gone in here.

**Ms BEDFORD:** As a supplementary question, how many volunteers now work in the parks system?

**The Hon. D.C. Kotz:** We have a park volunteer program coordinated by the Community Liaison Unit of National Parks. There are approximately 7 000 volunteers in parks who serve the park system in a voluntary capacity in many different areas. We have 98 groups of Friends of the Park, which is an incorporated body. We have 17 consultative committees, 40 persons identified as camp ground hosts (once again working voluntarily), and we have overseas volunteers who come into this country from a host of nations. We have approximately 40 of these overseas volunteers who come from all different countries in the world and stay with us anything from a day to several weeks to take part in different projects within the environment.

The groups contribute an estimated \$5.8 million of voluntary labour to the parks system per year via approximately 593 projects in which they get involved. Most of the community groups are self supporting and also raise funds for national parks. We have the Parks Agenda Program, which also promotes and increases community involvement in parks. Grants made to Friends groups by National Parks and Wildlife South Australia were actually doubled, from \$30 000 to \$60 000 per annum. These grants are available upon application by the groups. In order to educate volunteer participation in the management of native flora we also make available annual funding of \$50 000 to provide botanical expertise to Friends groups, and this will continue in 1999-2000. At this stage over 20 botanical training contracts have been signed, and the work will be carried out over the next year.

**Ms BEDFORD:** Supplementary to that, could it be that the public sector workers have become quasi-supervisors for this army of volunteers in community programs, taking them away from their primary duties?

**The Hon. D.C. Kotz:** I am sorry that the honourable member is persisting with that line, because we are quite enthralled by the fact of a new training program that we have in place whereby we will bring on board some 40 young people in traineeships. We will have trained supervisors who will take groups of young people and supervise them in a host of skills and nature based objectives. However, that should not be seen in the terms in which the honourable member posed her question. This is just another means of adding to the employment sector within the parks, and I think that the honourable member would understand that 40 trainees will be taken on, which is quite a substantial number, and the

traineeship means that they will gain skills throughout the period of time they are with us, which is usually a year.

Most of the traineeship schemes that the whole range of Government and private enterprise have been involved in estimate that their success rate of taking trainees into full-time employment is about 75 per cent. We can only hope that we can achieve that or more. However, putting aside rangers or others in specific employment is not part of this program.

**Ms BEDFORD:** I am told that there is a growing reliance by Government to fund public sector positions through gate and souvenir takings, and that some 50 positions have now been funded through this form of revenue raising. Can the Minister give me some details on that?

**The Hon. D.C. Kotz:** I am just recalling the different questions asked today, in terms of attempting to make it appear that private money into parks is some terrible social affliction yet, on the other hand, now there is a question that relates to Public Servants looking at supplying a service through gifts and souvenirs in some of the park areas. In most of the park facilities that we have that provide a visitor facility centre we have rangers who deal with the public at large, in terms of tens of thousands of people.

Part of their duty encompasses looking after what visitors expect to find in these large tourist-developed areas within our parks; that is, some degree of refreshment and some degree of souvenir that supports their requirement as a tourist to show that they have actually visited a place. Obviously, they get a great deal of pleasure out of that. I do not know the point of the honourable member's question. This is something that has gone on for some considerable time. I do not believe that the system has changed. It probably has not changed since the Labor Government was doing exactly the same thing.

**Ms BEDFORD:** I would have hoped that that money might be used for improvements in the park rather than sustaining the tourist part.

**The Hon. D.C. Kotz:** I am glad you stated that. If that is your concern, I can alleviate it. In fact, all moneys raised through this area do go into a general reserve trust which is then put back into park management. It stays within the area.

**The Hon. G.A. INGERSON:** How is the Government exploiting as many opportunities as possible to ensure that the Murray-Darling Basin gets maximum benefit from the Natural Heritage Trust investment?

**The Hon. D.C. Kotz:** The Murray-Darling 2001 project, which was initiated by South Australia in 1994, aims to make substantial improvements to the health of the natural resource of the basin by significantly boosting the level of funding over five years. The Commonwealth will provide half this funding, and the basin States will contribute the remainder. Following adjustments to the Commonwealth funding programs, the actual increased expenditure for the Murray-Darling 2001 project over five years will be only \$217 million compared to the intended \$300 million. Nevertheless, through the Murray-Darling 2001 project, the total budget for implementation of the Murray-Darling Basin Commission's natural resources management strategy for 1998-99 has been boosted to a total of \$74.3 million.

Government funding for on-ground projects in South Australia through the process of local action planning will increase from \$7.2 million in 1997-98 to \$7.9 million in 1998-99. State funding will contribute about \$3.95 million towards this total, of which \$2.91 million will be provided from the Murray River catchment environment levy and \$1.04 million from Treasury. The South Australian Govern-

ment has indicated that it will provide up to \$35 million over the five year period for the Murray-Darling 2001 project. This money will be raised mainly through a catchment environment levy applied to all Murray River water users in this State. In 1996-97, \$2.5 million was raised through the catchment environment levy; \$4.1 million was raised in 1997-98; and \$3.4 million will be raised in 1998-99.

The Murray River Catchment Water Management Board will certainly have a very large say on how the Murray-Darling 2001 project funds are to be spent in South Australia in the Murray-Darling Basin region, in partnership with the Natural Heritage Trust, the regional assessment and the State assessment panel processes. At the Murray-Darling Basin Ministerial Council meeting, which was held on 14 May, the Commonwealth identified the notional budget estimates in 1999-2000 to be some \$70.7 million and 2000-2001 to be \$82.7 million. So, Commonwealth funding has increased in 1999-2000, and that is of concern to the basin States. The Murray-Darling Basin Commission is currently negotiating with the Commonwealth to attempt to even out the funding profile.

The Commonwealth Government has indicated that a targeted water use efficiency program will, in effect, replace the irrigation water management program, which will be funded through the Murray-Darling 2001 program at \$3 million per annum for two years, and that will commence in 1999-2000, looking to finish in June 2001.

The projects that are supported under the Murray-Darling 2001 program will assist to improve water quality by reducing salt and nutrient levels in the river, restore the riparian land system, wetlands and flood plain developed environments, reduce land degradation, encourage the highest value use of available water resources (which I know is a subject close to the member's heart), increase community empowerment, and enhance the economic benefit overall to South Australia's economy.

**The Hon. G.A. INGERSON:** How much land is held by the Government since the commencement of the heritage agreement, given that the agreements themselves involve a lot of land?

**The Hon. D.C. Kotz:** We touched on that matter previously. At this stage, to my knowledge the latest count was some 550 000 hectares that signed up under some 1 030 heritage agreements, and that is extremely extensive right across the board. Added to the different areas that we can serve and protect is the advantage of the heritage agreements, which are far superior to anything else in any other jurisdiction throughout Australia. In fact, the Victorian Minister has advised me on a couple of occasions that they are quite envious of the means by which the heritage agreements have operated in South Australia, and they have sought information on the extent of our legislation relating to native vegetation and heritage. So, at this stage—and it will certainly be ongoing—550 000 hectares is a quite substantial amount.

**The Hon. G.A. INGERSON:** Page 9.47 of the Portfolio Statements, under the heading 'Administered Items', refers to the fund created under the Coast Protection Act 1972 for the conservation and protection of beaches and coasts of the State. What steps have been taken to ensure that an adequate program of sand replenishment is being undertaken to protect our coastline?

**The Hon. D.C. Kotz:** The South Australian coastline and its beaches are not and never have been static, nor are they pristine, as some people would claim. The reality is that we

have always had a changing coastline. We have manufactured and managed beaches and sand dunes since the 1970s. We recover sand from the northern coastline, we return it to its southern extremities and, when nature moves it on again to the north, we repeat the exercise. This is the sand replenishment program that protects our coastline. We undertake beach sand replenishment in recognition of this fact.

The coast and marine and evaluation sections of the EPA undertake monitoring of the State's beaches, in particular assessing the effectiveness of the Coast Protection Board's beach replenishment program on our metropolitan beaches. Previous major beach replenishments have been required under this program at approximately two year intervals, utilising sand from offshore sand reserves near Port Stanvac. This reserve is now depleted and, therefore, investigations into potential new offshore sand sources have been carried out under the Coast Protection Fund, using local specialist geotechnical consultants.

Smaller beach replenishment projects under the Coast Protection Board's beach replenishment program include maintaining a sand dune buffer at Semaphore Park, where the coast is the receding. The board has assessed the levels of beach replenishment that are needed to protect the dwellings and infrastructure in this area, and have determined that recent sand deposits nearby at Semaphore jetty are the most suitable sand to use as a sand source for the Semaphore Park area. Effectively, the sand is being recycled within the beach system, while property is protected in a manner that maintains beach amenity. The fund also provides a grant to the City of Charles Sturt to undertake the sand carting work as required.

Sand bypassing, as opposed to beach replenishment, involves manually moving sand around constructed obstacles on a beach system which would otherwise cause an accumulation of sand on one of side of the obstacle and erosion on the other. The process is quite different from beach replenishment, where sand is added to the beach to overcome deficiencies in the amount of sand actually in the beach system. Sand bypassing is necessary for Glenelg and West Beach harbors and is conducted by Transport SA with advice from the coastal marine section and the evaluation section of the EPA. Sand replenishment works in front of the dunes at West Beach have recently begun. The first instalment of the annual replenishment was brought forward in response to the recent major storm and, in particular, the tidal activity that impacted right along the metropolitan coastline. Approximately 10 000 cubic metres of sand has been carted to the site and this follows earlier priority replenishment works that were carried out on dunes at Tennyson and the Semaphore Park foreshore. There has been less erosion at West Beach than at several other sites along the metropolitan coastline. It should be noted that sand that is eroded from the dune face during such storm activity is not actually lost but builds up the beach level in front of the dunes and builds up an offshore bar system. That sand also provides protection to the foreshore and, in calmer weather, it will move ashore and rebuild the dune system.

It is quite a complex matter but it is one that has been going on since the 1970s and, without that process of sand replenishment in an organised and managed manner, our beaches would have eroded long ago and the infrastructures and dwellings along our coastline would probably no longer exist.

[Sitting suspended from 5.57 to 7.30 p.m.]

### Membership:

Mr De Laine substituted for Ms Bedford.

**Mr HILL:** My question relates to a staffing position within the department. I have been told that the position of Regional Manager in the central region has been abolished and that that job has been taken over by the Deputy Director, Mr Barrington, and that other regions have district rangers performing that job. It has been suggested to me that the reason why this position has been abolished is that there are some sort of personal differences within the department and that in 12 months or so it will be restored. Can the Minister clarify this position?

**The Hon. D.C. Kotz:** This is an operational matter, so I will ask Mr Holmes to answer that question.

**Mr Holmes:** The arrangement is that we have restructured the central region and the national parks operation functions within the division. In fact, we have combined two positions, and the position of Operations Manager for national parks is responsible for the central region. It is just a straightforward functional restructure, and there is no suggestion that it will change in the future.

**Mr HILL:** I refer to output area 6.2, which relates to Botanic Gardens management services—and I am quite sure that the Minister is anticipating this question. The 1997-98 Botanic Gardens annual report shows that the Beechwood Heritage Garden had 1 000 estimated visitors, compared to 5 000 the previous year, which was already a very low visitation level. Last year I asked the Minister if she would review the Glenn report, and I offered to work with her to resolve the matter. Indeed, the Minister said:

I am quite happy if the member for Kaurana would like to join me in a discussion what the possible options are for Beechwood and I would certainly welcome his bipartisan approach.

On 10 July I wrote to the Minister, confirming my willingness to meet with her. She replied on 30 July 1998:

Dear John—

I receive very few letters from the Minister calling me 'Dear John,' so I know that I am in the good books when she calls me 'Dear John'—

I appreciate your prompt response to my comments and am pleased to receive confirmation of bipartisan support to resolve this matter. I will ask my personal assistant to contact your office at a later date to make arrangements to meet to discuss the issue in detail.

That is all that I heard. However, I read in the *Advertiser* on 13 November that the Minister had been involved in a discussion involving you, Sir, and the member for Mayo, Mr Downer, and some deal was made. With respect to that deal, there was a suggestion that the property would be improved, new management plans would be developed, there would be more visitations, more open days, and so on. I ask the Minister what has happened to bipartisanship; what is currently happening with Beechwood; how many visitors has it had this current year; and what are the new arrangements?

**The Hon. D.C. Kotz:** If I correctly recall our last discussion in Estimates on this topic, the basis of the offer of bipartisan support from the honourable member was that we might be looking to the sale of the Beechwood gardens. Since that time, of course, I have not perceived any real problem. I do consider that the offer of bipartisan support is still alive and well, and I thank the honourable member for reiterating that. If I should assess that there is a specific problem and that perhaps we need to look at having discussions with respect to bipartisan support, I would certainly be happy to ensure

that the honourable member and I have discussions to resolve that issue.

**Mr HILL:** I have a supplementary question. The substantial part of the question was: how many visitors did it receive and what are the current arrangements for it? Will you have more open days? Will it be cheaper to run?

**The Hon. D.C. Kotz:** The garden has continued, as the member would be aware, to be made open for public enjoyment in accordance with the indenture agreement. It receives about 1 500 visitors each year. It is maintained all year round at a high standard by staff from the Mount Lofty Botanic Gardens at a cost to the Botanic Gardens of approximately \$50 000. Openings of the garden are promoted to the public by the Botanic Gardens at a level that is commensurate with available resources. Advertisements are placed in the *Advertiser* and the *Mount Barker Courier* one week prior to the opening of the garden and then on a fortnightly basis once the garden is open.

A management committee comprising representatives of the Minister, the Board of the Botanic Gardens and house owners meets regularly to determine public opening periods and other management issues in accordance with the indenture agreement. It had come to my attention in recent times that the garden, in fact, had been opening for only four weeks rather than the six weeks entitled under the indenture agreement. At this stage I am pleased to advise the honourable member that, in terms of looking at increased management, supervision and plans for the openings and access by the public, the garden will be open to the public again for six weeks in spring this year, and we are hoping to continue that access, as the entitlement does require under the indenture agreement.

**Mr HILL:** I turn now to output area 7.1, which is the Environment Protection Agency, in particular environment protection strategies. Will the Minister say what areas are being considered for declaration as marine protected areas? What are the goals and priorities for the establishment of South Australia's marine protected area system? In 1997-98, \$119 000 was obtained from the Commonwealth to identify candidate areas for MPAs. What is the outcome of this spending and what will be spent following up this project?

**The Hon. D.C. Kotz:** The honourable member may be aware that in August 1998 the Government released the marine and estuarine strategy, which establishes the principles and the management objectives for South Australia's coastal and State waters. The strategy addresses the protection of marine habitats and their biodiversity through Government leadership and the direction for sustainable use. As a measure of success it does propose a system of marine protected areas by the year 2003 as part of the broader marine management plan.

South Australia at this stage must progress further its marine management to be more in line with national and other State and Territory responsibilities. Obviously, this is timely given the recent developments across the Government industry and community areas, which include interim marine and coastal regionalisation for Australia. The South Australian coast has been subdivided into eight bio-regions through a process known as interim marine and coastal regionalisation for Australia. That is an important national aim to have in connection with a marine park system that represents each of these bio-regions. The Commonwealth has released a draft strategic plan of action, which sets out actions to achieve the goals of a national representative system of protected areas. South Australia is working towards these goals and has been

granted \$119 000 for a project identification of candidate areas for a South Australian representative marine protected area system. As the member rightly identified, that came via Environment Australia through the Coasts and Clean Seas Initiative-Marine Protected Areas Program.

To further this work, the department and the Department for Primary Industries will coordinate the work that will further develop the establishment of the marine protected areas and will seek community and industry consultation in the identification of candidate areas and regional priorities. A marine managers forum was set up through a senior executive group in March 1999. That has been established and has as its terms of reference the responsibility to make recommendations to Government on guidelines for the implementation of integrated marine and estuarine management, including the marine and estuarine strategy. The development of marine protected areas will emerge from the marine and estuarine strategy that has been launched within South Australia. No specific time line has been set at this stage other than that we are looking to 2003. A great deal of work will be required before we establish the areas that will be nominated for marine protection.

**Mr HILL:** The Minister answered a question in response to a question from the member for Fisher about CDL (container deposit legislation). I have been contacted by a recycling company that is based at Bordertown. I do not know whether the Minister has received representations from this company but the changes to the legislation have affected this recycler's business quite dramatically. As his business is located on the border, quite a lot of people come to him to recycle their cans. It is very difficult for him to ascertain whether the cans have been produced in New South Wales or Victoria because the Victorian cans are stamped with 'recyclable' and '5¢ deposit if purchased in South Australia'. A national standard is printed on the cans.

This recycler has accepted some cans which display that stamp believing them to have been sold in South Australia. He has then found it difficult to sell them to the central authority—I think he has discovered that some of those cans are not available in South Australia. There is a particular problem for this gentleman. He supports the notion that big truckloads of the stuff should not come into the State but he does have a problem. I will provide the Minister with the relevant details later but I ask whether she could look at this gentleman's case to see whether there are some ways of helping him through this problem.

**The Hon. D.C. Kotz:** We will be quite happy to look at the circumstances outlined by the honourable member. I question that cans were not being on-sold because I am not aware of any other distinction that may identify that a can is not sold in South Australia. The cans that appear to be collected interstate are identical to those that come through South Australia. I am advised that the only area of contention is that, in the majority of cases, the pantechicons that may be involved in bringing container loads into South Australia are Victorian registered vehicles. However, as this person obviously believes there is a problem, we are quite happy to receive further information and look at it.

**Mr HILL:** Some companies that do not sell product in South Australia have these markings stamped on the can. The recycler is not necessarily aware of what products are sold in South Australia.

**The Hon. D.C. Kotz:** Whatever it is, I am sure it is a simple matter.

**Mr HILL:** The other problem is that the organisation that takes the recycled cans from him was not accepting those that had been crushed because it believed that that was evidence they had been processed on a big scale by a Victorian company. However, I will provide the Minister with the relevant details. I said that I would raise the matter which I have now done.

I refer now to the West Beach harbor and the general issue of sand management. I will ask a range of questions in the one statement to save the Committee's time and the Minister can respond generally to the questions. I raise these questions on behalf of residents from that area who have expressed a great deal of concern to me about what is happening at West Beach. Residents have asked me to ask what effect the boat harbor at West Beach has on the local wave patterns? What has been the effect on the reclaimed sand dunes north of the harbor? Is it true that erosion has spread one kilometre along the beach front north of the harbor? I gather that the erosion stretched only 150 metres before the harbor was built. What monitoring has occurred since the harbor was constructed? What are the results of that monitoring? How much sand has been moved since the construction, what is the cost of all these manoeuvres and what costs are budgeted for the coming year? In addition, I have been asked to inquire about the Barcoo Outlet which, I gather, is the new name for the Patawalonga stormwater diversion, and where that project is at.

**The Hon. D.C. Kotz:** We are dealing with two parts of one subject here in terms of infrastructure built into the sea as opposed to erosion, and in terms of the question the honourable member is asking about recent storm tides. The recent storm that did a considerable amount of damage along the coastline was a one in 25 year storm. Obviously, the force of that storm was going to cause minor erosion at the West Beach dunes. The storm tides caused erosion in a number of locations on the metropolitan Adelaide coast, and the erosion at West Beach was actually the most minimal. It was limited to a cut in the forward dune, with some sections of drift fencing being undermined. As I am sure the honourable member understands, drift fencing is a non-permanent structure and is expected to be undermined in a storm of this magnitude. There is the potential for individuals to approach the media and allege that this erosion demonstrates that the West Beach boating facility is causing environmental damage, as claimed by various groups who obviously were opposed to the project and who still maintain that opposition.

The steering group which advises the Coast Protection Board on sand bypassing facilities met on 31 May. Approval and funding exists for sand bypassing over the next few months at the design rates of 25 000 cubic metres at Glenelg and 20 000 cubic metres at West Beach. Transport SA, which has that responsibility, is currently making arrangements for sand carting at West Beach under what are established operational arrangements. The steering group has met, and it will recommend to the Coast Protection Board that additional sand bypassing to the design quantities be undertaken at both harbours prior to December 1999 on the basis of survey and sand budget information presented to the group. This recommendation will go before the Coast Protection Board, which will then make its recommendation to me.

A scheduled sand survey has already been carried out, an analysis of which will be undertaken by DEHAA. But, in terms of the further aspects of sand replenishment, I believe that I gave a quite lengthy answer in terms of the management processes. Suffice to say that the particular storm

damage to the West Beach area was in fact the most minimal along the coastline.

**Mr HILL:** I have been approached by a gentleman who runs an oil recycling company and who tells me that for the last couple of years he has been lobbying the EPA to recycle oil filters compulsorily. This gentleman tells me that a large percentage of oil escapes the system and oil filters. Oil enters our landfills and causes problems such as blockages and barriers to proper air movement in the dumps. Why has the Government not moved to ensure that oil filters themselves must be recycled rather than dumped?

**The Hon. D.C. Kotz:** I ask Mr Harvey to answer the question.

**Mr Harvey:** In regard to the recycling of oil, South Australia actually has quite a good record in terms of the amount of recovery. At this stage, we do not require the mandatory recovery of oil filters. Effectively, that is because of the relatively small quantity of oil that is contained within the apparatus.

**Mr HILL:** I have been told that something like .5 million litres of oil a year is lost through the oil filter system. I ask the Minister to take that question on board and to consider it again.

**The Hon. D.C. Kotz:** It is not our information that those figures are, in fact, correct.

**Mr HILL:** If the Minister could come back with an answer, I would appreciate it.

**The Hon. D.C. Kotz:** All right.

**Mr HILL:** This is a question that the member for Fisher will appreciate: will the Minister say whether it is Government policy to allow houses to be built on the Happy Valley reservoir land, and, if so, what would be the environmental impact on water quality and native flora and fauna?

**The Hon. D.C. Kotz:** The member would understand that any form of development comes under the Development Act and, therefore, is not a matter under the jurisdiction of the Minister for Environment.

*An honourable member interjecting:*

**The Hon. D.C. Kotz:** Don't you start.

**Mr HILL:** The Minister, in answer to a question from the Deputy Leader of the Opposition relating to Hope Valley, referred to the State of Catchment report. When was the report completed? How long did it stay in the Minister's office before being considered, has it been released publicly, if so when and, if not, why not?

**The Hon. D.C. Kotz:** The report was a document prepared by the department and I have seen it. It has come to me and has gone back to the department, which is now in the process—

*Mr Koutsantonis interjecting:*

**The Hon. D.C. Kotz:** I read all reports, regardless of your rotten comments, yes.

*An honourable member interjecting:*

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:** If they exist. In terms of this report, which was an intensive document regarding the amount of detail that had been collated right across the board from several years of data collection, including current material, it is now the intention of the department to look at implementation strategies that come out of the collection of material in this resource document. When I have received the implementation strategy which will address the issues, it will be released.

**Mr HILL:** When was the report completed?

**The Hon. D.C. Kotz:** I cannot give the actual date, but I believe it was in recent weeks. I have many hundreds of pieces of paper coming through my office at any one time and it is not a matter of being able to decide on what particular day. We certainly do not hold that information here. I doubt that it is actually a relevant question.

**Mr HILL:** With respect, it is not up to the Minister. She can comment as much as she likes but perhaps she can take the question on notice and provide answers in relation to the report.

**The Hon. D.C. Kotz:** The answer is as stated.

**Mr HILL:** As to the closing of the Murray mouth, which has been an ongoing problem, can the Minister say what the Government spent on the problem last year and what is budgeted for the coming year? When can we expect a long term solution to the problem?

**The Hon. D.C. Kotz:** The question relating to the Murray mouth has been an issue that has concerned us all in South Australia for some time. In terms of budgeting dollars, it has been a means of using staff time. There has not been a specific budget allocation to this area mainly because the means by which we have been dealing with the continual attempts to keep the mouth open have involved water flows channelled through the River Murray. It is through the small engineering feat of keeping water behind the barrages that the mechanics of opening the mouth each time we have attempted the flush have utilised water flows and the barrages to enable us to do this.

**Mr HILL:** I refer to Output 7.1. This is to do with tuna farm licences. I have a million questions, but I will restrict myself to just a couple. If one looks at the State of the Environment report, there was a warning in that report that southern bluefin tuna stocks may be reduced to zero by the year 2020. Can the Minister say what she or her department is doing to counter that concern?

*Mr Koutsantonis interjecting:*

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:** The member continues to ask questions of the portfolio jurisdictions under this area, which have no relativity to the Minister's jurisdiction. Primary Industries has the responsibility for fishing and fishing licences. The member will have to direct his question to that particular area.

*Members interjecting:*

**The CHAIRMAN:** Order! The member for Hart will cease interjecting as he is not on this Committee. Has the Minister concluded? The member for Kaurana.

**Mr HILL:** It is typical that the Minister would make that comment; but the warning was in your report.

*Members interjecting:*

**The Hon. D.C. Kotz:** Is this a supplementary question? And I did not hear it.

**Mr HILL:** I said that the warning was in the Minister's own report, the State of the Environment report.

**The Hon. D.C. Kotz:** The State of the Environment report covers all aspects of South Australian environment and they range across different areas of jurisdiction. I have already spoken to the member tonight, and as he is a member of Parliament it is of considerable confusion to me that the member still has not rationalised the jurisdictions under which the laws of this State, outlined in legislation, define the responsibilities of different members.

*Members interjecting:*

**The CHAIRMAN:** Order!

### Membership:

Ms White substituted for Ms Breuer.

**Mr HILL:** It is a catch-22 situation here. I will move on from that. I refer now to a memo from Doug Fotheringham, Coast and Marine, to the Chief Executive, dated 23 October 1998, which was obtained under Freedom of Information. It makes a number of damning comments about PIRSA and SARDI, and so on. I will just read out some of them and get the Minister to comment if she can.

**The Hon. D.C. Kotz:** On a point of clarification, Mr Chairman: if the member is going to continue asking questions that relate to PIRSA and SARDI, which are not under the jurisdiction of the Minister for Environment, could you please clarify to the member that there is no responsibility for this Committee to answer those questions.

*Mr Koutsantonis interjecting:*

**The CHAIRMAN:** Order! If the member for Kaurana can quote a page from the budget papers under the responsibility of the Minister for Environment, I will allow the question.

**Mr HILL:** Output 7.1, and I refer to a memo which was developed within the Minister's own department, and I am asking her about comments made in that memo and whether she agrees with them. I would have thought that that was within her area of responsibility. Her own officers have said these things; and the officer, as I said, Mr Fotheringham, wrote a memo and made some comments about environmental issues to do with the fisheries area. I will state them to the Minister and she can comment. He says:

Adequate resourcing has been a constant issue with DEHAA—that is to do with budget—

Having an experienced marine biologist on contract to attend specifically to aquaculture issues has helped considerably, but that contract does not extend beyond February 1999.

It then goes on to say:

PIRSA and SARDI have little capacity to deal with environmental issues from aquaculture.

That is an interesting comment. It continues:

More significantly, the public do not see them as independent of the industry.

It goes on to say:

Inadequate and ill-conceived aquaculture management plans prepared without adequate consideration of the environment, public use or the capacity of the waters to support the forms of culture allowed.

Initial and continuing public consultation was inadequate, and resistance to the industry appears to be increasing.

No clear indication from PIRSA to deal with these deficiencies. Existing guidelines are inadequate. Guidelines which address known sources of contamination, benthic habitat, water flow and mixing, setback distances and recommend appropriate stocking rates or densities would help applicants avoid contentious sites and should speed up approval of good sites. Guidelines also need to give recognition to the location of aquaculture in multiple use environments.

There is little independent information in South Australia on impact of aquaculture in open waters. There are unresolved issues which require rigorous scientific investigation.

DEHAA is invited to comment on environmental monitoring programs but has no formal involvement in their development. Outside perception is that the programs are industry controlled and focused and do not sufficiently monitor impacts on the environment.

These are fairly damning criticisms of the whole process of determining environmental problems in relation to aquaculture. They are produced by someone in your department. What do you say in response to them? What have you done about them?

**The Hon. D.C. Kotz:** I can only repeat to the member that I am not responsible for the comments—

*Members interjecting:*

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:**—made in any memo that was not signed or sighted by me, that particularly picks up on areas of another person's jurisdiction; in this case, another Minister's jurisdiction. I am not responsible for the opinions of the person who wrote the memo. As they relate to issues that are in the Primary Industries area, then that is where they should be correctly questioned, not in this Committee.

**The Hon. R.B. SUCH:** As the Minister would know, a hobby horse of mine for a long time has been trying to protect significant trees in urban areas. I realise that it is a very complicated issue and involves local government as well as planning. Can the Minister indicate whether her department is in a position to contribute to developing a policy in that area? I would be happy if she took the general issue of the question on notice because, as I indicated earlier, it involves several portfolios. Can she provide any insight into whether we are closer to having a code of practice, legislation or some guidelines to protect in particular the very old native indigenous trees which exist in urban areas and which are rapidly being removed?

**The Hon. D.C. Kotz:** I believe there has been—

*Mr Foley interjecting:*

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:** I believe there has been concern expressed in different areas of community over time on the issue of protection of significant trees in local areas. To that effect, I believe that the Local Government Association has had recent discussions on this matter and a report has been produced. It is the intention of Government to look at the recommendations in that report, and to that end I will be having discussions with my ministerial colleagues, particularly through Planning SA and other areas that may have an interest in this. Until those processes have been undertaken and some outcomes derived, that is the only answer I can give the member at this time.

**The Hon. R.B. SUCH:** My next question relates to aerial photography and the aircraft which the Government currently uses. Can the Minister indicate whether there are any plans to obtain a more modern aircraft or change the operations relating to the use of what I understand is a 23 year old aircraft.

**The Hon. D.C. Kotz:** The Department for Environment, Heritage and Aboriginal Affairs has owned a Rockwell Turbo Commander 690A aircraft that was specially configured for aerial photography for the past 23 years. Ownership in the past has provided a flexibility of operation allowing the aerial survey unit to efficiently achieve the State's cyclic program and indeed service a very substantial client base. The revenue earned has significantly reduced the overall cost of the operation. However, a recent review of the aircraft's operations identified potentially large future costs in maintaining the aircraft. Fujitsu Australia, which is our alliance partner in the special industry, put a proposal to the Government in November 1998 seeking approval to enter into a contract with Airborne Research Australia (ARA), a major national research company based at Flinders University, to provide the aircraft component of my department's aerial survey operation.

Fujitsu Australia recommended utilising the ARA on the basis of sound business, service and financial reasons. Following the Government's approval of the new arrange-

ment with ARA, operations will commence on 1 July 1999. The sale of the aircraft will incur a significant return on capital investment, with a recent valuation by an accredited brokerage firm suggesting approximately \$700 000 in resale value. However, it has been determined that the best return will be obtained through an international tendering process.

Photographic and mapping functions will be carried out from ARA's modern Beech Super King Air 200T aircraft based at recently established facilities at Parafield Airport. The new agreement will provide considerable reductions in the maintenance and running costs of existing aircraft. Total savings under the agreement are expected to be about \$1.091 million over five years. So, I consider this to be a very sensible arrangement which will benefit the taxpayer whilst supporting local expertise. Additionally, it highlights this Government's and, more specifically, DEHAA's commitment to prudent management reforms.

**The Hon. R.B. SUCH:** Will the Minister provide information on the status of the sterilisation of koalas program on Kangaroo Island and indicate how that program is proceeding? I am aware that the Chairman went to great lengths to establish this program several years ago, and when I visited the United States recently the subject was often brought up in conversation by Americans who were concerned about not only koalas but also kangaroos. My question relates specifically to koalas on Kangaroo Island.

**The Hon. D.C. Kotz:** I have reported to Parliament on many occasions on the success of the koala program. The major problem with the koalas was over-population, the fact that they were eating out their habitat, which would have led to a rather nasty death through starvation, and the degradation of trees which, of course, provide the habitat for the koala. The relocation of koalas has taken place over the past couple of years and has been extremely successful. Over 500 koalas have been relocated at this stage. The majority of these koalas have been provided with very nice clean and open habitat spaces in the South-East and seem to be taking advantage of the areas to which they have been relocated.

Recently, the St Louis Zoo approached the South Australian Government for some koalas. I believe that we recently sent three koalas and managers to look after them for the first fortnight while they re-established themselves in their new habitat. One of the koalas became rather sickly during the first week or two of its relocation, and the St Louis Zoo provided the funds to bring over experts from South Australia to look after the koala and attempt to see it through the initial period of its relocation. Latest reports indicate that all three koalas are now doing quite well. Under the sterilisation program, 3 000 koalas have been sterilised, and the evaluation program, which continues to monitor and assess the situation, at this stage appears to have been quite successful.

It will still take time to determine whether the habitats have improved, although I believe that quite a revegetation program has been undertaken by people on the island, and areas that were quite degraded in the first instance have started to regenerate. I am told that the Victorians are now using our techniques to apply to their own areas where they have had some similar problems. It is a very pleasing story at this stage, and we class it as a success. It is always pleasing when the Victorians look to us to discover the types of new techniques that South Australia has implemented and seek to implement them themselves.

**Ms WHITE:** As the Minister knows, I have an interest in water use in the Northern Adelaide Plains. Last month the



catchment water management board for that area received the results from some work that it had commissioned from the South Australian Centre for Economic Studies. Part of that study was to look at the use of water pricing mechanisms to achieve desired environmental outcomes. Specifically, there was a case study using a production function approach to looking after the aquifer. It looked at using water pricing policy as an instrument to limit water use to a level equal to or less than the recharge rate to the aquifer.

The idea was that, since demand for irrigation water is derived from the demand for the produce it is used to irrigate, you adjust the water pricing policy accordingly to regulate the water drawn from the aquifer. What you end up with is a water market with a tradeable quota, with the price of that quota being adjusted by the market and by the demand for produce. Given that that work has been done, what does the Minister think of it? What is her view? Is that a good way to go in water pricing?

**Mr Hoey:** The Centre for Economic Studies' results showed quite clearly that the impact of the price that is being charged for water in the Northern Adelaide Plains (which is roughly \$10 a megalitre) has an insignificant effect on the farm gate returns from the produce, except where it is a low value product such as lucerne.

**Ms WHITE:** With respect, that was not my question. My question was: what does the Minister think of the idea of using water pricing policy to control the amount of water drawn from the aquifer? In other words, the way this was proposed to work was that, as the price per tonne of produce increased, so would your water tax increase in order to keep the level of water drawn from the aquifer equal to or less than the recharge rate.

**Mr Hoey:** The Centre for Economic Studies was looking at the willingness to pay, which was related to productivity, which was related to produce. But I understand that the current Government's policy is to charge for the water used, regardless of the use to which that water may be put.

**Ms WHITE:** Quite obviously this work was done with a view to future water pricing policies. What is the Minister's view about adjusting water prices in that way? Does she think it is a good thing or a bad thing?

**The Hon. D.C. Kotz:** The honourable member seems to be missing the point. The answer is that the study undertaken by the centre is a means by which opinions will obviously be broached over years in terms of whether water needs to be adjusted according to the sustainable use of that resource. If there are areas of our State where the sustainable use of water is at risk, I imagine that that is the type of policy that we would look at now, because it comes down to the fact that, as long as there is plenty of water underground to supply to irrigators, we will be looking at a reasonable policy that would come through the water allocation plans determined by the catchment boards, which are a means of allowing the community to be involved in the determination of their own values and their own uses of a water resource.

Any other options of policy that may look at the higher value of water in relation to any specific type of crops grown will be determined on a policy by policy basis but mainly related to the sustainability of the resource itself. At this stage the Government has no intention of looking at increasing values purely on the production value of a crop.

**Ms WHITE:** What system will be put in place for trade, transfer or lease of water rights from the Bolivar pipeline water? How will it operate?

**The Hon. D.C. Kotz:** The answer is the system that is in place now, and we have a tradeability of water policy.

**Ms WHITE:** Will that same system apply to the Bolivar water?

**The Hon. D.C. Kotz:** That is what we are talking about. That is what I believed you were talking about and that is what my answer related to.

**Ms WHITE:** You apply the same system that applies now to—

**The Hon. D.C. Kotz:** That is the system that is there now. The rights of water are tradeable.

#### Membership:

Mr Foley substituted for Mr Koutsantonis.

**Ms WHITE:** By way of supplementary question, can I clarify with the Minister whether—

**The CHAIRMAN:** With respect, the member for Taylor has had about four supplementary questions. I will allow one more brief supplementary question.

**Ms WHITE:** By way of clarification, the Minister seems to be saying that the same system that applies to water in the Northern Adelaide Plains will apply to the Bolivar pipeline water.

**The Hon. D.C. Kotz:** The answer is still the same. The policy across South Australia at the moment is that there is a tradeable aspect to the rights of access to water under licence and the same will apply under the Bolivar pipeline. Regardless of who may own, operate or sell to, the rights of water in this State are tradeable.

**The Hon. G.A. INGERSON:** Page 9.12 of the Portfolio Statements refers to assistance with the development of the magnificent new National Wine Centre. How is this progressing, and what opportunities have opened up for the Botanic Gardens and the State Herbarium as a result of this development?

**The Hon. D.C. Kotz:** The Government announcement in January 1998 the development of a National Wine Centre and a rose garden of international standard which resulted in the necessity to relocate the Botanic Gardens administration and the State Herbarium to the Hackney precinct as part of the Adelaide Botanic Gardens. The relocation of buildings into the heritage listed Goodman Building and the tram barn will be achieved by September 1999, subject to adherence to work schedules, and I am advised that at this stage work is on schedule. The new facilities will provide a new administration centre for the Botanic Gardens, with education facilities for use by visiting school and other groups, and a lecture theatre for use by community plant societies. The State Herbarium and the State's botanical library will be relocated into a new plant biodiversity centre in the tram barn building.

As part of this initiative, a new 1.5 hectare Adelaide international rose garden is being developed adjacent to the existing national rose trial garden. This development is supported by the South Australian rose industry, and its objective will be to be open to the public in spring of the year 2000. National and international visitors to this new feature of the Adelaide Botanic Gardens, which already has some 1.3 million visitors per year, will make a significant tourism contribution to the State.

**The Hon. G.A. INGERSON:** Page 9.5 of the Portfolio Statements refers to the introduction of a national environment protection measure to improve air quality. Adelaide

prides itself on its clean air policy. Given that motor vehicles contribute around 60 per cent of our air pollution emissions, what steps have been taken to ensure that Adelaide maintains its favourable air quality position?

**The Hon. D.C. Kotz:** The EPA has been working at a State and national level to address emissions from motor vehicles. At the national level, the EPA has been working with Transport SA to develop the next generation of tighter vehicle emission standards for new vehicles, and this includes participation in the national review for cleaner fuels. It also includes encouraging the oil industry to implement progressive improvements in the amount of sulphur content in diesel fuel. South Australia's Mobil refinery already has the lowest national sulphur content in petrol fuels. The Prime Minister's recent statement, Measures for a Better Environment, has required sulphur content for road transport fuel—that is, diesel fuel—to be 500 PPM by 2002, with further reductions to 50 PPM by 2006. This compares with the current Australian average of 1 300 PPM sulphur, with the Adelaide refinery below this with a sulphur content of around 1 000 PPM.

Over the past 18 months, the South Australian EPA has participated in the national review for motor vehicle emission standards. These have been supported and certainly added to by the Measures for a Better Environment package and, in particular, it is intended that the next generation of passenger vehicle emission standards, which will be called Euro 2, will be introduced from 2002, and more stringent international standards on diesel particle emissions, which will be called Euro 3, will be introduced by 2002.

More stringent vehicle emission standards for both petrol and diesel vehicles have also been set in the package and they are due for implementation from the year 2005. The National Environment Protection Council (of which I am a member) is also assisting in this process by undertaking preliminary studies into the impact of diesel vehicles on our air quality and the way in which these vehicles can be monitored and tested while they are in service. A budget of some \$550 000 has been committed nationally to undertake these projects as a precursor to the development of a diesel emission national environment protection measure. In addition to this, the EPA continues its involvement in a program to observe excessively smoky vehicles. The owners of vehicles observed by EPA officers are sent an advisory letter requesting necessary engine repairs be undertaken. A whole series of packages are being undertaken at the moment in conjunction with the Federal Government and all the States to ensure that the emissions with which we deal now are reduced quite substantially.

**The Hon. G.A. INGERSON:** In relation to the environment protection strategies outlined on page 9.10 of the Portfolio Statements, what initiatives has the Government taken to improve water quality and the habitat for marine life in the Port River?

**The Hon. D.C. Kotz:** A number of initiatives have evolved over the years with regard to the Port River and, more recently, there has been a series of strategies. As all members know, pollution in the Port Adelaide estuary and the Barker Inlet is caused primarily by point sources—the Port Adelaide and Bolivar waste water treatment plants, the Penrice Soda Ash plant and indeed diffused pollution from contaminated stormwater. The EPA has required SA Water to put in place mandatory environment improvement programs for all waste water treatment plants discharged into

the marine environment, including the Port Adelaide and Bolivar waste water treatment plants.

These programs include the reduction of nitrogen and phosphorous to minimise the impact of discharges from these plants into the marine environment. Construction of the new pipeline to carry all the summer effluent and most winter effluent from the Bolivar plant to the Virginia horticultural region, instead of discharging it to the marine environment, is almost complete. The pipeline will reduce nutrient output by some 50 per cent by the year 2001. The Virginia growers will come on line between pipeline completion and 2001. The plant upgrade will also have a nutrient reduction component and, between this and the effluent reuse, the nutrient load discharge will reduce by about 85 per cent by the year 2001. Past 2001, it is likely that the improvement of aquifer storage and recovery techniques in the Northern Adelaide Plains will result in an effective means of storing the winter effluent. If this is the case, then it is possible that the discharge from Bolivar will cease altogether.

If current trials of injection of the waste water into the aquifer are successful, it is possible that all winter effluent can be diverted to Virginia as well. Other point services are being addressed through the Environment Protection Marine Policy 1994, whereby industries are required to meet marine environment protection standards by the year 2001. The Environment Protection Authority has refused Penrice Soda Products Pty Ltd a licence to dredge and to dump contaminated soil. The company has undertaken trials to investigate land disposal and is trialing reuse of this material. In addition, the company is trialing on site waste treatment so that future waste is not discharged into the river.

The EPA has also developed codes of practice for stormwater pollution prevention that will assist in pollution reduction throughout all catchments, including that of the Port River. The EPA is also developing an environment protection policy for water quality, which will include expiable offences for the pollution of waterways and thus adding a compulsion factor to pollution reduction.

*Members interjecting:*

**The CHAIRMAN:** If members to my left are just going to conduct conversations with each other, I suggest that they leave the Chamber and, when they are ready to ask some questions, they come back to do so.

**Mr FOLEY:** I apologise, Sir; we were just finding the Minister's answer somewhat boring.

*The Hon. G.A. Ingerson interjecting:*

**The CHAIRMAN:** Order! The member for Hart.

**Mr FOLEY:** I would like to ask a question—

*Mr Scalzi interjecting:*

**The CHAIRMAN:** Order!

**Mr FOLEY:** I have a question about the proposal for a ship-breaking facility at Port Adelaide. As the Minister would be aware, the Premier has signed a letter of strong endorsement for the project. However, leaked documentation to the Public Works Committee has shown that concerns were expressed by your department, particularly the EPA. The Government now has a period of two weeks in which to decide whether or not it will grant an option over the land at Pelican Point for a feasibility study to be undertaken. Clearly the enormous negative environmental impact that a ship-breaking facility of this kind would have on the upper Port Adelaide River estuary area, which the Minister has already indicated needs to be cleaned up, would cause great concern to her as Minister for Environment. Is the department

concerned at the environmental impact that this project poses for the Port River region?

**The Hon. D.C. Kotz:** I am quite sure that the honourable member is also aware that at this stage, the proposal stage, the development is extremely minimal. It is my understanding that an extension of time has been granted through the Premier's Department to the proponents to conduct a feasibility study. Any aspects of environmental concern will be addressed when those processes are over.

**Mr FOLEY:** I have a supplementary question.

*The Hon. G.A. Ingerson interjecting:*

**Mr FOLEY:** I would not listen to the member for Bragg, because he is not on track on this one, either.

**The CHAIRMAN:** Order!

**Mr FOLEY:** The situation is that Deutsche Bank has advised the Government that it is prepared to fund a full feasibility study. All that is required is for the Government to indicate that, subject to the outcome of the feasibility study, it is prepared to offer an option over the land at Pelican Point.

**The Hon. D.C. Kotz:** The answer—

**Mr FOLEY:** I have not finished. Am I asking the question to you or to the Minister in waiting over there?

**The CHAIRMAN:** Order!

**The Hon. D.C. Kotz:** You are wasting our time.

**The CHAIRMAN:** Does the member for Hart have a question for the Minister for Environment?

**Mr FOLEY:** Has the Minister's department advised her of concerns about the environmental impact of this project? The Government will have to decide in the next 12 days whether it will offer an option over that land. Implicit in that must be a body of advice concerning environmental impact. I would like to know whether that advice has been provided to the Minister and, if so, what is it?

**The Hon. D.C. Kotz:** The member is well aware that he is putting the cart before the horse in this situation. Any EIS will be conducted through Planning and Development and the Environment Protection Agency will be asked for its opinion through that process. Until that happens, anything else is hypothetical and therefore pre-emptive.

**Mr FOLEY:** That is just absolute nonsense. The member for Hammond, Peter Lewis, has already tabled in the Public Works Committee leaked documents that contain commentary from the Department for Environment or EPA expressing grave concerns about the environmental impact that such a project will have on the Port Adelaide area. Before the Premier's Department and Cabinet make a decision to offer an option on the land, I would have thought that such advice would be communicated to the Premier and to Cabinet. I am simply asking the question. Clearly, the advice has been given; we have seen that in leaked documentation. Is the Minister concerned about the potential environmental impact of this project because, at the end of the day, she is the Environment Minister?

**The Hon. D.C. Kotz:** The answer is still exactly the same. If the honourable member is a member of the Public Works Committee and if he is quoting documents that he has seen, I suggest that he get what he is quoting absolutely right. He has been given the answer to the question he asked me as Minister for the Environment. There is nothing further to say at this time, until the other processes go into place, which may then involve me and the EPA, and I suggest that that is more than likely, but until that occurs his question is not only hypothetical but also pre-emptive, and he knows that.

**Mr HILL:** A little while ago I asked the Minister a question about Happy Valley reservoir and she said that it was not part of her responsibilities, and I understand that. I will rephrase my question. Has the Minister or her department been asked to provide advice about the impact of housing on water quality and native fauna and flora on that piece of land and, if so, what is that advice?

**The Hon. D.C. Kotz:** To this point I do not believe that any questions have been asked about any housing development in relation to the Hope Valley reservoir.

**Mr HILL:** I refer now to issues to do with landfill and landfill sites, and I will restrict myself to one question because of the time. The Minister has given previous advice to Parliament that only two landfill sites were needed to service Adelaide, and I think she had in mind the two at Dublin and Inkerman. Will the Minister say what action she is taking to ensure that the applications for the additional sites—and I think there are four additional proposals for Inkerman—are rejected?

**The Hon. D.C. Kotz:** The member for Kaurna gives an impression of what I might have said in the past, but I do not believe he could ever quote me as saying that only two landfills are required for the whole of Adelaide; I am quite sure that was not the case. At this stage I am not sure where the applications are for the other landfills. Obviously, every proposition that is put forth by a developer has the right to be assessed under the legislative framework, which is the law which we apply in all aspects of prescriptive measures within this State.

The honourable member would be aware that the Governor proclaimed the Wingfield Waste Depot Closure Act 1999 on 6 May this year. This requires the Wingfield landfill to close no later than 31 December 2004, and at a post-settlement closure height of 27 metres AHD. The closure time frame provides the Adelaide City Council with the opportunity to achieve an orderly, environmentally and economically sound withdrawal, and it is also consistent with the two to four year lead time required to develop alternative environmentally sound landfill sites.

The honourable member would also be aware that Medlow Road and Inkerman, together with the Dublin landfill, which was approved by the Governor in January 1999, will give a capacity of 750 000 tonnes per annum for the next 50 years. The EPA has prepared guidelines for major solid waste landfills, and these guidelines will serve as a basis for the Environment Protection Authority to consider development applications for new landfills and also licence conditions. Conditions of licence for old landfills are currently being upgraded following a review of their enforceability, and the waste disposal landfill PAR has interim authorisation until 21 January 2000.

This PAR provides what we believe is a very stable structure for planning future landfill sites. I am told that the PAR will guide the assessment of landfill development on a State-wide basis. More specific provisions will apply to areas within a 250 kilometre radius of the Adelaide GPO, and on the basis that major landfills—that is, those proposing to receive 20 000 tonnes or greater solid waste per annum—serving the metropolitan area are only likely to be viable within a reasonable transport distance from Adelaide.

The PAR criteria for siting and design of major landfills reflect the approved EPA guidelines for major solid waste landfill depots. The PAR implements policies that will restrict new dwelling construction within 500 metres of the now approved Dublin, Inkerman and Medlow Road landfills in

order to prevent encroachment of incompatible uses into the buffer. So, in the future, applications for waste landfills are not likely to be approved in coastal or water protection areas, or areas used for industry, horticulture or rural living.

**Mr HILL:** I refer to Output 7.2, relating to environment protection compliance services. In an earlier answer (or perhaps in her introductory remarks) the Minister talked about prosecutions that have been achieved by the EPA—I think she said that there were two prosecutions in the past 12 months. Is that correct?

**The Hon. D.C. Kotz:** Yes.

**Mr HILL:** Can the Minister outline some details of these prosecutions? In particular, I would be interested to know the cost of pursuing each of the prosecutions and the results achieved in each case.

**The Hon. D.C. Kotz:** Is the member for Kaurua talking about the cost of prosecutions, or compliance?

**Mr HILL:** No, the prosecutions.

**The Hon. D.C. Kotz:** I would need to take that question on notice.

**Mr HILL:** I turn now to the Pelican Point power station. Can the Minister tell the Committee what environmental assessment was made of the site at Pelican Point that has been selected for the new power station, and what environmental issues were identified, and can the Minister also say on what basis she decided that the construction of a power station did not warrant an EIS?

**The Hon. D.C. Kotz:** Again, the honourable member's question (as he well knows) does not come under the jurisdiction of this Minister. The Treasurer, the Hon. Rob Lucas, has the jurisdictional aspects of Pelican Point.

**Mr HILL:** This might be an area where the Minister does have some responsibility: I refer to bird scaring gas guns. The Minister will probably know that, in areas that are on the periphery of the metropolitan area, which adjoin particularly grape growing areas, there is a lot of concern about the proliferation of gas gun noise. This has occurred in two ways: first, because land which was previously used for general farming purposes has been converted to viticulture, and that may cause problems for neighbours who live close to the land; or, alternatively, people are building in areas where viticulture is already occurring.

I refer to a note that has been provided to me by the City of Onkaparinga, which has been examining this issue through its Southern Partnership. The council officer who prepared the document said the following:

This issue is one of a number where there is some lack of clarity over the role of the Environment Protection Act and council by-laws, and the respective responsibilities of State and local government. Clarification and agreement on the respective powers and responsibilities on this and a number of other 'environmental nuisance' issues, along with resolution of resourcing to adequately address such issues, is required.

On behalf of my many constituents, and people from the Adelaide Hills out of my electorate, I ask the Minister what action the EPA is taking, or what action she is taking, to ensure that this issue is resolved and that clarity is achieved.

**The Hon. D.C. Kotz:** I am well aware of the concerns that are currently developing, and certainly concerns that have been avouched in rural regions for some considerable time. The matter of noise, particularly through the use of gas guns, was discussed with me recently. A group of approximately 400 residents from the Hills area and regions in the south have concerns about the noise emanating from gas guns and the intensity of their continued use, and that, of course,

creates a nuisance for those who happen to have the misfortune to reside within close proximity.

It was also brought to my attention that some local councils have, in fact, introduced by-laws: I believe that the Onkaparinga Council has introduced by-laws to take some form of control measures to deal with the aspects of concern as relayed to it by its ratepayers. However, the group that spoke to me about its concerns had been in touch with the local council and had been advised by the council that it would require greater evidence, which had to be reported on specific sheets and forms that were supplied to them to record the hours of the day during which this horrific noise emanated from the gas guns, the number of shots every hour, the dates and the specific times. Several of these individual residents had attempted to comply with this requirement for evidence. Quite obviously, it was a mind-bending exercise, sitting there minute after minute recording the number of shots from the gas guns throughout the hours of the day.

They approached the council with the apparent evidence that they had achieved under council direction, but it appeared that the council, to this stage, had not taken any action. It was for this reason that the group came to see me to raise concerns about the inaction of the council and the by-laws. I have written to the Onkaparinga Council asking for advice on the means by which it intends to implement the by-laws that it has adopted and seeking information on any aspects of compliance with those by-laws. Quite obviously, this is a matter that will not go away. It appears that more viticulture areas are being beset by many of our native and pest birds. As long as this continues, the increase of noise and the use of these guns will continue.

At this stage, I am interested in hearing from the local council at that level. In the first instance, I believe that the management controls that may be required regarding this noise element in local areas should be determined by council. I am interested to hear back from the Onkaparinga Council about how it intends to implement the measures it has adopted under the model by-laws. I also believe that the Adelaide Hills Council is looking at incorporating by-laws of this nature into its local government legislation. I will be interested to see the outcomes and the information I receive from the local councils in the first instance.

**Mr HILL:** The issue, as the Minister pointed out, is that the amount of documentation that individuals who wish to complain have to keep is absolutely horrendous.

*The Hon. G.A. Ingerson interjecting:*

**Mr HILL:** It is impossible for one person to do it properly. The person to whom the Minister is referring did an absolutely thorough job, I know, but the difficulty for the person recording the noise is that it is impossible to tell whether it is coming from one gun or a variety of guns. It seems to me that what is required is an area-wide resolution rather than just a property specific resolution. In other words, one might say that in an area of 10 hectares or 100 hectares so many guns are allowed rather than allowing every property to have so many guns. There should be distances between the guns. I know that it is complicated and that the member for Bragg, who has pretensions to be a country dweller, is scoffing at this, but this is a very serious issue, particularly for people living in the area about which I am referring, Aldinga. A street in Aldinga has been there since the early part of the century and the houses in that area predate well and truly the vines that are being planted around them.

This problem is associated not only with viticulture but the olive industry has also started using these guns. That

industry's season extends well beyond the three or four months over summer when the viticulture industry uses the guns. It is a very serious problem. The council is trying to sort out the problem locally but I think it needs some State-wide assistance because the council is looking, I imagine, for a resolution that is common across all council areas so that the same regulations apply in each area. That was really a comment, but I would appreciate whatever assistance the Minister can give.

I turn now to environment improvement programs. The Minister may recall a question I put on notice (question number 64) in which I asked the Minister to give an indication of the environment improvement programs in existence at that stage. The Minister gave me several pages of programs, the overwhelming majority of which were mandatory programs. Two programs were voluntary, one of which related to the Tandanya Boarding Kennels. I do not have any comments about that, but the second program relates to Cast Alloy, which is a plant located in the western suburbs. I have attended meetings in that area and I understand that other meetings are to follow.

The community is absolutely up in arms about the pollution emanating from that foundry. Residents have been trying to get information about the nature of the pollutants coming from that foundry but without success. They are absolutely astonished that Cast Alloy has only a voluntary EIP which, as a result of its being voluntary, is not made public. The community therefore does not know what Cast Alloy has to do and therefore cannot monitor the foundry. Can the Minister explain why the EIP relating to Cast Alloy, out of all of the dozens of EIPs, is voluntary when all the others are mandatory?

**The Hon. D.C. Kotz:** I believe that the voluntary aspect of Cast Alloy's EIP was an arrangement made about three years ago. Cast Alloy, as the honourable member would know, operates a large aluminium foundry in North Plympton. The foundry is in a general industrial zone adjacent to a residential zone and nearby residents living within 50 metres of the factory complain regularly about odorous fumes and noise emissions. Such proximity of residential and industrial activities is, unfortunately, the result of past poor planning and it is certainly a frequent source of complaint to the EPA.

Where poor past planning has allowed residential and industrial land to exist so close together both parties, unfortunately, must compromise on their expectations of the amenity of the area. Industry is constrained in what it may do to minimise its affect on the residential area. Residents cannot expect an entirely residential amenity. From time to time they will be made aware of nearby industry noise and odour emissions. Since its establishment in North Plympton the company has expanded from a small local manufacturer of aluminium components for Australian industry to a major international exporter of motor vehicle components. That includes wheels for Harley Davidson motorcycles and cylinder heads for Opel in Germany. In 1998 the company supplied its one millionth wheel to Harley Davidson. The odour associated with this foundry is intermittent, and it is certainly typical of this type of activity. The foundry is licensed under the Environment Protection Act 1993, and the licence includes conditions to reduce environmental emissions. Castalloy's licence was renewed on 1 March 1999 and includes additional conditions to ensure a more regulated approach to environmental monitoring and performance.

In summary, the conditions require Castalloy to conduct and report on stack emission testing of the exhaust from all

foundry buildings and from chrome plating, spray painting and powder coating workshops in accordance with the EPA testing methodology; to conduct and report on frequent inspections of fabric filtration and chemical scrubber pollution control equipment; and also to maintain a register of public complaints, including a report on follow-up action taken. In addition to addressing the licence conditions, the company is implementing the voluntary environment improvement program. Remember, this is in addition to the actual licence conditions which are not voluntary but, indeed, mandatory. The voluntary environment improvement program seeks to further minimise emissions from the plant, and the EPA has approved the EIP.

The program aims to improve the management of environmental issues including noise, air quality, odour emissions, chemical storage and handling, waste solids, stormwater, effluent and liquid waste. Several EIP items have already reached total or part completion: one was the implementation, following recommendations from a noise consultant, of a noise reduction program. A community survey that determined the views and opinions regarding a range of local environmental issues and information about attitudes towards Castalloy and its operations has now been completed. A draft has been completed regarding the development of a company environmental policy. The review and implementation of a sand reclamation system and a review and identification of odour emissions are partially complete.

In relation to the provision of a preventative automatic pH control system to prevent accidental emissions, one of four installations is now complete. There is the provision of a preventative maintenance plan to minimise the risk of stormwater contamination; the implementation of a filtration systems register and maintenance program; the implementation of an immediate spill containment plan to prevent accidental stormwater discharge; and the identification of noise sources and design of attenuation methods on the eastern side of the site.

Pursuant to a new licence condition, the company is required to perform tests of the stack exhaust and provide a report to the EPA and to council. The report is expected during October this year. A further meeting of council, the EPA and Castalloy is planned for November 1999. The outcomes of the emission testing and a progress report will be circulated to the local community via the council's newsletter and the local press.

**Mr HILL:** I appreciated the Minister's answer in respect of Castalloy. She mentioned the voluntary EIP, which was introduced about two years ago in June 1997. I understand that residents are having the most difficult problems in getting information from Castalloy. In particular, they would like to know the nature of the fumes being pumped into the local environment. They have all sorts of concerns. Doctors have made reports of high levels of aluminium in some people's blood. I just contrast Castalloy with the Mobil Oil refinery which is in the news today because of other matters. However, at least in respect of material pumped into the air, Mobil has a good record of dealing with the local community. It communicates well, answers questions and tells people what is available; and it is very open and transparent, as the member for Peake says.

Castalloy seems to have a totally different attitude and, as I understand it, its view is that it does not need to tell anybody anything and it will not do so unless it absolutely has to do it and unless it is dragged kicking and screaming

along the way. Local residents believe the voluntary nature of that aspect makes it easier for Castalloy. Why was the EIP voluntary in the case of Castalloy, and will the new arrangements and new licence arrangements mean that Castalloy will be obliged to tell the community what pollutants it is putting out into the local atmosphere?

**The Hon. D.C. Kotz:** I appreciate the member's concern, because I know he relates them on behalf of residents in the area. It should be put on record that, in terms of health risk in the investigations undertaken so far, it has not been assessed that there is any health risk. Certainly there are odours but, in terms of health risk, that has not been established by the investigations. In terms of the consultation that the member talks about, I know that Castalloy in recent times has agreed to meet with the local council and the EPA, as Castalloy obviously believes that the council is representative of the community. However, that is a matter on which Castalloy and I disagree, and I concur with the member's position that, in terms of community consultation, it has been proven in the past that the more information the community has the fewer concerns that emanate from the community.

It is with a degree of disappointment that I see Castalloy not complying with what I consider to be community consultation. The member for Kuarna might be interested to note that I have written to Castalloy's Managing Director, Mr Colin Peters, as follows:

I write with reference to Castalloy's recent submission of a program for community consultation pursuant to condition 36-21 of Castalloy's EPA licence. I understand Mr Stephen Walsh, QC, Chair of the Environment Protection Authority, has also written to you in regard to this matter. I am informed that the Environment Protection Agency recently received a submission from Castalloy in accordance with licence condition requirements. It is with disappointment that I learn of a distinct lack of detail regarding how the community will be involved in the process. It was hoped that, following Castalloy's recent efforts to improve pollution control equipment and participate in emission monitoring, the company would be keen to announce news of such developments.

The EPA is keen to assist Castalloy in providing information to the community on the company's activities and its future plans. I understand EPA has provided your environmental coordinator with guidelines on how effective community consultation can be undertaken. I anticipate Castalloy management will formulate a strategy in consultation with EPA in order to satisfy licensing requirements.

So, I do agree with the comments made by the member, and certainly the residents' concern. At this stage we will be taking measures to attempt to see that Castalloy does comply with what I believe is true community consultation, not a de facto relationship through the council.

**Mr HILL:** Minister, does the law need to be changed to compel Castalloy, or any other company, to communicate with the local community about what it is putting into the local atmosphere, or is there sufficient power now to compel it to do that?

**The Hon. D.C. Kotz:** I guess it is a matter that will always be under discussion, when there is nothing of a regulatory means, unless there is something mandatory that applies under conditions. But it is not normal procedure. It is something in fact that most companies with which we have been involved have actually complied with, without the need to look at compulsory or mandatory means to enable them to take community consultation. If companies wish to be perceived by the community as being conducive to looking at the concerns of community, then there is no need to look at any other measures other than voluntary. However, companies put themselves at risk because those questions then might be asked, and if those questions are asked and

there is community angst about the regard for and perhaps the need to change a rule, change a law, to force a company to comply, then the company has only itself to answer for if we have to move to regulatory means to force that company to comply. But as the Environment Protection Act is already under review perhaps that is an issue that could be pursued through that means.

**Mr HILL:** I thank the Minister for that answer. With reference to Output: 7.3, I would like to ask the Minister about the radioactive waste depot that the Commonwealth Government is looking at. I have asked questions of the Minister for Primary Industries, who has primary responsibility for this. Can the Minister say whether or not the environment portfolio or the EPA would have any role in the decision making process regarding the placement of a radioactive waste depot in South Australia, either through the EIS or the EPA, or whatever else? Will the Environment Department have a chance to comment on it and make submissions about where it should be or what it should be able to do, and so on?

**The Hon. D.C. Kotz:** The Commonwealth Government's siting study for a national radioactive waste repository has been prolonged by consultation with native title claimants. Perhaps the key point that is being addressed at the moment is the Federal Government's looking at 18 possible sites for a national repository for low level and short-lived intermediate level wastes. This was announced in June 1998, and these are in the central north region of South Australia. Field studies involving drilling to obtain further soil and groundwater information were to have been undertaken in the second half of 1998, and negotiations with native title claimants to obtain clearances for drilling have been in progress for some months. Consultation with community groups, including pastoralists, has occurred.

The Commonwealth announced that drilling of the sites would be undertaken during the period of 6 May 1999 to 16 June 1999. However, this was delayed at the request of the Aboriginal Legal Rights Movement. The drilling of six sites for which clearance has been obtained commenced on 13 May 1999, and the other 12 possible sites were not given clearance. A number of alternative sites have now been proposed and clearances are being sought. Mr Keith Greenfield of Billa Kalina Station has on several occasions requested that the name Billa Kalina not be used to describe the possible site of the repository. His letter to the Editor of the *Advertiser* that was published on 6 May 1999 reinforces that point.

The Department of Human Services, together with the Department of Premier and Cabinet, is represented on a Commonwealth-State consultative committee on radioactive waste management, a Commonwealth-South Australia consultative committee on the repository, and a regional consultative committee. None of these has met recently as there has been no progress to discuss. The field investigations of prospective repository sites are part of the third phase of a national radioactive waste repository siting study that was begun in 1992. The plan is to narrow the 18 sites down to a smaller number—three to five—and then choose a preferred site following further consultation.

The preferred site and possible alternatives will be subject to a full environmental impact assessment process, and the possible collocation of an above-ground store for wastes, not suitable for shallow ground burial, will also be considered. The South Australian Government (and this is the current status) has reserved its opinion on whether a suitable site

exists in South Australia until it has seen the completion of the environmental impact assessment process.

**Mr HILL:** I turn to page 9.1, relating to policy advice and coordination. With respect to the water catchment boards, can the Minister say whether she or any of her officers have interfered with or changed any of the reports presented by to her the water catchment boards?

**The Hon. D.C. Kotz:** Would the member care to identify the particular reports about which he might be talking?

**Mr HILL:** No, it is just a general question. Have you changed any of the reports that have been presented by water catchment boards?

**The Hon. D.C. Kotz:** The reports which are a statutory requirement through our legislative processes and which are presented to the Minister are obviously checked for circumstances that may in some way or another not actually represent the status of the law. There are legal requirements, obviously, that necessitate the correct procedures and use of terms and phrases that may be contradictory or otherwise to the Water Resources Act, so there certainly will be occasions where changes may be discussed with the board after reports from them have been received. Usually under negotiated circumstances the explanations will be given and in most instances I believe that those changes will be made.

**Mr HILL:** Any changes that you have made have been made in consultation with the boards?

**The Hon. D.C. Kotz:** Correct.

**Mr HILL:** I now refer to the Onkaparinga Catchment Board in particular. I have met a number of grapegrowers in the Willunga Basin who are concerned about the regulations or controls that the Minister has put in place in a letter that was sent out on 27 November. They were concerned that what the Minister said in that letter was not in keeping with what the Onkaparinga Catchment Board had recommended, and they want to know why their advice was not followed. They expected more vigorous controls to be put in place rather than the voluntary ones that the Minister put in place.

They are concerned about the number of licences that may have been granted since 1990 when proclamation of the area was made and about whom those licences may have gone to. In particular they have said to me that a number of licences were granted after 1990 on condition that certain work happened by 1993, and if that work did not happen those individuals would lose those licences. They pointed out to me that some of the farmers in that area went ahead and borrowed money, did a lot of work and put themselves into debt. Other farmers did nothing but did not lose their licence, and they believe that is unfair. They are also concerned that, if there is a further reduction in water usage, that not be done on a pro rata basis but fairly to reflect those growers who are being cautious with their use of water. I ask the Minister to comment.

**The Hon. D.C. Kotz:** This question involves a varied and, in some aspects, complex area. With reference to the honourable member's questions relating to the period from 1990 to 1993, I remind the honourable member that a Labor Administration was in government at that time and that the Water Resources Act, under which we operate today, was not in place. It has been brought to my attention that, over time, certain allegations of the nature outlined by the honourable member have been made. Unfortunately, in communities that are competitive with each other—either commercially or in terms of water allocation in an area that has minimal water resources—often contentious issues are revived time after time.

Over time, investigations have been undertaken into many of the types of allegations identified by the honourable member, and they have been found to have fundamentally no substance. Unless the honourable member wishes to cite a specific case, I can only say to him that these allegations have been looked into and, as I have said, they were found to have no substance.

I turn now to the current situation. Over a period of time, growers in this area came to understand that their water resources were at risk because of the minimal sustainability of the resource. I believe that about 400 irrigators use water allocations throughout the Willunga Basin. The discussions that took place and the understandings that were reached amongst the growers in years past finally resulted in an agreed position where each grower would accept a 180 millimetre water allocation across the board. So, simply speaking, the resource was divided amongst the 400 growers.

Unfortunately, the water resource in the basin has diminished to an even greater extent since those meetings were held and it was agreed to reduce all water allocations to 180 across the board. About two years ago, the basin produced a sustainable yield of about 7 600 megalitres. A primary industry hydrology survey reported that the basin's water supplies had diminished from 7 600 megalitres to 5 700 megalitres.

At that time, the Water Resources Act had been enacted. Unfortunately, in mathematical terms of any description, that figure of 180 millimetres can no longer be applied because it is based on 7 600 megalitres. As we now have only 5 700 megalitres in the basin to divide amongst these 400 irrigators, this matter is of serious concern. When it was revealed to me that the diminishing resource had reached a stage of reasonable risk, and certainly potential risk regarding future use, I had discussions with the growers in the area.

Unfortunately, many of the growers found it difficult to understand why they could not still receive 180. There is a contention in the area with some of them who still do not seem to understand that 180 millimetres is no longer available to all of them. However, after discussions at that time I had two choices under the Water Resources Act. Because there was an established potential risk and the water resource was diminishing (the sustainable yield was not at the same level it had been over years), I could have applied section 16 of the Water Resources Act, which would have meant that I could place a moratorium on the whole area and then look at the reallocation of water use to each of the growers.

The discussions that I had with the growers meant that I had a different outcome, because I was assured that the growers themselves would seek (once again on a voluntary basis) to reduce their actual water use. Primary Industry had advised me that, although the estimated levels were now at 5 700, the resource could handle the current use established by the Willunga growers, which was around 6 600 megalitres. I agreed with the growers that through the coming year I would look to them to take the responsibility of reducing their water allocation use and to attempt to drop it below the 6 600 megalitres rather than coming in with a section 16, putting on a moratorium and establishing a far lesser rate in the immediate circumstance.

The concerns that may have been expressed to the honourable member in relation to what the Onkaparinga board might have originally supported obviously related to the 180, which is no longer available. We continue to look at the situation in the Willunga Basin, and in coming months we will need to look again at the nature of the resource and what

measures may be required to make sure that that resource is sustainable, since we are looking at a very high potential risk in relation to the yield. Unfortunately, many of the growers in that area have still to get their minds around the fact that, whereas they accepted in the past that the resource was there and simple to use, it is no longer the case. It is a difficult situation but one that I hope we will be able to resolve predominantly to the benefit of all concerned. Obviously, there will still be areas of concern until we come up with the final solution.

**Mr HILL:** My next question relates to the recent agreement between the Democrats and the Government in Canberra over changes to environmental laws, which involve a movement of powers between the Commonwealth and the State, as a result of which the State will pick up more responsibilities. Is the Minister aware at this stage of what additional responsibilities the State will be taking on, and what contingency funding and provisions has she in place to ensure that those responsibilities are met?

**The Hon. D.C. Kotz:** I thank the honourable member for a question that has been of some concern to South Australia. The review of the Commonwealth's role in environment protection culminated in mid-1998 with the introduction to the Senate of the Environment Protection and Biodiversity Conservation Bill 1998. The Bill was referred to a Senate committee that has now tabled its report. The Chief Executive of my department responsible for coordinating the Government's response to the Bill made oral submissions to that committee on behalf of the Government, and some of the Government's recommendations have been taken up by the committee in its recommendations.

The Bill will remove the existing triggers for Commonwealth involvement in the approval of developments and replace them with a new system. The new system will require Commonwealth approval for developments or other activities, with a 'significant impact' on a matter of national environmental significance. The Bill has important ramifications for State Governments in the administration of environmental and development process. A central feature of the Bill is the ability for the Commonwealth to 'accredit' State Government environment protection and development consent laws and processes so that a development or other activity will need to go through one assessment and approval process only.

The South Australian Government is committed to ensure both proper environment protection and streamlined efficient and cost effective processes for development and other activity consents. Coordinating negotiations with the Commonwealth through my department for the whole of Government will ensure that these twin aims are properly met. The Bill was passed in the Senate on 23 June with significant amendments by the Government. The Bill is expected to go through the House of Representatives today.

The department is still working on the implications of the amendments and some of the amendments address some of the concerns. However, there are certainly other concerns that remain unresolved. I will continue to liaise with Senator Hill to ensure that the South Australian Government's concerns are given proper consideration, but meanwhile Government agencies continue to undertake preliminary work, which will enable South Australia to negotiate effectively with the Commonwealth Government, particularly over bi-lateral agreements in the anticipation that the Bill will become law. However, the ramifications of total amendments to that Bill are still unknown to us and we will have to await that outcome before we can assess the situation in totality.

**Mr HILL:** There is obviously a resource implication of those changes for this State. Is the Commonwealth passing on financial assistance as well as responsibilities?

**The Hon. D.C. Kotz:** That was certainly some of the aspects of the Bill in its natural state that we already had concerns with and obviously negotiations were still being undertaken with the Federal Government on those aspects. The one thing the State is certainly not wishing to involve itself in is the taking on of responsibility without the appropriate resources that go with it. However, events have obviously overtaken us all with the Democrats' negotiations with the Federal Government, and that is why at this time, with the apparently quite massive amendments that have been undertaken to the Bill, there is no way of determining at this moment to what degree the implications either in resource or in change of definitions between Federal and State responsibilities may apply.

**Mr HILL:** The legislation obviously has implications for the South Australian legislation as well. I understand that there has been a review of a number of environmental Acts and natural resources management legislation. The Minister mentioned the EPA previously. What is the Minister's program for legislative review this year?

**The Hon. D.C. Kotz:** In terms of national competition policy the majority of the Acts aligned to my portfolio area will come under legislative review. The Heritage Act is under review at present, as is the Environment Protection Act, and I have already referred to the native vegetation regulations. I also hope to look at the Aboriginal Lands Trust Act, and that about completes our legislative process in review.

**Mr HILL:** I refer to correspondence sent from the Kanmantoo/Callington Landcare Group on 20 February 1999 to John Olsen in his capacity as the member for Kavel. The letter says, in part:

After 30 years of procrastination on the part of each successive Government, surely during this decade of landcare some moneys should be found to completely restore this area—

and they are talking about the Dawesley Creek area—

from its grossly polluted environmental devastation to its former pristine state. As such huge amounts have been found, for example, for radio networks, a comparatively small amount to clean up a disgracefully toxic creek in your own electorate would be well spent for the sake of the long-suffering local communities and all the wildlife at risk along it.

Has the Premier been onto the Minister to get this area fixed up, and are there plans to improve the quality of that creek?

**The Hon. D.C. Kotz:** The member would be well aware that, once again the Department of Primary Industries and Resources is now licensed to manage the site, although it has had responsibility for the day-to-day operation of the site since the beginning of 1998. We are talking generally of the Brukunga mine, and this will have an effect on water quality. The water in Dawesley Creek downstream of the mine site is used for irrigation and stock water, including dairy and beef cattle. The South Australian Health Commission advised that signs should be placed along Dawesley Creek notifying people that the water is polluted and not fit for irrigation, stock, drinking or recreational use. The Environment Protection Authority absolutely supports this position.

There are significant implications of such a notification. Many landholders have not yet fenced off the creek, and this would have to be done to stop cattle access. In addition, alternative stock watering facilities would need to be provided where the stock are reliant on the creek for drinking water. The Environment Protection Authority has instructed



the operators of the site, which is the Department of Primary Industries and Resources, to place signs in the Brukunga town and at regular points along the creek downstream of the mine site to the junction with the Mount Barker creek advising that the water is polluted and unsuitable for those uses I spoke about such as irrigation, stock watering, drinking water and, indeed, recreational use, and to place notices in local and statewide newspapers to similar effect. There is also an expectation that it will also write to all landowners with properties adjacent to the creek advising them of the pollution and the restrictions on using the water. I am advised that the Department of Primary Industries and Resources has complied with these instructions.

**Mr HILL:** Following the closure of the River Torrens because of an outbreak of blue-green algae, the Adelaide City Council's Director of Strategy said that a meeting at the Town Hall between the city council, the West Torrens and Charles Sturt councils, the South Australian Health Commission, the EPA, the Torrens Catchment Authority and biologists from the Eastern Metro Regional Health Authority agreed that they were committed to form a permanent body to look at long-term solutions for the River Torrens catchment. I remember reading that and being totally surprised, because I thought the Parliament had established the authority to do that, that is, the water catchment board for the River Torrens area. Is there a problem with that board? Does it not have sufficient power to do the job required, or do we need a super body to do that job?

**The Hon. D.C. Kotz:** When the member talks about 'doing the job', I can only presume he is talking about the algal blooms. It is not quite as simple as the member thinks. I think we were all horrified in early January last year to discover that a blue green algae had appeared on the Torrens Lake. This was the first time that such a bloom had been observed on that lake. Samples of water collected from the lake indicated that cell numbers exceeded national guidelines for recreational use of water, which includes swimming and boating, and the Adelaide City Council, which has responsibility for that area, subsequently closed the lake for recreational use.

Monitoring undertaken over two weeks indicated that the cell numbers were persistently above recreational use guidelines. The member will recall that the council arranged for the lake to be flushed with water from the Kangaroo Creek reservoir. The Environment Protection Agency agreed with the decision to flush the lake, provided that certain conditions were met, including consultation with downstream councils, public notification throughout the media and monitoring of the outcome. There did not appear to be any significant environmental impacts associated with the flushing.

Unfortunately, the same sign of bacterial bloom has recurred this year. Samples collected from the lake between 5 and 12 January have indicated that algal cell numbers at some sites on the lake are certainly well in excess of recreational use guidelines. Again in response, the Adelaide City Council closed the lake for recreational use. A number of dead animals, including ducks, swans and fish, were collected from around the lake. Unfortunately, the cause of death could not be definitely determined. It is possible that the presence of toxic algae in high numbers caused or certainly contributed to these deaths.

The samples collected between 18 and 21 January indicated that the algal bloom had actually collapsed quite naturally, and it is thought that the photo oxidation caused by the hot weather prevailing at the time may certainly have been a contributing factor. As a result, the algal cell numbers in the lake returned to acceptable levels and the ban on recreational use was lifted. In this instance, luckily, no flushing of the lake was required. It is pertinent to say to the member that algal blooms appear to be a summer phenomenon, and even the experts have not been able to determine the absolute base for the appearance of the blooms as they are occurring at the moment.

The Water Catchment Board certainly has responsibilities in terms of water quality, but obviously this is a shared concern with the scientific community, which is still trying to come to terms with the nature of algal blooms.

**Mr HILL:** As a supplementary question, do we need another body or is the catchment authority sufficiently powerful to do the job?

**The Hon. D.C. Kotz:** I am afraid that, in all reality, another body will not solve this problem. It really is a matter of science catching up with the means by which algal blooms are determined and whether there is then a means of determining some form of solution. It is definitely an area that is not fully understood. The likely source is phosphate, possibly released from sediments during warm conditions. However, solving the problem will definitely not be easy, and I can only suggest to the member that at this time the technology is certainly not known.

**The CHAIRMAN:** There being no further questions, I declare the examination of the votes completed. I lay on the table a draft report of Committee A.

**The Hon. R.B. SUCH:** I move:

That the draft report be the report of the Committee.

Motion carried.

At 9.55 p.m. the Committee concluded.