HOUSE OF ASSEMBLY

Wednesday 7 July 1999

The SPEAKER (Hon. J.K.G. Oswald) took the Chair at 2 p.m. and read prayers.

FINFISH

A petition signed by 82 residents of South Australia requesting that the House urge the Government to impose a moratorium on the commercial taking of native finfish in the River Murray fishery was presented by Ms Maywald and Mr Venning.

Petition received.

GROVE WAY INTERSECTIONS

A petition signed by 1 550 residents of South Australia requesting that the House urge the Government to install traffic signals at the intersection of The Grove Way and Bridge Road, Salisbury East was presented by Ms Rankine.

Petition received.

PAPER TABLED

The following paper was laid on the table:

By the Minister for Industry and Trade (Hon. I.F. Evans)—

Emergency Services Funding Act—Notice and Committee's Advice.

PORT STANVAC OIL SPILL

The Hon. D.C. KOTZ (Minister for Environment and Heritage): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. KOTZ: Yesterday, in response to a question from the member for Kaurna asking if I had been offered a briefing on the oil spill by Mobil or if I had met with Mobil, I said that my answer to both questions was 'No' and 'No.' Reports on several media outlets last night and in the *Advertiser* this morning challenged the accuracy of my answer. Clearly, certain members of the Opposition chose to use the media to create a beat-up, implying that I was misleading the Parliament.

Members interjecting:

The SPEAKER: Order! The member for Hart will remain silent.

The Hon. D.C. KOTZ: It has all the hallmarks of 'Media Mike' muddying the waters or, in this case, perhaps oiling the waters.

Members interjecting:

The Hon. D.C. KOTZ: I wish to confirm—

Members interjecting:

The SPEAKER: Order! The Leader will come to order. Minister.

The Hon. D.C. KOTZ: I wish to confirm the total and complete accuracy of my answer to the question from the member for Kaurna. Instead of focusing on the important work that was done to clean up the spill, which is the area of significant interest, and the equally important joint investigation that is now under way, the Opposition has once again degenerated into playing petty politics and personal persecution. As usual, they have got their facts wrong.

A quick check of my office records, which are documented, confirms that only one call was received from Mr Glenn Henson of Mobil last week. This was at 11.09 a.m. on Thursday 1 July. The message he left stated, 'He called in regard to the oil spill. He wanted to know if the Minister required any further information about it.' This has been confirmed by Mr Henson in a written statement released today.

Contrary to media reports last evening, no doubt fuelled by those opposite, Mr Henson's call was returned that very day. My departmental liaison officer returned the call and spoke with Mr Henson's assistant. She was informed that Mr Henson was unavailable, but that she had the further information. This information comprised the current news releases from Mobil and a copy of a letter which was delivered to Aldinga-Sellicks Beach residents on Thursday morning. My staff member received the information which was then faxed to my office at 2.26 p.m. on Thursday 1 July. Mobil has realised a statement today stating:

> Mobil this morning moved to clear up confusion over discussions about last week's oil spill with the office of Mrs Kotz, the South Australian Minister for Environment. Following a review of records overnight, Mobil has confirmed that:
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> - a call was made from the office of refinery manager Glenn Henson on Thursday 1 July 1999 to the Minister's office asking whether the Minister required further information about the spill.
> - The Minister's office returned the call to the refinery and was faxed media release information plus a copy of a letter from the refinery to the Aldinga community.

It can be clearly seen that I was not offered a briefing last week, and I reject outright the outrageous claims that I have misled this Parliament.

Members interjecting:

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

The Hon. D.C. KOTZ: As Minister for the Environment, I was being informed fully of developments in relation to the clean-up effort, almost on an hourly basis, by officers of the Environment Protection Agency, who were working with the lead agency, Transport SA, on the operation.

The Hon. M.D. Rann interjecting:

The SPEAKER: I warn the Leader of the Opposition.

The Hon. D.C. KOTZ: Now that is a lie.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I ask the Minister to withdraw that inference of the lie.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I do not need assistance from the Leader.

The Hon. D.C. KOTZ: The word is unparliamentary, Sir, and I do withdraw. The word is 'untruth'.

Mr Clarke interjecting:

The SPEAKER: Order! I warn the member for Ross Smith for interrupting the House.

The Hon. D.C. KOTZ: I also wish to put on record that Mr Glenn Henson contacted my Chief of Staff this morning confirming the inaccuracy of the *Advertiser* article on this issue and to now offer me a briefing by Mobil.

Members interjecting:

The SPEAKER: Order!

Mr Foley: John, put her out!

The SPEAKER: Order! I warn the member for Hart.

The Hon. D.C. KOTZ: I want to outline very clearly the circumstances that now stand. A legal investigation is now under way into the events and circumstances surrounding the Mobil Refinery oil spill. That investigation will be used as the

basis to determine whether or not legal action should be taken. The investigation should be able to proceed unimpeded and there should be no suggestion of interference with that process. It would be entirely inappropriate, therefore, for me to accept Mobil's offer throughout the period of this investigation. So, if the Opposition's further questioning relates to the Minister receiving a briefing from Mobil, the answer is categorically 'No.' Towards the end of today's statement released by Mobil, Mr Henson states:

Our primary concern following the spill is to continue to work with the EPA, Transport SA and the community to fully investigate the cause of this incident and to implement changes to minimise the risk of such an event occurring again.

Members interjecting:

The Hon. D.C. KOTZ: No, you don't like the truth coming out, do you? The Government shares this stated commitment, and it is a pity that the same cannot be said for the members of the Opposition.

LEGISLATIVE REVIEW COMMITTEE

Mr CONDOUS (Colton): I bring up the fifteenth report of the committee and move:

That the report be received and read.

Motion carried.

Mr CONDOUS (Colton): I bring up the sixteenth report of the committee and move:

That the report be received.

Motion carried.

QUESTION TIME

PORT STANVAC OIL SPILL

The Hon. M.D. RANN (Leader of the Opposition): Will the Minister for Environment and Heritage give this House an assurance that no pressure was placed on Mobil by the Minister's office, the Premier's office or any other Government agency to change Mobil's categorical statements yesterday that the Minister was offered a briefing by Mobil about last Monday's oil spill, or was the Minister more hands on in protecting her own job than in protecting the environment?

The Hon. D.C. KOTZ: The one thing I do not need from the Leader of the Opposition is any intimidatory comments. I do not accept them from anyone, and I certainly do not accept them from you. Your comment is offensive, Sir—absolutely offensive. I categorically deny it. If any pressure was put on anyone, it was the comments that suddenly came to light in the media last night, where—

Members interjecting:

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

The Hon. D.C. KOTZ: —our office had to track down the circumstances to try to find the reasons for the statements being made. The pressure was put on us, not on Mobil, and anything that may suggest that it was, I categorically deny.

VOLUNTEERS

Mr HAMILTON-SMITH (Waite): Will the Premier inform the House of plans the Government has to embrace volunteers in South Australia, who number in excess of 250 000?

The Hon. J.W. OLSEN: There is no doubt that volunteers play a huge role in the broader community, one that all too often in the past has been taken for granted. They provide a range of services that the Government simply does not have the resources or capacity to provide. Volunteers make a personal sacrifice to help others, a personal sacrifice that is often taken for granted by the broader community. It is to the credit of this State that we have about 250 000 volunteers, one of the highest participation rates in the world. Only earlier this week, it was indicated by Sandy Holloway of the SOCOG committee that 1 300 South Australians had been prepared to volunteer to work with the Sydney Olympics, paying their own accommodation and travelling expenses to do so. It is the sort of support that we get for the V8 car race to enable us to stage events such as that so successfully. It is one of the great attributes of this State.

This year, as we head into the International Year of the Volunteer in 2001, the Government is putting aside $500 000 to support, first, a volunteer summit and, secondly, a program of grants for volunteer organisations. It has not been done in the past, but we are about to implement it. It is part of listening to the community—not in a token way where you cancel the meetings with the community when it suits you but drawing together those people who are at the coalface of volunteerism.

An honourable member interjecting:

The Hon. J.W. OLSEN: I understand why the member for Wright would be very embarrassed about her behaviour in relation to the meeting at which she left these 10 people standing at the front door in the cold. I will move on. By drawing together volunteers in this summit, up to some 600 people will be invited to participate at a forum in St Peter's Cathedral. Volunteers from across the State have been asked to attend and put to the Government the issues as they see them. I have already met with a key group of leaders in the field, and they are telling us they are suffering from a decline in numbers. Therefore, how do we as a Government help in that area? We want to address the issue and others that may be raised to facilitate support and demonstrate to the volunteer community that we are listening and will act upon recommendations and suggestions from that section of the community.

It is interesting that we have so many volunteers in this State and, as I have mentioned, one of the highest participation rates in the world. We are proud of that fact and the fact that it is voluntary—unlike, I might add, with the ALP, where you are forced to join, sometimes without even knowing about it. Take the example of the member for Peake's electorate. They are sending out letters to people saying—

Mr KOUTSANTONIS: I rise on a point of order, Mr Speaker. Sir, could you please explain to me how the Premier has responsibility for my sub-branch?

Members interjecting:

The SPEAKER: Order! The member for Fisher will come to order. I uphold the point of order in that matters referring to the sub-branch are not in the context of the question asked.

The Hon. J.W. OLSEN: I want to draw a contrast, for the benefit of the House, between volunteers and how people voluntarily undertake community service and action and the member for Peake and some of the people associated with him here. I am not talking about his sub-branch. The ALP has sent out a letter that states:

Dear member, Congratulations. You are now a member of the Australian Labor Party, SA Branch. Your sub-branch secretary will be contacting you shortly about your local sub-branch meeting and functions.

That is great, if you had chosen to be a member in the first place—that is, if you had voluntarily signed up. But the person that I refer to did not choose to become a member of the West Torrens sub-branch in the member for Peake's electorate. The letter came out of the blue—and I have left the address there, but blotted out the person's name, for obvious reasons.

This is the way in which we see volunteerism being abused in the broader community. If numbers are so bad that the Labor Party is having to sign up members without those people knowing that they are becoming members of the Labor Party in South Australia, no wonder there are some rumblings about Party branch stacking. I bet that the meeting in the Prospect RSL hall does not get cancelled, as did the one in the member for Wright's electorate recently. I look with interest to reading newspaper reports as to how many people turn up at the Prospect RSL hall for this meeting about the way in which the ALP is going through some difficulty getting members and signing up people who had no idea that they had paid the fee to become a member of the Party.

In 1995, the South Australian Government helped establish the School of Volunteer Management, which is a training facility for those who supervise and work with volunteers. Over 100 managers have been trained, and we have provided scholarships for volunteers to attend, and still do. That policy that has been put in place, dovetailing into the policies that we are announcing now with this volunteer summit and with the work forums that will take place at the Convention Centre at the end of September, are designed (as is the policy of the School of Volunteer Management) to underpin, support, reward and acknowledge what volunteers are doing in the broader community. They provide an invaluable service, a service that Governments simply could not afford to pay for in a professional sense. I want to acknowledge, on behalf of the Government, the work undertaken by volunteers, its importance and how we intend to give encouragement and expansion to volunteerism in South Australia in the future.

PORT STANVAC OIL SPILL

Mr HILL (Kaurna): My question is directed to the Minister for Environment. Given the Minister's repeated statements that last Monday's oil spill off Port Stanvac was the responsibility of Transport SA, did Transport SA offer a briefing to the Minister or did the Minister request and/or receive a briefing from the agency prior to her departing the State early last Thursday morning and, if not, why not?

The Hon. D.C. KOTZ: I think it would be quite obvious, in a circumstance and event such as we have seen over the past week, that I can certainly confirm that the Hon. Diana Laidlaw MLC and I have had general discussions on this matter. However, as I have repeatedly said, I have been kept briefed and updated by the expertise of the officers within my department, who at all times have been working hand in hand with Transport SA.

VOLUNTEERS

The Hon. G.M. GUNN (Stuart): Can the Deputy Premier advise the House of the importance of volunteers to regional and rural South Australia and of the important role played by these many volunteers in rural areas? Many city people would not be aware of the great service given by these people.

The Hon. R.G. KERIN: Given the member for Stuart's length of time in this place, I cannot tell him a lot about the effort that people put into volunteering and the importance of that in our rural communities. The Premier has acknowledged the importance of volunteers, and I would like to follow that up by speaking briefly about the vital importance of that to our country towns and our regional communities. It is very much the fabric of life in country towns. Not only do we find, as in the rest of the State, that we have a lot of very dedicated individuals but also in a lot of country towns whole families are involved in multiple voluntary organisations, and they make an enormous contribution. It is very much a part of their lives that they participate in these roles.

These people are involved in the obvious and very important roles within the CFS, St John, Meals on Wheels, Neighbourhood Watch, Rural Watch, and hospital and school boards, as well as in many other areas. There are over 300 Landcare groups in country areas. We have soil boards and pest and plant control boards and, within natural resource management, volunteerism is a factor that makes an enormous contribution. I put to the House that these people are the real environmentalists in South Australia and they make an enormous contribution in time and resources and, in many cases, they spend their own money to achieve good outcomes.

One voluntary activity that is pretty special to many country towns involves the show societies. It is not well understood that there are within those show societies groups of people who spend weeks beforehand preparing the grounds and doing the other jobs that make the shows come together. That is an enormous voluntary effort. Usually there is only one part-paid secretary and the rest of the work is done voluntarily. Those shows are central to country life and are enjoyed by many visitors. Whether it be the tuckshop, the well-known country trading tables in the towns (which are mainly held on Fridays), on the fire truck, the revegetation project, or on the sportsfield, volunteers can be found. With sporting activities, one of the factors is the enormous distances that parents and other volunteers must travel to allow young people, in particular, to play. Their efforts make an enormous contribution, and this Government, through the volunteer strategy that it is putting together, is seeking to better meet the needs and listen to the ideas that these volunteers have so that we can help them to continue to make that enormous contribution.

PORT STANVAC OIL SPILL

Mr HILL (Kaurna): My question is again directed to the Minister for Environment and Heritage.

The Hon. J.W. Olsen: Boring!

Mr HILL: She is boring, Premier, I agree. Why was it so important that the Minister leave Adelaide 13 hours prior to her dinner with Environment Ministers in Hobart last Thursday night when she could have stayed to receive a briefing and inspect the oil clean-up at Silver Sands Beach? The Minister left Adelaide at 6 a.m. last Thursday, which would have had her arriving in Hobart at 9.25 a.m., which was 9½ hours before a 7 o'clock dinner. According to Ansett and Qantas, there were several other flights from Adelaide that day that would have enabled the Minister to arrive in Hobart in plenty of time for the dinner and also to visit Silver Sands. Minister, were you running away or inspecting Hobart's beaches?

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. KOTZ: Thank you, Mr Speaker. It is really becoming quite pathetic. In terms of the day that the honourable member is talking about, Thursday 1 July, I remind the House that on that day the clean-up was almost completed. Friday was a mop-up.

Mr Hill interjecting:

The Hon. D.C. KOTZ: Excuse me. I ask the member to refer to Mobil's press release, which was issued at 6 o'clock that evening and which suggested that the clean-up was completed. That is the first point: Thursday, it was completed.

Ms White: How was the shopping, Dorothy?

The Hon. D.C. KOTZ: If only I knew. That would have been tremendous.

The Hon. M.H. Armitage: Just be careful. There are a few other things that we could bring up—

The SPEAKER: Order, the Minister for Government Enterprises!

Members interjecting:

The SPEAKER: Order! There is a point of order.

Mr KOUTSANTONIS: A Minister on the front bench is threatening members of Parliament.

Members interjecting:

The SPEAKER: Order! There is no point of order. I remind members that a sensitive series of questions is being asked today. Members are inclined to revert to the old tactic of scatter gun interjections. The Chair will not tolerate it. If members want to be removed, they are going the right way.

The Hon. D.C. KOTZ: I am very happy to put into context my movements and time and effort throughout that particular week. I also point out to members in this House that on Wednesday of that week, from 11 a.m. until 10 p.m., I was sitting in this Chamber being asked nonstop questions by the member for Kaurna who, at that stage, as a result of his own incompetence, could not lay a finger on the Minister in all the hours that I sat in this Chamber answering questions. The only thing that has been favourable to this Opposition happened to be a disaster, and that was the oil spill.

Not one other comment has emerged from the hours that I sat here as Minister for Environment and answered the questions the member for Kaurna had in his folder, each and every one attached to an *Advertiser* newspaper cutting. That was the type of research undertaken by the honourable member before coming into this Chamber for 11 hours. However, having arrived home by midnight—

An honourable member interjecting:

The Hon. D.C. KOTZ: I was up at 6 o'clock but we did not catch a plane at 6 o'clock: we caught a plane at 8 a.m. which arrived, via Melbourne, in Hobart at approximately 1.30. We immediately had briefing sessions in two different ministerial council portfolio areas: ANZEC and the National Environment Protection Council. Those meetings lasted until 6 o'clock in the evening. At 8 p.m. we had a ministerial dinner at which all other aspects of the agenda were covered. At 9 the following morning I had a meeting with the Victorian Minister over the Murray-Mallee partnership that was signed—

An honourable member interjecting:

The Hon. D.C. KOTZ: No; the Murray-Mallee partnership which protects approximately 2 million hectares of vegetation.

Members interjecting:

The Hon. D.C. KOTZ: The honourable member got it wrong, again. Immediately after that two meetings commenced, one at 11 a.m. and the other at 11.30 a.m. We attended the forums from 11 o'clock. We finished at 10 to 4. We left the hotel, went straight to the plane and arrived back in Adelaide at 8.10 p.m. I was gone for 48 hours and, in all that time, I continually received briefings in Hobart. One of the last briefings I received was actually in the Hobart airport, which was the other Mobil release and which updated the size of its spill. So, please, in all the time I have been involved in this it has been work related. I just wish there had been some time for shopping.

Members interjecting:

The SPEAKER: If the member for Schubert would stop interjecting, he would hear his call. The member for Schubert.

VOLUNTEERS

Mr VENNING (Schubert): Will the Minister for Police, Correctional Services and Emergency Services inform the House about the importance of volunteers in the provision of emergency services in South Australia?

The Hon. R.L. BROKENSHIRE: I thank the member for Schubert for his question and I know how much he appreciates the volunteers who do such great work in his area. A one word answer would be 'vital'. Volunteers are vital to the provision of emergency services. Whilst, of course, Opposition members want us to sit down, I have never seen them put anywhere near the support into volunteering that our Government is putting in. I know they are ashamed of that and therefore want us to sit down. We will not sit down; in fact, we will do more for volunteers in the future.

To give the House a couple of examples of just what a great job volunteers do for South Australia, I mention the recent hailstorm disaster in New South Wales. A fax one afternoon from the New South Wales Director to my Director requested that 50 SES volunteers be urgently commissioned to assist in Sydney because South Australian expertise was needed in terms of vertical rescue. Within a few hours of that fax, I am delighted to advise that not just 50 volunteers put up their hands to participate but 59. That is one example of how great our volunteers are not just for South Australia but, indeed, for other States when it comes to supporting emergency services.

One of the greatest privileges I have as being Minister for Police, Correctional Services and Emergency Services is that of representing volunteers—in excess of 30 000 volunteers in emergency services alone in the CFS, SES, Volunteer Marine Rescue, surf lifesaving, St John, and the list goes on. On a regular basis at a second's notice these people are prepared to put their lives on the line without thinking about it to look after people in South Australia. Through the emergency services levy we have been able, after 24 years, to have emergency services volunteers calling out for dedicated funding so that they would be quarantined and have an opportunity for sustainable budgets in the future. Our Government has delivered.

One report last year and we delivered. Prior to that four reports were put into this Parliament. The Opposition had its opportunity to deliver for volunteers but what did it do? It does not mean that we are going to be able to deliver everything on everyone's wish list in the first year with the new dedicated fund for volunteers, but it does mean that we are on the right track and we will work closely with all the emergency service volunteers to get their urgent needs met.

For example, many brigades throughout the State are not up to the standards of fire cover. That is not acceptable for volunteers and we are working on addressing that. I refer to bandaids in operating their radio networks at Bute and on Yorke Peninsula, Eyre Peninsula and the South-East, where the radio network is the most vital piece of equipment for emergency services volunteers.

Finally, what we are now doing in emergency services is looking at volunteer support programs. We are looking at building that recognition for those volunteers and later this year there will be significant announcements around emergency service volunteers that will lift their recognition and support and ensure that further training and opportunities are provided for those volunteers as they continue to protect life and property in South Australia. Volunteers in emergency services are vital and our Government is doing everything in its capacity to ensure that we support them further in the future.

PORT STANVAC OIL SPILL

Mr HILL (Kaurna): Is the Minister for Environment satisfied that under self-regulation the operating procedures, environmental safeguards and the monitoring and clean-up equipment required in any marine emergency in ship to ship transfers of oil off Port Stanvac are adequate, and what briefings has she been given about the environmental risks of this new oil transfer method? Three weeks ago Mobil announced that it was starting ship to ship transfers in Gulf St Vincent, which the Australian Conservation Foundation said would be 'courting disaster'. It was reported that the EPA and Transport SA had been helping to plan the new transfer plans for the past 12 months. The Opposition has now been informed that ship to shore transfers are occurring without an emergency safety valve.

The Hon. D.C. KOTZ: I thank the honourable member for another question out of a local newspaper. The answer has been given in my ministerial statement. The investigation that is under way will review all procedures.

Members interjecting:

The SPEAKER: Order! The Minister will not carry on a conversation across the Chamber.

DISEASE PREVENTION

Mrs PENFOLD (Flinders): Can the Minister for Human Services advise the House how the Government is working to prevent disease through immunisation and screening programs such as those offered through breast screening and the new melanoma unit at the Royal Adelaide Hospital?

The Hon. DEAN BROWN: I am delighted to get this question from the member for Flinders because it highlights a number of programs that the Government has had in place to carry out effective screening programs, particularly for people most at risk in the community. I highlight to the House just some of those screening programs. The first is for cervical cancer. It is amazing to see that the number of cases of cervical cancer in the community and the number of people dying each year from cervical cancer is dropping in South Australia. It is a good news story in terms of the effectiveness of screening programs. It goes back to the people who, over the past 20 years, have introduced in this State one of the most effective cervical cancer screening programs that you would find in any State of Australia.

A more recent program has been Breast Screen, the screening program for breast cancer. Again, this State can be proud of the fact that we have a higher percentage of women involved in that screening program: about 63 per cent of all women in South Australia now are screened within the at-risk age group. Again, the clear evidence is starting to come through that the early detection of breast cancer has therefore reduced the incidence of death through breast cancer within our community. Again, it highlights the benefit of those screening programs in very effectively reducing the incidence of death.

The third area relates to melanomas. This is an area that should be of great concern to the whole of Australia, which has the highest skin cancer incidence in the entire world. Two thirds of all Australians at some stage in their life will have skin cancers removed. Clearly, we need to put in place much more effective programs. The first advice is that the at-risk group should in fact be checked at least once a year. That means anyone over the age of about 40 to 45 years of age should go off to their GP and make sure that their GP refers them to a skin specialist, because the incidence of skin cancer is unacceptably high within Australia.

The second part is the program that we have in place, a very active program now starting in the schools, to make sure that students, and in fact anyone who goes outside on a regular basis, apply a sun block. The advice now of skin specialists is that everyone should apply a sun block every day of the year, including winter. Whether they are working inside or out, the risk is always there, even when sitting in motor vehicles and areas such as that.

Last Friday I had the pleasure to be involved in the opening of the new melanoma unit here in Adelaide. It is recognised as one of the most important units, now ensuring that there is very comprehensive treatment for melanomas in South Australia. It was derived out of the Sydney melanoma unit, which is regarded as the best in the country. As part of the opening, we had a seminar, and we were fortunate to be able to link into the John Wayne Cancer Institute in Los Angeles and have the latest in input—I might add for the honourable Minister responsible, through new telecommunications, when the entire presentation was conducted with two key speakers through teleconferencing facilities. It was as good as if they were there. As I pointed out in thanking them afterwards, the only thing they could not do was taste our good wine.

It is a tribute to the people at the University of Adelaide and the Royal Adelaide Hospital that they now have established this Adelaide melanoma unit of a world class standard. I want to highlight, though, that, as a community, we must not be complacent at all. Last year, 39 men and 22 women died from melanomas. Last year 302 new cases were diagnosed for men and 277 new cases for women. The incidence of melanoma in the community is increasing by about 4 per cent a year.

The fourth area, and that which is most difficult in terms of screening programs at present, is that of prostate cancer. It is extremely difficult at this stage to put in place an effective screening program for that, although excellent research is being carried out at the Flinders University looking at the most appropriate types of treatment for prostate cancer.

The other area that we are starting to push very strongly, particularly with respect to men in country areas, is to make sure they have a routine check for blood cholesterol levels. Again, the incidence of heart disease within Australia is

extremely high. The incidence of death through heart attack has been falling, but through regular testing, particularly again for the at-risk group, you can get in there and take appropriate action earlier and reduce the incidence of death amongst the people involved.

So, this State has a very active program in terms of the screening of people, and those programs are now seen to be very effective in starting to reduce the incidence of death through those diseases.

NUCLEAR WASTE

Mr HILL (Kaurna): My question is directed to the Deputy Premier. Has the State Government agreed to locating a nuclear waste dump in South Australia that would make the State the repository of all the nation's low level and medium level radioactive waste and, if so, when and why was this decision made? South Australian Senator Nick Minchin has issued a progress report on drilling to locate a site for a national radioactive waste repository. The drilling is taking place exclusively in South Australia. The Senator's statement makes no mention of consultation with the State Government, but he told a press conference today that construction of the dump would begin next year. Last week the Deputy Premier told the Estimates Committee that the State Government 'had not given the okay for the low level and short lived medium level dump'.

The Hon. R.G. KERIN: I rather anticipated this question, to a fair extent.

Mr Foley interjecting:

The Hon. R.G. KERIN: No, we haven't. Today was actually the launch of stage 3, entitled the National Radioactive Waste Repository Site Selection Study, which is a report on the public feedback received as the Commonwealth Government went about the correct consultative process with the communities in areas in which it is looking. I take the opportunity once again to remind the member for Kaurna and his colleagues of the fact that at least the Coalition Government federally is going through a correct process of giving the community a say on what happens with this radioactive waste repository. We have not agreed to anything: we have agreed to talk with the Federal Government and to allow it to take the steps of the consultation, the drilling and whatever.

The member for Kaurna seems to hint at the fact that we are going into this too quickly. I remind the honourable member of the history of this issue, since it was first raised in 1986. Some of the members of the Labor Caucus might do well to listen to this, because it is some interesting history of which they should be aware. The issue was first raised in 1986 by the Federal Labor Government in consultation with the State Labor Government. In 1991 the Federal Labor Government sought a further site selection study. Again, the State Labor Government gave full cooperation. On 21 October 1991, Deputy Premier Hopgood wrote to the Commonwealth endorsing the need to develop a site. In April 1992, the Federal Minister, Simon Crean, wrote to the South Australian Premier saying:

> The Commonwealth Government strongly supports the prospects of radioactive waste disposal at Olympic Dam and would welcome South Australia's support for the study.

The former State Labor Government gave that support and, of course, the current Leader was a member of that Cabinet. In December 1992, the former South Australian Minister for Health (Hon. Mr Evans) presented a detailed summary to Cabinet on all developments and advised that a preliminary study had been completed on the proposal to use the Olympic Dam site. Cabinet endorsed the continuation of the negotiations, which is consistent with what we are doing at the moment.

In September 1993, the Premier (Hon. Lynn Arnold) signed into Cabinet a note that briefed Cabinet on the latest developments. The note also referred to the issue of a temporary storage site at Range Head near Woomera. The Labor Government never at any stage opposed either the moves to identify a permanent disposal site (including the detailed consideration of South Australian sites) or the Commonwealth's proposal for a temporary storage site in South Australia. In fact, in early 1995 the Federal Labor Government initiated the transfer to South Australia for storage at Woomera of radioactive waste that had been stored at the St Mary's munitions factory of the Australian defence industry since 1979. And we all remember well the amount of consultation with the State that there was at the time, which was zero.

Since that time there has been continuing work to identify a permanent site with full consideration given to a potential environmental impact. So, any claims of lack of consultation with either the State or the community by the current Government is misplaced, and from the history of this I expect that the ALP will continue down a bipartisan path of supporting the Federal Government and having a good look at where the most responsible site is for this storage.

POLICE AND FIRE GAMES

Mr LEWIS (Hammond): My question is directed to the Minister for Tourism. Has the Government made a bid for the 2005 World Police and Fire Games and, if so, what is the total estimated cost of the bid to the Government, what is the likely cost to the Government of staging the games and what are the benefits?

The Hon. J. HALL: I thank the member for Hammond for his question, because it is of great interest to all members of this House what events will take place in Stockholm next Wednesday and the implications for the State. Adelaide and Quebec City have now been short-listed as the final two bidders for the 2005 World Police and Fire Games, and the delegation that will present Adelaide's bid in Stockholm is as follows: the Governor of South Australia, Sir Eric Neal; the Police Commissioner; the Metropolitan Fire Service Chief; two very special officers from the Fire Brigade and from the Police Department (and I will make mention of those officers in a moment); myself and the Chief Executive of the South Australian Tourism Commission Mr Bill Spurr. The event itself is of great significance in the sporting community because not only do law enforcement officers and firefighters—

An honourable member interjecting:

The SPEAKER: Order! The member for Peake will remain silent.

The Hon. J. HALL: —from around the world compete in this event, but it is larger than the Commonwealth Games in terms of numbers of competitors, and it is just minimally fewer in terms of numbers than would end up in one city for the Olympic Games. It is enormously important for us to understand the significance if we are successful in our bid. As I said earlier, there were more than 9 000 competitors, and it is worth knowing the comparison. In Kuala Lumpur there were only 5 000 competitors, so it is nearly double that size. I am sure the member for Hammond in particular would be

delighted to know that the early estimate of economic impact on the State is in excess of $25 million. That is pretty significant, because the competitors and their families who choose to come to participate in and be involved with the games travel around the State they visit.

Mr Clarke interjecting:

The SPEAKER: Order! I warn the member for Ross Smith for the second time.

The Hon. J. HALL: It is pretty important for the tourism industry because it is not just the capital city that benefits in a case such as this: it is all the regions. I know that the member for Hammond would be absolutely delighted if some of the competitors and their families ended up travelling along the magnificent Murray River.

An honourable member interjecting:

The Hon. J. HALL: Yes, shooting at Monarto, I have been told about. One of the things of great interest is that more than 55 events are involved in this competition. Some of them seem to be fairly unlikely, although some of them are listed with the Olympic Games in terms of the straight sports. Members might be interested to know that they have various strength events, and I am told the one that is hotly contested is wrist wrestling. There is also horseshoe throwing, body-building, motocross and police service dogs events. We may laugh at those, but they are important to the international camaraderie of the police officers and firefighters, and they are guaranteed to attract thousands of spectators when these events and activities take to the stage.

One of the aspects of these games which is very important—particularly given some of the answers that have been given earlier—concerns the number of volunteers that will be involved in the staging of the games, and the current estimates are that between 3 000 and 5 000 will be involved, and that is a great tribute to South Australia, because already they have had commitments from members and families involved with the South Australian Police Force and retired officers and also the firefighters themselves.

The games themselves have an enormously positive impact not just in terms of economics for our State but because of the extraordinary media coverage that goes across the world. Mr Speaker, I am sure that you would be delighted to know that some of the cities that have hosted this over the years are quite interesting. These games have been held in Vancouver, and they went to Melbourne in 1995. As members know, they are being held in Stockholm this year, in Indianapolis in 2001 and in Barcelona in 2003.

Of course, I know that all members of the House will wish the delegation well when it puts in its bid next week. However, I think it is important to note that the investment that this Government is making in major events—and all that that means for the State—is very significant. I know that we have had great support from individual members of this House for the staging of the Tour Down Under and the Sensational Adelaide 500 and, of course, this has built on our enormous reputation of being in the class of absolute excellence in staging games such as this. I hope that reputation takes us over the line when we make the bid next Wednesday.

There is always a fine balance to be reached in a position such as this, because it would be entirely unfair unrealistically to build up expectations that we are an automatic successful candidate. However, I know that I speak for many people when I say that I wish the bid committee well, as well as all those participants from the police force and the fire fighting service who have been involved for months and months to put together the most professional bid that I have ever seen. I think it is very important to know that the members of the two services have been deeply involved and that they have enormous support. I hope that we are enthusiastically greeted with the news on Thursday week that Adelaide has been successful.

FISHING QUOTAS

Ms HURLEY (Deputy Leader of the Opposition): Why did the Deputy Premier tell the Estimates Committee that it was the pilchard fishery working group that had allocated additional fishing quotas for 1999 to members of the Tuna Boat Owners Association when this was not true?

On 29 June, the Minister told the Estimates Committee that the decision to extend the pilchard fishing quota beyond 14 original permitted fishers to members of the Tuna Boat Owners Association for 1999 was made by the working group. The Minister said:

> . . . it needs to be remembered that it was the pilchard fishery working group that had all the stakeholders on it, including representatives of the 14 fishermen, who made the decision: it was not I.

The Opposition has minutes of the meeting of the pilchard fishery working group dated 27 November 1998. Those minutes state that it was agreed by a majority of that group that the catch for 1999 should 'only be allocated between the original 14 permit holders with an equal proportion for each participant'. On 3 June 1999, the Minister gazetted the pilchard quotas, giving 4 700 tonnes to the original 14 permit holders and 1 300 tonnes to the tuna boat operators.

The Hon. R.G. KERIN: With respect to the whole pilchard matter and the original decision, someone has obviously pored through things and tried to slot things in where they do not really fit.

An honourable member interjecting:

The Hon. R.G. KERIN: I will take members back a step or two. It was mentioned to me some time ago by certain people that if, in fact, I did not do certain things they would set me up; they would fix it. However, to go back a step or two, the original decision about allowing the ATBOA fishers in was made by the pilchard fishery working group, which includes the pilchard fishermen—all stakeholders. I disagreed with that decision. They then came back to me and said, 'Minister, how dare you disagree. This is our fishery. If we can all agree, let us make the decision.' And people with very mixed agendas are involved in this, I might add.

Last year, I requested that, in the event of another pilchard kill, where we had to reduce the quota, the 3 500 (which was the old quota) go back to the 14. I was told by the pilchard fishery working group that that should not be the case; that they were 'one in, all in'; and that any reduction should be applied across the board. The representatives of the pilchard fishery working group signed off on that decision. If the honourable member wants to refer to the ERD Committee report, she will see that it signs that off.

Ms Hurley interjecting:

The Hon. R.G. KERIN: I do not know which meeting is which.

The Hon. M.D. Rann interjecting:

The Hon. R.G. KERIN: That is absolutely—

The SPEAKER: Order! The Leader will contain himself.

The Hon. R.G. KERIN: The Leader of the Opposition has been a Minister, and I would defy him to remember what is in absolutely every set of minutes as they go back. When

there are people with other agendas who sift through the minutes of every meeting—

Ms Hurley interjecting:

The SPEAKER: Order! The Deputy Leader of the Opposition has asked her question. She will remain silent.

The Hon. R.G. KERIN: —and intersperse certain things when they are running a different agenda that has nothing at all to do with the health of the pilchard fishery, and when members opposite come in here and quote from questions that are fed to them, I cannot remember what the individual minutes said. My recollection about the quota for this year is that, because of the pilchard kill, it was decided that it would be put on hold until, first, we had further scientific advice and, secondly, the ERD Committee reported.

My recollection is all that I can work on. I am not being fed these things like members opposite are. All I have to work on is my recollection of the fact that there was the agreement of the pilchard fishery working group that, because we were going to go conservatively on the quota, it be pro rata to last year. That is my best recollection of it. I am not responsible for writing the minutes of any of the pilchard working group meetings. However, I will stand by what I said because that is my recollection. If other people are going to put the management of the fishery way behind their other agendas, that is not my problem.

Ms Hurley interjecting:

The SPEAKER: Order, the Deputy Leader of the Opposition!

CROYDON PARK PRIMARY SCHOOL

Mr CONDOUS (Colton): Can the Minister for Education advise the House how the funds from the sale of Croydon Park Primary School are being used to benefit local schools?

The Hon. M.R. BUCKBY: Members of this House may recall that Croydon Park Primary School was sold last week for $1.7 million. In fact, the valuation on that school was $800 000, so it was a very good price for the Government. In that article, members might have read that the member for Taylor called upon the State Government to be generous, given that the sale price had exceeded the valuation of what the department expected to get for the sale of the school.

It is with pleasure that I can report that we have indeed been generous, in fact, I would say very generous, so I will inform the House of the amount of money that has been spent on the cluster of schools that students have moved to following the closure of Croydon Park. Allenby Gardens, a school which was in extremely good condition, had $6 605 in estimated cost and that expenditure has been undertaken on minor works on a classroom upgrade and painting. For the Challa Gardens Primary School, the estimated cost was $743 168. To date, $493 000 has been spent at that school. At Kilkenny Primary School, $494 852 was the estimated cost, and to date $356 000 has been spent there. For Croydon High School, the estimated cost was $1.987 million—

Mr Atkinson interjecting:

The Hon. M.R. BUCKBY: I would suggest that students who finished year 7 and then moved on to Croydon High School would have gone on. At Croydon High School, $1.921 million has currently been spent. The estimated cost was $3.231 million and to date we have spent $2.776 million on those four schools, and there is some work yet to be undertaken. I suggest that the Government has been extremely generous in terms of the amount of money that has been spent within that cluster of schools following the closure of Croydon Park.

PILCHARDS

Ms HURLEY (Deputy Leader of the Opposition): My question is directed to the Deputy Premier. Who told the Deputy Premier, incorrectly, that the pilchard fishery working group had decided to allocate part of the 1999 catch to the Tuna Boat Owners Association, given that the Minister was briefed on the agreed decisions of the working groups in November 1998? The minutes of the meeting of the pilchard fishery working group, dated 16 December 1998, states that in relation to the catch the Chairman, a departmental officer, advised the working group:

> . . . that the Director had briefed the Minister on the agreed decisions of the working group.

The Hon. R.G. KERIN: I am not too sure of the import of this question as to who told whom what.

Members interjecting:

The Hon. R.G. KERIN: The actual decision—

An honourable member interjecting:

The Hon. R.G. KERIN: I am not the least bit embarrassed because of the fact—

Mr Conlon interjecting:

The Hon. R.G. KERIN: What certain people—

Mr Conlon interjecting:

The SPEAKER: Order! I warn the member for Elder for the second time.

The Hon. R.G. KERIN: Give us a go and I will explain it. I will go back a step or two because it is pretty important that people understand this. The pilchard fishery working group is the representative body of the industry that is doing excellent management—

Ms Hurley interjecting:

The Hon. R.G. KERIN: Could I just have a go, please? I will start again. The pilchard fishery—

Mr Foley interjecting:

The Hon. R.G. KERIN: I think it is important that you understand this, Kevin.

Members interjecting:

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

The Hon. R.B. Such interjecting:

The SPEAKER: Order! The member for Fisher will also come to order.

The Hon. R.G. KERIN: We should explain because I do not think it is a very good idea for members of Parliament to get sucked in by interest groups to ask certain questions that are all about vested interests. When the pilchard fishery working group met in the previous season to set the allocation it put to me a set of circumstances and recommended a new quota of 11 000 tonnes. The group recommended that 8 000 tonne go to the current fishermen and the bulk, which is 3 000 to 3 500 tonnes, go to the Tuna Boat Owners Association. The group recommended that the catch be allocated in that way. I was of a different opinion. I thought that we might—

Ms Hurley interjecting:

The Hon. R.G. KERIN: Just quieten down; I will get there.

Mr Venning interjecting:

The SPEAKER: Order! I warn the member for Schubert.

The Hon. R.G. KERIN: I recommended to the working group that I thought it might be a better idea to put that excess quota out to tender, and for that tender to cover some of the contingencies that we may well need if we have another

pilchard kill. The Pilchard Fishermen's Association was signatory to a letter which was sent to me and which stated, 'No, we want this split.' I then put to that group that I felt that if we reduced the quota back to 3 500 tonnes that it should go back to the 14. That group was a signatory to a letter which was sent to me and which said, 'No, if the quota falls below 3 500 tonnes or, in terms of that last 3 500 tonnes, it is one in all in. It should be shared across the board.' That is absolutely consistent with the position that was put down for this year. Some people, after signing off on a couple of decisions, went around to the back door and tried to change the decisions by other means.

Ms Hurley interjecting:

The Hon. R.G. KERIN: The ERD Committee report goes through a lot of this chapter and verse and its findings, which the shadow spokesperson—

Ms Hurley interjecting:

The SPEAKER: Order! The Minister will resume his seat. I warn the Deputy Leader for the third time. I remind you that your argument is with me for interjecting. I am asking you to desist; I am not interested in whether you agree or disagree with the Minister opposite. You are on a third warning; the next you will be named.

The Hon. R.G. KERIN: The ERD Committee has gone through all of this. This matter has been before a parliamentary committee. The Hon. Paul Holloway in another place went on radio and said that the report is highly critical of the Minister. I defy anyone to find one word in that report that is critical of the Minister. The report says that management decisions should be taken away from the pilchard fishery working group. That is what the report says. That is a sad indictment on the maturity of that industry because—

Mr Venning interjecting:

The SPEAKER: Order! I warn the member for Schubert for the second time.

The Hon. R.G. KERIN: —that is the way in which we successfully manage the rest of our fisheries. As to what happened here today, with more questions, as was the case in the Estimates Committee, it is proof of what the ERD committee has said, namely, that people in the fishery and on the pilchard fishery working group who are not up to making those decisions. This will give me even more food for thought when we consider the recommendations and decide what we do with the future of this fishery.

POLICE, COUNTRY

Mr MEIER (Goyder): Can the Minister for Police, Correctional Services and Emergency Services provide an update on police resources in country areas and, in particular, can he refute claims that police numbers in country areas are down? I was recently approached by the Area Coordinator of the Moonta and Districts Neighbourhood Watch, who was concerned that the number of police officers at Moonta Police Station has been down by one since February this year.

The Hon. R.L. BROKENSHIRE: I thank the member for his question and I appreciate the support he gives as the local member to the police officers on Yorke Peninsula. It has been interesting to listen to the members for Elder and Wright recently. I am never quite sure which one is the Opposition police spokesperson. Sometimes I think it is the member for Elder and at other times I think it is the member for Wright. I recommend that—

Members interjecting:

The SPEAKER: Order! I warn the member for Elder for the second time.

Members interjecting:

The SPEAKER: Order! I correct that: I warn the member for Elder for the third time.

The Hon. R.L. BROKENSHIRE: I would recommend the member for Wright as the shadow spokesperson. Again, I cannot see the Leader of the Opposition in the House, so he—

Members interjecting:

The Hon. R.L. BROKENSHIRE: Oh, he is there. He has moved across to our side! The important thing is that the members for Wright and Elder listen to the answer, unlike the Labor Listens campaign when I heard the member for Wright talking on radio when 'Media Mike' was not available because it was not a good news story for him. The member for Wright said that she understood that no-one turned up at a meeting.

Mr HANNA: Mr Speaker, I rise on a point of order. I refer to Standing Order 98: this answer is not relevant to police in the country.

The SPEAKER: Order! There is no point of order. I ask the Minister to keep on the question, and I remind persons with cameras that they will focus on the member speaking and not on other conversations that are being conducted around the Chamber.

The Hon. R.L. BROKENSHIRE: Thank you, Mr Speaker. I report to the House that in 1994-95 there were 589 officers in country South Australia. In 1997-98 that figure increased in the country to 658 officers, an increase from 589 officers. Also, there has been an increase of five police aides and eight additional public servants during that time. As most members would know and acknowledge, although some would like to misrepresent the facts, in the time I have been the Minister responsible for police I have been able to announce 140 recruits coming in next year, 110 the year after and another 110 the year after that. I am delighted to report to the member for Goyder that as that recruitment goes through some of those officers will go out into country positions.

I refer to frustrations that have occurred in the past, and this again highlights how our Government has been prepared to go forward, work forward and look forward with some vision, as opposed to the position under the Labor Party, which worked with the 1954 Police Act. Again, the Labor Party was working in the dim dark ages.

On 1 July the new Police Act came into being, and one of the great things about that and one of the frustrations until then for me as Minister was that on numerous occasions, particularly in rural and regional South Australia, we had to wait for over a year for an appeal process to get a replacement for a police officer. That appeal process has held up the opportunity to get police officers into some country positions. I am delighted to report to the member that from 1 July, instead of waiting a year for replacement of a police officer, we will have to wait only 28 days under the appeal processes.

It is efficiencies like that, such as stopping police officers from carting prisoners around, getting police officers away from speed cameras and stopping 45 000 false alarm calls to police, which allow this Government, which has never had financial luxury, thanks to the mismanagement year in and year out of the Labor Party which could not, as Gordon Bilney said, manage a chook raffle, let alone manage the South Australian economy, to take such positive action. That is what Gordon Bilney thought of his own Labor Party, and

I say to every South Australian that that truth by Mr Bilney is correct because the Labor Party could not manage the State Bank or the South Australian economy, and I would not even allow it to manage a chook raffle.

This Government has done the best it can with its resources. We have capitalised on modern opportunities and gone forward, and in the future, through Focus 21, these benefits will apply not only for the member for Goyder and the Yorke Peninsula police but also for the member for Hammond and every other member in the House.

GRIEVANCE DEBATE

The SPEAKER: The question before the Chair is that the House note grievances.

Mr HILL (Kaurna): Today, I wish to speak about the Port Stanvac oil spill. Dorothy Kotz, the Minister for Environment and Heritage, is in trouble over the oil spill issue and she does not know why—and that is part of the problem. She is in trouble because of her failure to show political leadership when it was called for. This is not a one-off occurrence but is part of a consistent pattern of behaviour by this incompetent Minister.

Mobil has said that the oil spill was a disaster. The Minister has said it was a disaster. What does the public look for during a disaster? It looks for leadership. What did it get from Minister Kotz? It got the Helen Shapiro defence: 'Not, not, not responsible.' This is her normal response.

When I have asked her about mining in Yumbarra Conservation Park she says, 'Not, not, not responsible.' When I have asked her about radioactive waste storage in South Australia she says, 'Not me, not, not, not responsible.' When I asked her about dead pilchards on our beaches or about environmental concerns at Inkerman and Dublin, about cryptosporidium and giardia in our reservoirs, she says, 'Not, not, not responsible.' When first confronted with the issue last week the Minister should have said:

> This is a terrible thing. As Environment Minister I will make sure it is fully investigated. Everything will be done to clean it up and no oily stone will be left unturned to prosecute the offender. What's more, I will bring all the parties together to plan ways of ensuring that it doesn't happen again. Now I am going down to Silver Sands to inspect it personally. Come with me and let's have a look.

Instead, this is what the Minister did: on Wednesday, she said it was not her responsibility—the Helen Shapiro defence—rather, it was the responsibility of Transport SA. She said she had not read the report into the 1996 oil spill; then she said that the report did not exist; and now she refuses to release the report without an FOI application being processed.

The Minister failed to have a meeting or a briefing with Mobil, and today in the House she is splitting hairs about whether or not a briefing was offered. However, interestingly in a response to a question from the Leader, the Minister did not deny that she or her office had spoken to Mobil. I would like to know if anyone from the Premier's Office or the Minister's office spoke to Mobil following the categorical statements made by Mobil's spokesperson to change her story to get the Minister off the hook.

The Minister failed to inspect the beach, preferring to fly off to Tasmania, rather than driving down the coast to Silver Sands. She flew off and, on her own admission, had a couple of briefings with persons unspecified. I want to know why these briefings were more important than briefings from Mobil and a visit to the site, which was still being cleared up on Thursday morning. With better time management, the Minister could have managed both. The Minister said:

> I can certainly tell you that I haven't been down to look at the oil spill and there's no—no real reason that I actually should.

Then the Minister tells the media that Mobil had been fined $24 000 for the 1996 spill, later embarrassingly having to correct her story because, in fact, in 1998 it was another sort of spill. What a pitiful effort by this Minister. No wonder she is in trouble. No wonder she had that feeling of impending doom. Yesterday, the Premier said he had confidence in the Minister, but we had to force it out of him. If he does have confidence in her, he is the only one. She has lost the confidence of the conservation movement; she has lost the confidence of the farming community; and she has lost the confidence of her own department. Even the member for MacKillop says the Minister is not competent. We also know that her staff are telling strangers that she is finished.

The *Advertiser* today describes the Minister's role in these terms:

> But the Government has been left with its own mess, thanks to the less than brilliant work by the Environment Minister.

What an understatement! The *Advertiser* continues:

> The Premier, Mr Olsen needs to take control. Mrs Kotz needs at the very least a sharp lesson covering ministerial responsibility.

We all know what that lesson is, and that it is only a matter of time before the Premier delivers it.

The Hon. R.B. SUCH (Fisher): The first topic I would like to address is the matter of cadets in schools. I am talking about a new style of cadet offerings, not a resurgence of the old approach to cadets in schools. It is a program that has been very successful in Western Australia and Victoria, and only recently the Queensland Government announced the provision of cadets, in particular naval cadets, in some of its schools. I certainly include the military cadets—Army, Navy and Air Force—and I also include CFS, SES and St John Ambulance, as well as scouts, girl guides, boys' brigade, girls' brigade, and the list goes on.

There are many advantages in having cadets in high schools. I need not outline all of them but I will just touch on some. I am not talking in terms of the military cadets being involved with firearms or combat type activities. Similar sorts of activities that would occur in those groups would occur in other groups, and these include learning about bushcraft, camping skills, occupational health and safety, first aid, physical fitness—all of the sorts of things that are important life skills, and are very much favoured by teenagers, despite what many people think about teenagers. One only has to look at teenagers and the way they readily accept working at some of our fast food outlets in uniform to see that teenagers enjoy structure and the company of their peers. They like a challenge and they like a sense of belonging.

I urge our Government to access some of the subsidy money which is available from the Commonwealth in terms of the military-type cadets, but also hopefully out of the emergency services levy or possibly out of any of the premium money we may get out of the ETSA leasing process we might direct some money into forming, encouraging and expanding the cadet movement in our high schools. I think it is important, and it ties in very much with the theme of volunteerism that the Government is pursuing and encourag-

ing because, as they get older, we will see an extension of young people from those cadet units going into the CFS, St John Ambulance, SES, and so it goes on.

The community would welcome this. It would provide additional cohesion in our society to many young people who would benefit from the character development, the team skills and all those sorts of things. I am sure parents would welcome such an innovation here just as they have in Western Australia, Victoria and Queensland. Indeed, in many of those States, there is a waiting list of young people trying to get into the various cadet organisations operating in the high schools.

The second matter I wish to address relates to spent convictions. It is something I have been pursuing for a while, but without success. When someone may have committed a minor offence, say, more than 10 years ago, I believe that that should be struck off the record books if this person has not offended again during that time. I am not talking about the most serious crimes but minor offences. It is a great burden to many people in our community that they carry for the rest of their life something they did in their younger days, say as a 19 year old, when they have not committed any other offence since that time.

I have approached the Attorney-General without success, but I will continue to raise this matter, because in our society we can have compassion towards people who have made a mistake—and I should say I am referring to those who were caught. There are of course many people in our society who have done the wrong thing but have never been caught. However, here I am talking about people with a conviction which should be removed, if after 10 years they have not offended again, and it was only a minor thing in the first place.

Finally, I touch on the reform of the Legislative Council which the member for Hammond mentioned recently. I believe we should have zoned representation in the Upper House, with offices in those zones. The country people would get a better deal, and the MLCs would be more accountable. Further, the Upper House should have the power of objection and not veto. I commend attempts to bring about change in relation to the other place. This is no reflection on that Chamber, but I believe a zoned representation scheme would be a lot better scheme than the current one which is statewide and allows all members to be in effect tarred with the same brush. I think there is merit in moving towards reform, and I believe country people and city people would get a better deal.

Ms RANKINE (Wright): I was very pleased today to lodge with this House a petition signed by 1 550 residents, mostly of my local area, indicating overwhelming support for lights at The Grove Way-Bridge Road intersection. This campaign to have lights installed at this intersection has received overwhelming community support, as I said. I wrote to the Minister for Transport about this issue in September last year. I told the Minister how dangerous this intersection was. She responded to me by saying there was not enough traffic using this intersection, yet anyone who drives through that area knows this just simply is not the case.

Apart from signatures to this petition, I have received an enormous number of letters, many of which I am trying to get through to the Minister. One woman stated that she hates using that intersection and takes a 15 minute detour to take her children to school every morning, the situation being so grave at that particular location. Since that time, a number of very serious accidents have occurred at that site, and sadly one local man lost his life last year. I have now invited the Minister to come and see for herself, because I believe that if she comes out to Salisbury and has a look at this intersection she will not refuse a request to have lights installed at this location. Her refusal has caused some real concern in the local community and has prompted some of the families involved in accidents at that site to actually join this campaign.

A gentleman who has been a driving instructor for over 20 years tells me that in fact he has written a book on road safety. He went down to that intersection and told me that there were 25 vehicles within a very short period of time trying to do a right-hand turn from The Grove Way into Bridge Road, and a total of seven vehicles tried to turn right from Bridge Road onto The Grove Way. One of these motorists forced their way through, one instead turned left illegally from that position, some inched their way forward until someone waved them through, but most drivers had to be waved through, and there was an enormous indication of frustration during this procedure.

Indeed, one woman contacted me saying she was abused at that intersection when trying to turn off Bridge Road into The Grove Way. She had her two young children in the car. When she got through the intersection and drove up The Grove Way, the man in the vehicle behind her followed her, waved a cricket bat at her and was abusing her at the next intersection.

Members interjecting:

Ms RANKINE: It is disgraceful. People should not be put in this predicament. It is a very busy road. It is a very dangerous intersection, and you do only have to come out there to realise that. As I said, 1 550 people have signed that petition, so that is an indication of the concern.

I also had a letter from a grandmother saying, 'Recently at approximately 5 p.m. I was attempting to do a right-hand turn into The Grove Way when a car driven at excessive speed almost crashed into me. I am still shaking.' I mentioned just briefly that a local man lost his life at that intersection. In his vehicle were four young children. The mother of three of those gave me a plea to read to this House, which I will not do in entirety, but in part the letter reads:

> On 26 October 1998 one of these young children turned 10 years of age. The following day her life, as her brother, sister and special friends lives, changed forever. Of the five people in the car, only four survived. . . These children's father and friend is gone forever. The tragedy at this intersection has changed their and many other lives forever. How do I know? Three of those children are my children. . . The mental anguish, the hospitalisation and survival can be as painful as death itself.

She makes a plea to this House and this Government:

> Please help protect the innocent. Please give us the lights and give us your care.

Mr MEIER (Goyder): As I noted in this House yesterday during a question, I was very pleased that last week the Minister for Education, Children's Services and Training made two days available to visit schools in my electorate, and I would like to highlight the schools that were visited. On the Tuesday these were: Balaklava Community Children's Centre, Balaklava High School, Balaklava Primary School, Port Wakefield Primary School, Moonta Area School, Kadina Child-care Centre, Kadina Memorial High School and Kadina TAFE. On the following Wednesday (30 June) we visited Maitland Area School, Point Pearce Aboriginal School, Narrunga TAFE at Point Pearce, Minlaton Community

School, Port Vincent Primary School and Aquatic Centre, Yorketown Kindergarten, Yorketown Area School and Yorketown TAFE.

I said in my question yesterday that 15 educational sites were visited but there were in fact 16. It was very much appreciated that the Minister gave his time to see first-hand the educational facilities in the areas that I have just identified, and to speak with the various teachers and students. My only disappointment is that there was not time to visit all 40-odd educational institutions in my electorate, but I fully appreciate that this is just not possible, and I am pleased that the visits occurred from one extremity of my electorate through to the other. There is no doubt that the educational institutions in my electorate are progressing extremely well, and I want to pay my compliments to the staff and students for the excellent work that is being carried out. I particularly compliment the staff working in country areas. Sometimes it is difficult to get staff to country areas and I still wonder why, because I believe that staff find it more conducive to living once they get to a country area. Nevertheless, they are doing an excellent job and it was very pleasing to see how things are progressing in all schools visited.

I also want to compliment the students for the way they present themselves. There is no doubt that the electorate of Goyder has produced some excellent students in the past and is doing so currently. It was heartening that the Minister was able to present two cheques during his visit, one for $7 000 to the Balaklava Community Children's Centre and the other for $29 890 to the Kadina Child-care Centre. Both these cheques were allocated funds as part of the Premier's Restructure Grant Program, which is, as members would probably be aware, to make child-care centres more flexible and relevant to parents' and children's needs. It will be pleasing to see just how that money is spent. Whilst the details are already known, I will visit personally once the moneys have been expended.

The other thing that was particularly pleasing to listen to was the Partnerships 21 details, whereby schools can take greater responsibility for governing themselves. Whilst much more information has to come out on that, I would like to compliment the Minister for everything that has been done to date. I am sure that schools will benefit enormously from the Partnerships 21 program once full details are known and once it has been put into operation. Overall, it was a very good visit. There are many other things I would like to note, not the least being Port Vincent Primary School's national award win with respect to the Keep Australia Beautiful campaign. I noted that yesterday and congratulate them again here. I trust that they will keep up their good work and that other schools likewise will follow programs of a similar nature.

Mrs GERAGHTY (Torrens): I want to speak about the issue that was raised by my colleague the member for Peake, the appalling situation with the dental health system, which is a subject of great concern. I and, I am sure, members on both sides of this House have been contacted by a number of constituents who are really concerned about this situation, particularly after they read the report in the *Advertiser* that highlighted the fact that public dental patients may be having their teeth extracted because of a lack of funding to cover root canal work. I would particularly like to speak about that. One of my very concerned constituents is currently waiting to receive a diagnosis from the dental hospital, and she is rightly worried about the situation, as am I and many other constituents.

This constituent is in her fifties and has an infection in the bone that may have occurred after dental work that was done some 18 months ago. She is hoping that root canal treatment will allow her tooth to be saved and resolve her problem. Since the report in the *Advertiser*, this constituent along with others has lost a great deal of confidence in the public dental system and naturally is seeking reassurance concerning future treatment and diagnosis. Last Friday after a visit to the local public dental centre, at which time an X-ray was taken, it was discovered that she had this infection and may have lost some of the bone. The X-ray was referred to the city centre, as this is the only one that now has a specialist who views X-rays. She was then told that she would need to wait to hear from the specialist before any treatment would be undertaken, and that this could take anywhere from one week to months and possibly a year.

She is currently taking antibiotics, which it is hoped will help the infection settle. If she has not heard from the specialist on whether or not the tooth can be fixed, they may just have to take it out. She is going back next week as she has noticed that the tooth is rough on one side so it is possible that she has lost part of the previous filling. I would like the Minister to be able to reassure constituents in Torrens and elsewhere that an economic approach to public dental health has not replaced preventive dental health diagnosis and treatment. I would also like to know what the Minister intends to do to give our constituents back their confidence in the public dental health system.

It is appalling enough that elderly people and those on pensions have to wait over three years to have dentures fitted, and this current report is just a shocker. Like so many others, I would like to know what the Minister is going to do to rectify the problems with the lack of dental health treatment. Quite a long time ago and on several occasions I have raised this issue of the extraordinary length of waiting time for dental treatment. These lists are growing at an extraordinary rate, not unlike what is happening in the general public health sector. Dr Alexander, the Dental Association State Branch President, said:

> Aged pensioners and young unemployed people are the worst affected. It's absolutely disgusting, but it's no fault of the dentists doing the treatment. Pensioners are being treated like second-class citizens. You've got 18 to 25 year olds starting to lose their teeth, and this is quite criminal.

I absolutely agree with that. This situation is totally unacceptable and, as I said, if any of my constituents lose teeth because they cannot get the treatment they need, they will be sitting outside the Minister's door wanting to let him know how they feel about it.

Over a long period of time, dental health treatment for young people has really improved dental hygiene. However, we are now going back many years because of this lack of treatment, particularly for my elderly constituents who are losing their teeth because they cannot get treatment, and that is impacting upon their general health. We are asking the Minister what he will do.

Mr SCALZI (Hartley): Today I would like to pay tribute to a great South Australian from Italian background, His Honour Judge Pasquale Tiberio Pirone, who passed away on 21 June 1999 on his way back to his home in South Australia.

Judge Pasquale Tiberio Pirone was born in Tufara Valle, Roccabascerana, Italy. I know the place well, as I was also

born in Roccabascerana. I would like to extend my condolences—and I am sure I speak on behalf of many members—to his beloved wife, Elizabeth, and much loved children and children-in-law Teresa, Frank, Christina, Michael, Stephen and Belinda. He was a devoted Nonno, as they would call him, of Melissa, Jon, Kiara, Jason and Talia, and was dearly loved by his family, brothers and friends.

The Pirone family is well known amongst the Australian Italian community. I was brought up knowing of the Pirones, and not many would know that Gentile Pirone, who also passed away about two months ago—in fact, that is the last time I was able to see Judge Pirone at the Payneham Cemetery—was the founder of the International Bakery, which brought the much needed continental flavour to bread in South Australia.

Judge Pirone came to Australia at the age of 16, able to speak only very little English, but he was well educated in Italy. He was studying to be a priest with his cousin, Father Luke Pirone from the Hectorville Parish, who officiated part of the ceremony on 28 June at St Francis Xavier Cathedral which was attended by many; in fact, the cathedral was full.

These were the days before multiculturalism and English as a second language. Judge Pirone—or Pat, as he was known to many—had to study at night. He worked as a labourer and salesperson; he completed his landbroker's course and accountancy, became a solicitor and, of course, we all know that in 1990 he was the first Italian born judge to be appointed in South Australia under the former Labor Government.

The choice certainly was a worthy one, because Judge Pirone proved to be an excellent judge with understanding, compassion and wisdom. As the *Advertiser* article described him, he was the migrant who brought a special gift to the law. At the time, the *Advertiser* ran the following article:

> The President of the Law Society, Ms Lindy Powell, QC, yesterday described his appointment as important but added Judge Pirone's performance fully justified the choice.
>
> 'We have lost a judge who brought another perspective to the bench. The way in which he acquitted himself clearly shows his appointment was well deserved,' Ms Powell said.

One had only to be at the service to know the tributes that were paid to Judge Pirone. He was also instrumental in preparing the constitution for the Italian village, and his dream that the elderly—

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

BARTON ROAD

Mr ATKINSON (Spence): I seek leave to make a personal explanation.

Leave granted.

Mr ATKINSON: On 8 September 1992, in a grievance, I told the House:

> Adelaide City Council closed Barton Road without lawful authority in 1987 at the urging of a few powerful and wealthy individuals who stood to make a pecuniary gain in real estate values such as the former Lord Mayor, Mrs Wendy Chapman. Mrs Chapman lives on Barton Terrace West. I should add that there was some defensible traffic management reasons for closing the road at that time. . .

After a long time had elapsed, Mrs Wendy Chapman rang me to deny that she had been involved in moves to close the road. Mrs Chapman said she had, when serving on council, withdrawn her chair from all deliberations on Barton Road. From that time, I dropped Mrs Chapman from the list of people whom I was wont to recite as being the people who lobbied for Barton Road to be closed and corrected those who said that she was behind the closure.

With Adelaide City Council's release to me of a second batch of documents, requested by me under freedom of information and my finding time to read those documents, I am satisfied that Mrs Chapman was not one of the people behind the closure. I apologise to her for my remarks in my 1992 grievance.

PUBLIC WORKS COMMITTEE: STRATHMONT CENTRE

Adjourned debate on motion of Mr Lewis:

That the ninety-ninth report of the committee, on the Strathmont Centre redevelopment—aged care facility—interim report, be noted.

(Continued from 10 June. Page 1649.)

Ms STEVENS (Elizabeth): As the Presiding Member mentioned in his speech a number of weeks ago, the Public Works Committee began to deliberate on this project in November 1998 and, as a result of taking evidence from members of the Department of Human Services, IDSC, Strathmont and others, we had some concerns in relation to the information that we had been given. The issues of concern included whether the facility was warranted and under what level it should be provided, whether the provision of such services complied with the existing framework of both the Commonwealth and State disability legislation, the fact that some of the residents for the proposed facility were not elderly and, finally, that use would not be made of other generic community services such as nursing homes, aged care providers or community based accommodation. The committee was unable to get satisfactory responses from the proponents on those matters and decided that, therefore, it would embark upon a consultancy.

The committee was aware of the urgency of the matter, because during its site visit to Strathmont it was pointed out that the conditions that people were living in were unsatisfactory; all members of the committee noted that and saw that that was the case. So, the committee was most anxious to get a consultancy under way (bearing in mind that we were now at the end of November) and we proceeded and got one up and running very early on in the year. The committee set terms of reference, requiring the consultants to look into five main issues. They were to analyse the evidence that had been provided to the committee regarding this project. They were to evaluate the facility in relation to relevant existing legislation, both Commonwealth and State, and in the context of a three stage accommodation development plan proposed by IDSC. They were to interview relevant parties as required regarding the facility, and these interviews were to include parents with adult children living at Strathmont, advocates for people with disabilities and elderly people with disabilities. They were also to make recommendations to us regarding any further lines of inquiry, and they were to attend meetings of the committee as expert witnesses regarding the facility. The consultancy was completed on 26 March (it was of four weeks' duration) and the consultants provided a very comprehensive report, with an equally comprehensive set of appendices.

A number of areas of concern (15 or 16) were raised by the consultants, and I want to place some of these on the record. I encourage all members with an interest in this area to take the time to obtain the material from the Public Works Committee so that they can read what was said by the consultants. If they wish, they can obtain the material and read all the information in detail.

The consultants said that the development of the facility does not fit with the prevailing philosophies embedded in the legislation and standards for disability services. They said that it is designed to address the needs of a distinct group of residents who have been institutionalised all their lives and does not equate to the type of service model other people with disabilities are expecting to be able to access when they begin to age. They mentioned the view of some parents that the aged care facility is supported for this group of residents but that it would not be appropriate for their own relatives when they begin to age in the long term. They mentioned the incongruence of resident ages and the support levels required by the majority: 28 of those residents had low level support needs and only 22 had high level support needs equating to nursing home care.

They also mentioned the following matters: the fact that it is not the only option available to this group of residents; the fact that it is a single longstanding option to provide high level aged care to people with one disability type and does not fit within a planned continuum of aged care services for people with disabilities who are ageing; that it would be established with the imagery and stigma of a purpose-built facility for people with one disability type; the inadequacy of consultation throughout the development of the proposals; that families and clients were not given adequate objective information with respect to alternative service models that are currently available; community integration was not encouraged; that there was a genuine fear within the disability sector regarding what alternatives will be available to them if there is a finite number of licensed beds designated for people with disabilities and a greater number who require access to them, particularly if access to mainstream aged care facilities is not available; the possibility of litigation in the future if a range of aged care options are not open to people with disabilities who are ageing; the willingness of the Commonwealth Department of Human Services and Health to look at alternative funding arrangements for this group of clients; and the willingness of both the Commonwealth Government and the aged care sector to explore collaborative pilots in the provision of services to people with disabilities who are ageing. Not surprisingly, the consultants recommended against the provision of this facility, and the issues that I have raised are quite extensive in that they cover just about all aspects of the proposal.

I have read both the report and the appendices in great detail, and I must say that I was fairly concerned what was put to the committee as part of this report. The consultants attended a meeting of the committee and went through issues in detail and, as members will know if they read the interim report of the committee, we referred it to the Department of Human Services for comment. Obviously, we now need to get that comment to see how the department has reacted to what the consultants have said. We were very surprised when we received a response from the Department of Human Services saying that it would require 16 weeks in which to do this. So, of course, the committee is now waiting to receive that response.

Part of the reason for having this interim report was the fact that many interest groups in the community had requested access to the consultants' report and the information that the committee held, and we wanted to provide an opportunity and an avenue for anyone in the community who was either directly or indirectly affected by this proposal to read the material presented by the consultants and to have a say. I understand that the Department of Human Services is addressing this issue, and I certainly look forward to receiving its response in August.

I want to make it clear, though, that I strongly support (as we all did) the recommendations of the committee, particularly in relation to the poor condition of the current facilities. Members will note that the committee strongly recommended that the department proceed with its essential maintenance program so as to provide for the comfort of residents because, quite frankly, with a further hold-up of another 16 weeks before we can even start addressing this issue, it means that through a cold winter the conditions that residents are already enduring will be poor, indeed. The committee certainly recommended that and hopes that the department has taken action and made provision for residents to be comfortable, safe and secure until the committee can finally deliberate and bring down its report.

I encourage members to read the information and, if people contact them, I hope they are encouraged to read the report and to take part in any discussions that the Department of Human Services is undertaking in relation to resolving the matter.

Mr LEWIS (Hammond): I must say I am astonished. I should have thought that members on both sides of the House would have sufficient compassion in their bones, if not their brain, to want to speak on this matter. It is a matter of grave concern about people who cannot represent themselves at any point in their lives to be able to in any way assure themselves of a reasonable quality of life. Accordingly, as a compassionate society, we have a responsibility, a duty of care for them. That is not something that I say in any sense condescendingly or unduly disparagingly of other members: it is an observation that I make out of genuine despair that other members have not understood the seriousness of the situation at Strathmont. And it is a situation in which the Public Works Committee has found itself, too.

I have pointed out (and was supported by the member for Reynell, after having made these remarks on 10 June) that the committee genuinely seeks to ensure that there are appropriate facilities for people who cannot care for themselves, and that those people are properly identified as needing such institutional care as Strathmont can, and should, provide but at present cannot, because of the poor condition of the facilities there.

Our concern was not that they needed care. As the member for Reynell and the member for Elizabeth, who are members of the Public Works Committee, have just now said, our concern was that there is no rigour in determining who is eligible to be there and who is not; nor is there any demographic information identifying how many of the people of each of those categories who ought to be there exist in our society today, in five years' time, 10 years' time and so on throughout the life of the proposed facility; nor were we able to be satisfied, of those people who live there now and may not be able to live there in future, what their alternative care and accommodation would be and why it would be so.

It is my belief that, if members shared our compassionate concern for those with far less ability than ourselves, they would have been willing to have done some research in the matter. I know that I went to a meeting, as did the members of the Labor Party of whom I have just spoken, that was held in the Central Mission on a Sunday not very long ago. The date escapes me. If any other members had gone to that meeting, I am sure they would have been as moved as I was. The meeting was chaired by Jane Doyle, who did an excellent job of ensuring that people did not waste time but had the opportunity to express their point of view and discuss in that meeting their concerns about the people for whom they were caring as close family members and the effect which it had on their lives and those of the rest of their family.

The cries for help clearly illustrated to me that there was unmet need and that that need had not been professionally identified by category or identified as to how it could be best met. There are anomalies because some of the people who fall into this category do so in consequence of the fact that they have had a traumatic experience in life, perhaps a massive car accident that has caused severe brain injury, and the consequence for them is that they are then seriously, permanently, to be categorised in that general category of intellectually disabled. That is very sad. We need to get a clarification of these matters.

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

Motion carried.

PUBLIC WORKS COMMITTEE: BOTANIC, WINE AND ROSE DEVELOPMENT—STAGE 2

Adjourned debate on motion of Mr Lewis:

That the ninety-second report of the committee on the Botanic, Wine and Rose Development—Stage 2 be noted.

(Continued from 26 May. Page 1410.)

Ms THOMPSON (Reynell): This matter concerns the National Wine Centre, which has been a topic of debate in this House for some time now, often one of considerable heat and anxiety. There are good reasons for it to have been a matter of heat and anxiety. Again today the Opposition has had to sit here and listen to members opposite talk about the State Bank. I know that every member of the Opposition wishes that the State Bank had never occurred. The State could not afford the setback that it incurred and it has completely tarnished the achievements of the Bannon Labor Government.

However, what members on this side have been very assiduous in doing is learning from the lesson of the State Bank. We can see that there were people of good intention and some talent who over stretched themselves considerably in pursuing what they thought was an opportunity that would benefit the State. I do not think that anything has indicated that those involved in the State Bank debacle, whether they were employees, directors, Ministers or anyone else, wanted it to happen. They thought they were doing something good for the State but they did not take the long-run view, they did not look widely enough, and we were stuck with a disaster of massive proportions.

What I have seen on the Public Works Committee in the 18 months that I have been a member is that the Government has not learnt this lesson. It has not learnt that it cannot just run with a good idea, no matter how good it is, without looking at the wider and the longer run implications of it. Again and again the Government's proposals grow. The Government Radio Network has grown from an $80 million proposal to one worth $247 million. The National Wine Centre is yet another one of these projects which, like the Hindmarsh Soccer Stadium, looks like a good idea, something of potential and something that we would really like to see bring benefits to the State. However, the mismanagement by this Government casts severe doubts on the matter.

Just about all members of the Opposition spoke in support of the establishment of a wine centre, a museum, something that would celebrate the role of wine in our community, something that would offer tourist potential, something that would sit comfortably and compatibly within the environment proposed, that is, adjacent to the Botanic Gardens. I do not think it was a centre that was ever the first choice of anyone on this side of the House because we had other locations in mind. However, we were assured by the Premier that it was what the industry wanted. The original modest proposal has grown like topsy and this is where my concerns about the management capabilities of this Government arise.

The enabling Act for the National Wine Centre designated the site commonly known as the old Hackney bus depot as the location of the National Wine Centre. That was in 1997. On 26 February 1998 then Minister Ingerson told the House that the Government believed that an even better proposal had been identified. What was that proposal? Instead of using an existing building that may or may not have heritage merit (I refer to the tram barn), or even the Goodman Building, which clearly does have heritage merit, the Government decided that a new building should be built. The Goodman Building particularly suggests the environment that many of us associate with the wine industry, and even the tram barn gives some feeling of the wine industry in the bulk storage tanks with which we are so familiar.

We will have a huge edifice that, from all the diagrams and models I have seen, dwarfs the Goodman Building and the Tram Barn and presents a huge facade to Botanic and Hackney Roads. It does not fit with the environment of the Botanic Gardens, no matter how hard one might try. The residents are upset. They are concerned about issues such as parking. They are also concerned about the impact on a dear heritage of the people of South Australia, particularly those who live in the vicinity of the Adelaide parklands.

It involves not only the size of the building that has developed: the functions of the building have also changed. On 28 May 1997 in his second reading explanation, Premier Olsen told the House that the functions of the centre were 'to develop and provide for public enjoyment and education, exhibits, working models, tastings and a number of other functions'. The Premier's definition of the purpose of the centre at that time made no mention of any international component, yet the proposal put before the Public Works Committee emphasises an international component that was never present when this House debated it.

The proposal now is 'to develop a project of international significance', and so on, and 'to develop the National Wine Centre as a world-class interpretive, educational and entertaining facility'. This is a long way from the close confines of a wine museum, something which is felt to be on a human scale. We now have a worldwide centre on a human scale but on a grand scale—not something cosy and comfortable, which is the way I think of the wine industry.

We have heard the Premier recently complaining about projects growing through omissions. The Premier must be very concerned about the way in which this project has

grown. He must also be very concerned to oversight its management to ensure that it really does deliver, because the people of this State deserve these projects to deliver.

One reason we were given for its being situated in the parklands was that the industry considered this to be a favourable vicinity in relation to the eating facilities of the East End. The committee in its investigations could not really see this. It is quite a walk between the two and people who are eating and drinking do not walk very far—not in this city. The connection just did not seem to be there.

It seemed to be more about, 'We can put it on parklands. What can anyone else in Australia do? You cannot locate such a facility in an environment as nice as this.' Just last week on the front page of the *City Messenger* the Fickle Finger column talked about the wine centre's isolation from the city and suggested ways in which this isolation could be overcome. How do we have the facility isolated on one hand and proximate on the other?

The economic sustainability is again of concern. A comprehensive Beston Pacific study was undertaken which included a very careful disclaimer, indicating that it was relying on the information provided by the wine centre. It is hoped that 170 500 people will visit the centre each year at an average of $9.20 per admission. It is said that this is 10 per cent of the catchment for interstate visitors. It sounds modest, but one must look at the free facilities of the Museum and the Art Gallery. For the year 1997-98 the Museum attracted 541 00 visitors and the Art Gallery 422 000 visitors. These figures comprise a lot of local visitation, plus a bit of interstate and overseas visitation. Many people are repeat visitors to the Museum and Art Gallery because they are free, so how will we reach what seems to be a modest weekly number of about 500 visitors who must pay to experience a centre that does not offer all the attractions, by any means, of the nearby McLaren Vale wine district? My concern is that, just as with the Hindmarsh Stadium, the taxpayer will have to pick up some of the deficiency in the original hopeful estimations.

The committee was also told that there was advantage in collocating a rose garden with the wine centre. Former Minister Ingerson told the House that the collocation will increase the financial viability through the efficient sharing of resources and common facilities, yet the committee in all its questioning could find no evidence of this occurring.

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

Ms KEY (Hanson): I would like to move an extension of time.

The DEPUTY SPEAKER: There is no opportunity for the honourable member to continue her remarks.

Ms STEVENS secured the adjournment of the debate.

AUSTRALASIA RAILWAY (THIRD PARTY ACCESS) BILL

Second reading.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this Bill be now read a second time.

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

Leave granted.

The *AustralAsia Railways (Third Party Access) Bill 1999* establishes a process whereby third parties can obtain access to operate services on the Tarcoola to Darwin Railway when they have been unable to obtain it through usual business negotiations.

National Competition Policy agreements and the Commonwealth Trade Practices Act require that the owners of major infrastructure make it available to third parties in order to prevent monopolistic pricing behaviour and to increase competition for the products involved with the infrastructure.

The Commonwealth, Northern Territory and South Australian Governments have committed funds to the building of a railway from Alice Springs to Darwin on the basis that the project is commercially viable and that it can provide a net benefit to the wider Australian community, helping to open up a developing region of the national economy. Three consortia have been short-listed to develop proposals for the project. The successful consortium will provide debt and equity funding to meet the gap between infrastructure costs and government funding and be required to operate services on the railway for the duration of the concession period, including the Tarcoola-Alice Springs section which will be transferred from the Commonwealth as part of its contribution to the scheme.

The financiers supporting the bidding consortia require a high degree of certainty regarding the revenue return, otherwise they will either not commit themselves to the project or will look to the Governments for further contributions to cover revenue risks. The Bill will provide this certainty in the context of access to the railway infrastructure facilities by third parties.

Mirror legislation has been introduced into the Northern Territory Parliament. The access regime, called the Third Party Access Code and forming a schedule to both Bills, is intended to apply in the same way in both jurisdictions. It will apply only to the Tarcoola to Darwin railway. This Access Code is currently being assessed by the National Competition Council to see whether it is an 'effective' regime in terms of the Competition Policy Agreement requirements. If it is regarded as effective, the NCC would then recommend that the Commonwealth Minister for Financial Services and Regulation certify the regime. The uncertainty presented by the possibility of a successful declaration under the Trade Practices Act, with unknown consequences for access prices, would thus be removed.

The access regime established by the *South Australian Railways (Operation and Access) Act 1997* cannot be applied to this railway for two reasons. First, our current legislation makes no provision for joint administration or coverage of a railway across both South Australia and the Northern Territory. Second, the pricing principles upon which the current legislation was based are not designed for a green fields venture where the cost of capital investment must be recovered.

The Third Party Access Code is similar in many aspects to the *South Australian Railways (Operations and Access) Act 1997*. Key features of the Code are:

- appointment of a regulator jointly by the Transport Ministers of South Australia and the Northern Territory, who may not direct the regulator to suppress information or recommendations made under the Bill or direct who the regulator should appoint as an arbitrator;
- separate pricing principles for passenger and freight services;
- access applications where the parties must negotiate in good faith access disputes with the possibility of conciliation by the regulator, or arbitration by a qualified arbitrator/s appointed by the regulator;
- appeal to the Supreme Court from an award of an arbitrator, on a question of law;
- monitoring costs of service provision by the regulator;
- reporting by the regulator to the Ministers;
- enforcement of awards; and
- segregation of records of infrastructure provision, service provision and other businesses of the operator.

The Pricing Principles are also detailed in the Code. They are based on what is called the Competitive Imputation Pricing Rule (CIPR). The rule is designed for greenfield projects involving large initial investment.

Such projects face demand uncertainty which make revenue flow difficult to estimate. CIPR allows the railway owner to retain the benefit of profits if the project is successful. Under alternative pricing regimes, which are based on controlling the rate of return so that high profits are regulated away, average expected revenues are reduced. This would stop investment in a new project, such as this one, with high up front costs where profits are not expected until late in the life of the project.

In general terms, CIPR takes into account the fact that road freight rates will act as a ceiling for rail freight rates due to road-rail competition in the Tarcoola to Darwin corridor and that rail services would have to be cheaper or provide better service in order to attract business. The road rate is therefore used as a price cap. The access price is calculated by deducting from this the cost the railway owner would have incurred if it had run the service itself. A floor price is also calculated for the situation where the access price, as calculated above, is lower than the cost of providing the infrastructure, for example if the road price falls below rail costs.

If there is no competitive alternative to use as a price cap, for example a new mine off the road network, the access price is the cost of maintaining the part of the infrastructure used by the access seeker plus the cost the railway owner would have incurred if it had run the service itself.

In developing the Bill, the three bidding consortia, the National Competition Council, the Northern Territory Government and appropriate South Australian Government agencies (for example, the Department of Industry and Trade) have been consulted.

The building of the railway from Alice Springs to Darwin will have economic benefits for South Australia. The Bill will provide greater certainty for the three consortia in respect to the price competitors would need to pay for access and thus increase the likelihood of suitable bids being made. It will also establish a process whereby third parties can obtain access to the railway when other negotiations have failed. This will provide an access regime to allow consortia to bid for the project with certainty regarding access prices while at the same time the presence of the railway will increase the competition on the corridor and keep prices down.

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will be brought into operation by proclamation.

Clause 3: Definition

The Access Code to which this measure applies is the AustralAsia Railway (Third Party Access) Code contained in the schedule.

Clause 4: Application of Access Code

The Access Code will apply as a law of the State.

Clause 5: Crown to be bound

The measure will bind the Crown.

Clause 6: Non-application of Commercial Arbitration Act

The Access Code sets up a discrete arbitration procedure and does not need to be affected by the *Commercial Arbitration Act 1986*.

Clause 7: Subordinate Legislation Act to apply to certain instruments under Code

The Access Code allows for various matters to be dealt with by the Northern Territory Minister and the South Australian Minister by notice published in the *Gazette*. A notice will be required to be laid before both Houses of Parliament and will be disallowable as if it were a regulation made under an Act.

Clause 8: Minister to cause copies of regulator's reports to be tabled in Parliament

The Minister will be required to table the annual report of the regulator under the Access Code.

SCHEDULE

The following notes are provided in relation to the provisions of the Access Code.

PART 1—PRELIMINARY

Division 1—General

Clause 1. Title

Clause 2. Application of Code

This clause allows for the application of the Code progressively as parts of the line are commissioned.

Clause 3. Interpretation

This Clause contains the key interpretations and should be self explanatory. In particular—

'prescribed' is defined to deal with the joint nature of the administration of the Code.

'pricing principles' are contained in the Schedule to the Code itself.

'railway infrastructure facilities' is a key definition and is the thing to which access is provided. Exactly what is included can be controlled by the Ministers prescribing what is to be included and prescribing what is not to be included.

Subclause (2) caters for the situation where there is more than one arbitrator.

Clause 4. Joint ventures

Parties affected by the Code may construct their affairs in numbers of ways and this clause is to provide some basic presumptions about liability of partners, and the means of facilitating communications.

Division 2—The Regulator

Clause 5. The Regulator

This clause provides for the assigning of functions to a regulator.

Subclause (2) places the regulator under the joint control of the Territory and State Ministers but subclause (3) excludes ministerial direction in relation to certain of the regulators function, being largely those relating to the dispute resolution process or the exercise of discretion.

Clause 6. Powers and functions of Regulator

This clause is a standard provision

Clause 7. Regulator to report to Ministers

The regulator is to report to both Ministers.

Clause 8. Regulator may delegate

This is a standard provision except that special mention has been made of the ability to delegate to persons in either jurisdiction or outside the jurisdictions.

PART 2—ACCESS TO RAILWAY INFRASTRUCTURE SERVICES

Division 1—Negotiation of Access

Clause 9. Obligation of operator to provide information about access

This clause is to facilitate negotiations for an agreement between parties by giving a potential access seeker information he or she may require in connection with an application for access.

Clause 10. Access proposal

This clause allows a person seeking access to put a proposal to the facility owner (access provider) and obliges the facility owner to advise the regulator and interested parties. It also allows the access provider to request information about the proposal that the access provider may reasonably require to enable an assessment of the proposal. (See also clause 15(2)*(b)*.)

Clause 11. Duty to negotiate in good faith

This clause is self explanatory.

Clause 12. Limitation on access provider's right to contract to provide access

This clause ensures that all interests and disputes have been catered for or dealt with as a condition precedent to parties entering into an agreement about access.

Subclause (2) makes such an agreement void if the subclause (1) has not been satisfied.

Division 2—Access Disputes and Requests for Arbitration

Clause 13. Access disputes

Spells out the situation in which a dispute will be taken to exist.

Clause 14. Request for reference of dispute to arbitration

This clause is self explanatory.

Division 3—Conciliation and Reference to Arbitration

Clause 15. Conciliation and reference to arbitration

The regulator, with the approval of the parties, can attempt to conciliate an access dispute; otherwise he or she is obliged to appoint an arbitrator or arbitrators and refer the dispute to arbitration, unless all access seekers withdraw. Triviality, failure of an access seeker to provide requested information, lack of negotiation in good faith or, on the application of a party, other good reason, is justification for not attempting to conciliate or refer a dispute to arbitration. (A good reason might, for example, be the collapse of a contract that the access seeker might have had with a third party the transportation of whose product was the reason for seeking access in the first place.)

Clause 16. Arbitrator to be qualified

This clause requires the regulator to keep a list of potential suitably qualified arbitrators.

An arbitrator is to be independent of both government and the parties, be properly qualified and have no interest in the outcome.

The regulator must attempt to appoint an arbitrator who is acceptable to all parties.

Division 4—Arbitration of Access Disputes

Clause 17. Parties to arbitration

This clause specifies who are to be parties to an arbitration.

Clause 18. Manner in which decisions made

This clause requires the regulator, where there are 2 or more arbitrators, to appoint one to preside. Where there is a deadlock the decision of the presiding arbitrator is to prevail.

Clause 19. Award by arbitrator

This clause provides for the contents of arbitrators' awards and requires an arbitrator to provide to the parties a draft of any proposed

award and to take into account representations on the proposed award made by them. The arbitrator shall give the parties and the regulator the reasons for making the award.

An award does not have to require the provision of access.

Clause 20. Restrictions on access awards

An award cannot delay or add to the cost of the construction of the railway or compel an access provider to bear the costs of extending facilities unless he or she agrees. Neither can an award be made that purports to grant access where it could not be satisfied because another rail user has already been granted access and is using the facility.

An arbitrator is not to make an award prejudicing the rights of existing access holders unless they agree or their entitlement is excess to their requirements and there is no reasonable likelihood they will need the excess and the new access seeker's requirements cannot be met except by transferring some of the excess to him or her.

Clause 21. Matters arbitrator must take into account

This clause lists the matters an arbitrator must take into account in making an award. It also provides that other relevant matters may be taken into account, provided they are not inconsistent with those that must be taken into account.

The matters that must be taken into account are largely those dictated in the Competition Principles Agreement.

Clause 22 Arbitrator may terminate arbitration in certain cases

This clause lists the circumstances in which an arbitration may be terminated.

Division 5—Pricing Principles

Clause 23. For access relating to passenger and freight services

This clause provides that the principles and calculations to be applied in arriving at the price for access to be applied on an arbitration are those spelt out in the Schedule to the code.

Clause 24. Access provider may agree different price

Despite the pricing principles, the parties may agree on a different price.

Division 6—Procedure in Arbitration

Clause 25. Hearing to be in private

This clause is self explanatory.

Clause 26. Right to representation

This clause is self explanatory.

Clause 27. Procedure of arbitrator

This clause is self explanatory.

Clause 28. Particular powers of arbitrator

This clause is self explanatory.

Clause 29. Power to take evidence on oath or affirmation

This clause is self explanatory.

Clause 30. Failing to attend as witness

This clause is self explanatory.

Clause 31. Failing to answer questions, &c.

This clause is self explanatory.

Clause 32. Intimidation, &c.

This clause is self explanatory.

Clause 33. Party may request arbitrator to treat material as confidential

This clause is self explanatory.

Clause 34. Costs of arbitration

Costs of arbitration are to be split between parties except where an access seeker seeks termination, in which case they are to be borne by him or her.

The regulator may recover costs of an arbitration as a debt.

Division 7—Effect of Awards

Clause 35. Operation of award

Awards are to be binding on the parties unless the access seeker, by written notice to the regulator within the specified time elects not to be bound, in which case the access seeker is precluded from making another application within 2 years unless the access provider agrees or the regulator authorises it; and the regulator may authorise subject to conditions or without conditions.

Division 8—Variation or Revocation of Awards

Clause 36. Variation or revocation of award

Variation of an award may be by agreement of all parties or by arbitration. The regulator is not to refer for variation unless there is sufficient reason having regard to whether there is a material change in circumstances, the nature of the proposed variation, time that has elapsed and other matters the regulator considers relevant.

The provisions of the Part relating to disputes in relation to an access proposal apply equally to a dispute about a proposed variation

Division 9—Appeals

Clause 37. Appeal to Supreme Court on question of law

Appeals lie only on questions of law and cannot be raised, or the award or decision called into question, except under this section. The Court has a range of powers listed in this clause, including the power to award costs.

An appeal does not suspend the operation of an award pending the determination of an appeal unless the court decides that it should.

PART 3—HINDERING ACCESS TO RAILWAY INFRASTRUCTURE SERVICES

Clause 38. Prohibition on hindering access to railway infrastructure service

This clause imposes the criminal sanction for interfering with the right of a person to access to a railway infrastructure service. An offence attracts a penalty of up to $100 000 and $10 000 for each day during which it continues.

PART 4—MONITORING POWERS

Clause 39. Registrar's power to obtain information

This clause gives the regulator the necessary power to obtain from an access provider sufficient information about the operation of the provider's business in a form that enables the regulator to separate out that which is relevant to particular aspects of that business.

Clause 40. Confidentiality

This clause requires confidentiality to be observed in relation to information obtained under the Part but lists situations in which it may be disclosed, including to an arbitrator at the arbitrator's request in the course of an arbitration. However, parties may request the arbitrator, in turn, to observe confidentiality.

Clause 41. Duty to report to Ministers

This clause requires the regulator to report to the relevant Ministers, at their request, on matters relating generally to railway infrastructure services and on the operation of the Code.

PART 5—ENFORCEMENT

Clause 42. Injunctive remedies

This clause gives the Supreme Court power to grant relief by way of injunction to enforce or restrain a person from contravening a provision of the Code or an award of the arbitrator and sets out various circumstances in which such relief may be granted.

Clause 43. Compensation

This clause allows for the granting of compensation against a person for loss resulting from a contravention of the Code.

Clause 44. Enforcement of arbitrator's requirements

This clause allows the court, after appropriate inquiry, to enforce compliance with the directions or requirements of an arbitrator.

Clause 45. Access contracts specifically enforceable

This ensures that the courts may specifically enforce an access contract rather than being compelled to award damages only.

PART 6—MISCELLANEOUS

Clause 46. Segregation of access provider's accounts and records

For the proper assessment of matters relating to access it is necessary that relevant information is not mixed with that which is not relevant. This clause requires the access provider to ensure that its books (and those of any of its associated corporations) are kept in such a manner as to give a true picture of its activities.

Clause 47. Removal and replacement of arbitrator

This clause provides for the removal of an arbitrator by the regulator on certain grounds, and for his or her replacement.

Clause 48. Amendment of Code

This clause provides for the amendment of the Code during the initial settling-in period by the joint action of the Territory and State Minister. After the time that this facility expires or is brought to an end any amendment will be by a normal amendment. An instrument amending the Code will be a tabled, and disallowable, document.

Clause 49. Prescribing of matters for purpose of Code

This clause is the equivalent to a regulation making power in an ordinary Act. It provides for the Ministers to act jointly.

Clause 50. Review of Code

The Competition Principles Agreement to which the State is a party requires a review of effective access schemes implemented by States and/or Territories. This clause provides for such a scheme.

SCHEDULE

The Schedule sets out the principles and methods of calculation of prices for access which the arbitrator will be obliged to take into account in determining the terms and conditions subject to which access to railway infrastructure facilities will be given (see clause 21). It also contains some worked examples of the application of the principles, for the assistance of the arbitrator.

Ms STEVENS secured the adjournment of the debate.

CITY OF ADELAIDE (RUNDLE MALL) AMENDMENT BILL

Second reading.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That this Bill be now read a second time.

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

Leave granted.

The Rundle Street Mall Act 1975 was originally enacted to establish a pedestrian mall in the heart of Adelaide's city centre. At the time, existing legislation did not provide the necessary powers for the creation, management and promotion of a city centre mall. Hence, dedicated legislation was enacted.

In 1996, the Statutory Authorities Review Committee of Parliament conducted an inquiry into the Rundle Mall Committee established under Part V of the Rundle Street Mall Act to market, promote, manage and control the Mall. On 3 July 1996, the Review Committee tabled its Report entitled 'Review of the Rundle Mall Committee'. In its Report, the Review Committee recommended that the Rundle Street Mall Act be repealed and the Rundle Mall Committee abolished. The Review Committee also recommended that the Corporation of the City of Adelaide be made responsible for the operation, maintenance and control of the Mall, and have prime responsibility for development of the physical infrastructure of the Mall. Furthermore, it recommended the establishment of a body to oversee the promotion and marketing of the city centre as a whole; structured in such a way that interests of stakeholders in the City Council, including the State Government and its institutions, the City Council and the private sector are represented.

Since the Review Committee's inquiry, the Adelaide 21 Project recommended new marketing arrangements for the City Centre culminating in the creation of the Adelaide City Marketing Authority by the City Council in July 1997. The City of Adelaide Act 1998 has also come into operation, establishing the Capital City Committee to enhance and promote the development of the City of Adelaide as the capital city of the State. The Capital City Committee's functions include responsibility for the marketing functions that have been performed by the Rundle Mall Committee. The creation of the Adelaide Marketing Authority and the Capital City Committee is in recognition that it is no longer appropriate to consider the marketing of the Mall in isolation from the marketing of the city centre as a whole.

Following the Review Committee's Report, the then Minister for Housing and Urban Development, the Honourable Stephen Baker MP, sought advice from the City Council about its attitude toward the suggested repeal of the Rundle Street Mall Act. Council agreed with the proposed repeal, subject to processing new by-laws to replace those operating under the Rundle Street Mall Act. The City Council's By-law No. 2—Streets and Public Places, made under the Local Government Act 1934, was published in the Government Gazette on 18 December 1997 and is now in operation.

This Bill repeals the Rundle Street Mall Act 1975.

Parts 1, 1V, V and V1 of the Rundle Street Mall Act provide for preliminary matters, Government grants, the establishment and operation of the Rundle Mall Committee and the sale of a car park site.

The Government considers that, notwithstanding the recommendations of the Review Committee, a number of key provisions of the Rundle Street Mall Act should be retained. These provisions are—

- section 5 which establishes the Rundle Mall; and
- sections 6 and 10 which regulate vehicles in the Mall; and
- section 11 which provides the Council with special by-law making powers; and
- sections 29 and 30 which provide for evidentiary matters.

The Bill provides for the substance of those provisions of the Rundle Street Mall Act that should be preserved to become part of the City of Adelaide Act.

The inclusion of provisions regulating vehicles and traffic in the Mall in the City of Adelaide Act is intended, however, to be an interim measure only. Later this year, the Government intends to include those matters in legislation proposed in respect of the draft Australian Road Rules, currently being considered by all of the Transport Ministers of the Australian States and Territories.

The Council has recently advised that it supports the transfer of certain matters to the City of Adelaide Act and the repeal of the Rundle Street Mall Act. The purpose of this Bill is to preserve the essential provisions of the Rundle Street Mall Act by re-enacting them substantially in the City of Adelaide Act (the most appropriate place for the provisions) whilst repealing redundant provisions.

The Bill does not introduce any new policy initiatives.

I commend the Bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Insertion of s. 37A

This clause proposes to insert a new section at the end of Part 3 (Special Arrangements for the Adelaide City Council) of the City of Adelaide Act 1998 (the principal Act). New section 37A provides for the continuation of Rundle Mall and the regulation of Mall activities by the Adelaide City Council.

37A. Rundle Mall

Rundle Mall (the Mall) is to continue as a pedestrian mall.

New subsection (2) provides that a person must not drive a vehicle on any part of the Mall or allow a vehicle to be or remain on any part of the Mall, otherwise than in accordance with a notice or permit published or given by the Adelaide City Council (the Council). The penalty for an offence against this new subsection is a fine of $750 (expiable on payment of a fee of $105). What is provided for in this subsection is substantially the same as what is provided for in section 6 of the Rundle Street Mall Act 1975 (the Mall Act).

Section 10 of the Mall Act provides for notices to be published in the *Gazette* by the Council regulating vehicles that may enter or remain within the Mall and the hours or occasions during which they may do so. New subsection (3) provides for the Council to continue to regulate these activities in the Mall in the same manner.

New subsection (4) provides that the Council may, by notice in writing, permit a vehicle to enter and remain in the Mall for the purpose and for the period, and subject to the conditions (if any), specified in the permission. A person who contravenes or fails to comply with a condition imposed under subsection (4) is guilty of an offence and liable to a penalty of $750 (expiable on payment of a fee of $105).

New subsection (7) provides the Council with by-law making powers to—

- regulate, control or prohibit any activity in the Mall, or any activity in the vicinity of the mall, that is likely to affect the use or enjoyment of the Mall; and
- provide for the fixing, and varying or revoking, by resolution of the Council, of fees and charges for the use of the Mall or any part of the Mall; and
- regulate any matter or thing connected with the external appearance or building or structure on, abutting or visible from the Mall; and
- regulate, control or prohibit the movement or standing of vehicles on access or egress areas to the Mall; and
- fixing a penalty not exceeding $250 for a breach of a by-law.

This subsection is substantially the same as what is currently contained in section 11 of the Mall Act.

New subsections (8) and (9) provide for evidentiary matters (*cf:* current section 29 of the Mall Act).

New subsection (10) provides that the Local Government Act 1934 applies to and in relation to by-laws made under new section 37A as if they were by-laws made under that Act.

Clause 4: Repeal of Rundle Street Mall Act 1975

This clause provides for the repeal of the Rundle Street Mall Act 1975 and for transitional matters.

A notice or permit in force under the Mall Act immediately before the commencement of this clause will continue and have effect as if published or given under new section 37A of the principal Act (as enacted by this amending Act).

A by-law in force under the Mall Act immediately before the commencement of this clause will continue in force as if made under new section 37A of the principal Act (as enacted by this amending Act).

The repeal of the Mall Act does not affect the operation or recovery of a special rate declared under section 9 of that Act before the commencement of this clause.

Any asset or liability of the Rundle Mall Committee immediately before the repeal of the Mall Act vests in The Corporation of the City of Adelaide.

Ms STEVENS secured the adjournment of the debate.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE (PENALTIES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 2 June. Page 1565.)

Ms KEY (Hanson): I indicate that the Opposition will support this Bill, although I would like to raise a number of issues. I note that a further amendment was tabled yesterday by the Minister which changes the division fines contained in section 21. Although the Minister has been absolutely consistent in his view that fines need to be increased—and I have some support for that view—I was concerned on checking the interpretation of section 4 of the principal Act. I noted that fines have been doubled in every section but, when we look at fines for workers, they have increased from $1 000 to $5 000. Why has the Minister chosen to make comment in this way by, instead of doubling fines in this case, increasing them fivefold? This is not doubling the fines, as the Minister had us believe in his speech and in his comments to me.

As to the Occupational Health, Safety and Welfare Act, there are a number of points the Opposition would like to raise. First, as to the Liberal Party's record, when we look at financial costs, since the Liberal Government has been in office we have gone from $1.6 billion in financial costs to $2.06 billion. The number of fatalities has not decreased but has increased. As to injuries, in the statistics of cases reported, the injuries have gone down and this would be a quite heartening statistic and I would be the first to congratulate the Government on achieving such a figure, but we then find that the method of calculation has been changed. What would be good news is in fact quite concerning. The method now does not include work place injury categories of disease and it does not include all people who are covered under the State workers' compensation scheme. As I said, whereas the numbers would be heartening, we have a serious problem in this State.

My concern and the concern I have raised consistently in this House involves the decrease in enforcement. This has happened in concert with the Government's view, a consistent view, I might add, to try to water down health and safety regulations that we now have. These are health and safety regulations that were worked on in a tripartite manner for a long period and were heralded at the finality of their consolidation as being the best health and safety regulations and the best consolidation in Australia. I also note from reading overseas publications from Canada, the United States and the United Kingdom that they are regarded as a job well done.

Why does the Minister continue to run the line that was started by Minister Brown when he was responsible for the area of reducing the regulations? I am pleased to see that Minister Armitage has not actually suggested that we have a wholesale discount of 25 per cent, which is what his predecessor suggested with regard to health and safety regulations, but I note that, in a discussion paper commissioned last year through Minister Armitage—a very doubtful survey, as I have also mentioned in the House before—the fate of the occupational health and safety regulations is in some doubt. When a survey based on findings from the retail and farming industries is used as a way of getting rid of regulations or making them less effective, there needs to be a number of questions asked about that methodology.

Also, I refer to the Labor Minister's council which put out the publication 'Comparative Performance Monitoring: Comparison of Occupational Health and Safety Arrangements in Australian Jurisdictions, May 1999'. Again, although South Australia certainly has a positive part in that information, there is an agenda that has been heralded here which is again echoed in the Minister's statement of, I think, 25 March 1999, on the review of South Australia's occupational health and safety regulatory system. On page 10 of this document it states:

> The Minister indicated that he is prepared to give these industry strategies regulatory status as codes of practice and to consider whether these arrangements should override general regulatory standards. The Minister considers that it is very clear that we need to give employers and employees every opportunity to own safety arrangements that are relevant to their industry.

I can see the sense of what the Minister is saying and that is a positive attitude to have. The report continues:

> Depending on the effectiveness of these trials, the Government may commit to substantial change to South Australia's regulatory OHS system over the next three years.

Again, in respect of the same document, which is a comparative document, when we look at the enforcement clauses of comparison in the document South Australia does not seem to be showing itself to be as up to date and in advance as the Opposition believes we should be.

I also refer to the penalty provisions set out on page 41 which compare the maximum penalty for individuals and corporations. There is a comparison of the Commonwealth, the States, the Territories and also the seafarers, because members would realise that they have their own provisions. Yes, the Minister certainly does have an argument, when we compare our penalties with other States and Territories, jurisdictions like the Commonwealth and the seafarers, but I must ask why fines for workers have increased fivefold in his amendment when other fines have merely doubled. In Committee I will be interested to hear what the Minister has to say on that.

As to enforcement, there were some questions raised in the limited time available in the Estimates Committee when I asked the Minister about the new occupational health and safety field inspectors. I was reassured to hear that the number of field inspectors has increased and I congratulate the Minister on seeing that we need numbers to carry out this enforcement. I registered my concern about cars being taken away from inspectors. Although the Minister sought to reassure the Estimates Committee that this was done because of the low kilometres undertaken over the previous year, I put on record that I consider this to be an issue. Cars are seen to be a tool of trade for inspectors and I ask the Minister to reconsider and further investigate this issue because the inspectors say that it is difficult for them to do their job when they have not got all their documents, instruments and testing materials with them and that they are trying to battle for a car in a car pool. It does not sound to me like a very efficient way of doing health and safety inspections.

It may be that the Minister has further information that he would like to supply to the House but, at this stage, I am not convinced that health and safety inspectors are able to carry out their job in the way that they see is important and I would be interested, in light of doubling of penalties and the fivefold increase in penalties for workers, to know how inspectors are

supposed to carry out their job without a car. I am sure the Minister has some answers to these questions, but I view the situation with grave concern, as does the Opposition. This situation is also supported by the fact that there has been a decline in enforcement.

The Minister has said a number of times—and I do not disagree with him—that we cannot just rely on enforcement to have good health and safety practice in South Australia. There needs to be education encouragement and, to use his words, the parties in the industrial arena need to own the situation with regard to occupational health and safety practices. When we look at the actual figures there is room for concern. As to convictions, in 1992-93 as opposed to 1995-96 we went from 33 to seven convictions, a decrease of 79 per cent. As to prohibition notices, we have gone from 88 in 1992-93 to 34, which is a decrease of 61 per cent. More than 700 improvement notices were issued in 1992-93, and in 1995-96, 222 were issued, a decrease of 68 per cent. Last year (1998) some 36 prohibition notices and 54 improvement notices were issued.

Although I give some points to the Minister for having a more holistic view of occupational health and safety, overseas research as well as research in Australia shows a direct correlation between the reduction in injuries and the reduction in lost days by increasing citations and enforcement. I ask the Minister to perhaps furnish the Opposition with his reasons for not only making it more difficult for health and safety inspectors to do their job, in my view, by cutting back their tools of trade, but also the lack of emphasis that seems to be in our new workplace services area, just judging by the figures. I would be delighted if the Minister could prove me wrong by saying that a grand plan is in place that will actually refute that international information that is available about the relationship between enforcement, injuries, deaths and people being safe in their workplace.

I assume that the Minister would have had recent advice from his Occupational Health, Safety and Welfare Advisory Committee about the occupational health, safety and welfare regulations review. In looking at the draft document, I notice that a number of the deaths in South Australia in the last couple of years have been set out. That is something that I am sure members on both sides of the House look at with some horror. To have anyone killed in the workplace is of great cost to the community, not only in financial terms but also in personal terms. Included in the number of the deaths that are set out in this document from the advisory committee are a number of self-employed people or areas where people have very small businesses.

In light of what the Minister is proposing with regard to doubling the fines, he might like to comment on what the correlation is supposed to be between the increases in the fines—just doubling them as he says—and increasing them five times for penalties for workers, and whether that in fact is backed up by the information that he is currently receiving from WorkCover via his occupational safety and welfare advisory committee. I also ask the Minister whether he has consulted with the health and safety field inspectors in a direct way to find out their views about enforcement and whether, even if we have fines doubled, they are able to deliver on making sure that the health and safety legislation is actually observed.

I will be very interested in receiving further comments in Committee from the Minister. Suffice to say that the Opposition is very concerned about the strategy that seems to be employed by the Government in this area. As I said, I have never doubted the sincerity of the Minister when he says he has great concerns with regard to health and safety, and that he believes, like I do, that prevention is obviously the best approach.

I am not sure that the Opposition can understand the rationale for the strategy, if there is a strategy that is being put in place by the Government, when the number of injuries and deaths continues to increase, and our inspectors seem to be restricted in their work by having their tools of trade taken away. The Minister is shaking his head and looking very concerned about that comment, but I did not think his answer in the Estimates Committee was adequate, so I hope he will take the opportunity in the Committee stage to explain the health and safety strategy, particularly with regard to enforcement and the doubling of penalties.

The Hon. M.D. RANN (Leader of the Opposition): I want to support the comments made by the shadow Minister for Industrial Affairs. This is an issue that the Labor Party takes very seriously indeed, and I want to track back a bit on the history of this process. All of us would believe that few areas have greater impact on the lives of our citizens than the workplace. Not only is their economic and social status determined in part by workplace relations, but there is also overwhelming evidence that what happens at work can affect employees' physical and mental well-being.

All too often, the workplace has been characterised over the years by a lack of stimulation and a sense of little or no involvement by workers about what was happening around them. Back in 1978 the Dunstan Government embarked on some major reforms, including industrial democracy and changes to industrial structures and organisations concerning industrial health and safety. We believe that our arbitration system, industrial structures and organisations were based on legal and historical theories of property rights of proprietors or employers over their workers.

Certainly, both Don Dunstan and Jack Wright, as Minister for Labor and then as Deputy Leader of the Opposition, were heavily involved in developing policies on occupational health and safety. I know, for instance, that Jack Wright, in Opposition, during the time from 1979 to 1982, placed a great deal of policy focus on industrial accidents. At the time I remember his saying that Australians heard a great deal about the road toll, but few Australians realised that for every person injured on our roads each year, five would be hurt at work. Despite the massive public and media attention given to the road toll, there was scant public or political attention, let alone media attention, paid to industrial safety reform, even though Australian workers suffered industrial accidents at a rate three times greater than their counterparts in Britain.

Certainly, right into the 1980s, the legislative framework nationally was a mess with nearly 160 different laws and ordinances covering occupational health and safety in the various States and Territories. We believed as a Government in the 1980s that there was an urgent need for national reform and to streamline and coordinate laws and programs to rid the statute books of Dickensian paternalism. Certainly it seemed at that time—and it still seems today—that workers' lives and livelihoods, their lungs and limbs, were less newsworthy and had less governmental interest than strikes and lockouts, even though far more working days are lost because of industrial accidents compared with disputes. Even back in 1982, work related accidents and injuries cost Australia around $4 000 million. I am not sure what the figure is now, but almost two decades ago it was $4 billion a year.

I believe that industrial accidents will not be treated seriously either at the State or national level if we continue to attach low penalties for negligence. Certainly in the past they have been grotesquely low, and I support any increase in the penalties, because I believe that over the years—and I know that this is a controversial statement—the maximum penalties for negligence in industrial accidents have been so low as to make it profitable for some unscrupulous firms to ignore safety and thereby cut costs. I believe that has continued to be the case.

It is very important that a former Labor Government in South Australia, the Bannon Government, wanted stronger powers for elected safety representatives established by law to help foster a greater awareness of safety issues at South Australian workplaces. Instead of merely enforcing minimum statutory requirements, we wanted the role of an on-the-job inspector to become one of training, prevention, anticipation and education for preventive measures beyond statutory minimums. Certainly, if we have any belief in industrial democracy—which I certainly do—then issues such as safety must be at the core of industrial democracy, because they affect the daily lives of working people.

To give members an example, we saw a recent incident in which a child was killed at a shopping centre following an accident, and we saw what I believe to be a grotesquely low fine imposed for the loss of that life. That has been the case over many years. Until about 1985 the maximum penalty for breaches of specific sections of the Industrial Safety, Health and Welfare Act was only $1 000. In 1982 the average penalty imposed for breaches of the Act or regulations that were instrumental in causing injury or death was a paltry $164, again reinforcing the view that across Australia it was obvious—and is still obvious—that society places a higher value on crimes against property than it does on workers' health and lives.

That is why it was not surprising that during depressed times some manufacturers were prepared to cut corners on safety and risk the penalties. Workers fearful of retrenchment were often wary of formal complaints. I remember in a booklet that I wrote many years ago, which was the standard text on this issue for at least half an hour, called *Limbs, Lungs and Lives*, I cited the terrible situation of a series of incidents across the nation. We had the tragic absurdity of penalties in Victoria where two teenage boys were asked by their employer to clean out a degreasing vat and were given no information about the nature of the chemicals with which they were working nor any protective clothing other than a pair of boots each. Within 20 minutes both boys were unconscious. The next day both boys were pronounced dead, and eventually the company concerned was fined $2 000 for its failure to observe enclosed space regulations.

I am delighted that the Government—and I want the Minister to heed this—is doubling the penalties for breaches of the Act. It is certainly true that self inspection is needed, rather than simply increasing the number of inspectors. Over the years, even before cutbacks, State safety inspectors readily admitted that all they were able to do in areas of unsafe practices and industrial accidents was try to keep abreast of events, rather than to turn the growing tide of injuries and fatalities.

At that stage in the 1980s, on average each Government safety inspector had to cover 562 workplaces and 5 119 employees. That meant that each officer had to make an average of 550 inspections each year, making one prosecution for every 348 inspections. Even if we tripled the number of safety inspectors at that stage, they would still have been unable to be on the spot to prevent the vast number of accidents. That is why I think there was bipartisan agreement, and people such as Ian MacPhee talked nationally about the need for self inspection through a system operating at a local or plant level.

Surely, if workers had a vested interest in and the right to make decisions about anything at all in industry, it should be about their safety and health at the job, and the fundamental place for industrial democracy should be at the point of production, whether it be on the factory floor, at the warehouse or at the office.

I am delighted to hear that the penalties are being increased. However, I, along with the shadow Minister, am very concerned that there will be some kind of legislative intimidation of safety representatives and workers by increasing fivefold the fines that apply to workers. I am very concerned to hear from the shadow Minister that there has been a massive decline in prohibition notices, improvement notices and in terms of convictions, because I do not believe that that massive decline in the number of convictions and in the issuing of notices has anything to do with a greater concern for industrial safety.

The Hon. G.A. Ingerson interjecting:

The Hon. M.D. RANN: The honourable member thinks I am out of touch. I have been to companies where I have seen outstanding safety circles. In 1994 I visited GMH and sat in on safety circles and quality circles, and was very pleased to see the interface between workers, unions and management in that regard. That is the case in many industries, but unfortunately not in all.

I believe that it is crazy to give the perception that somehow we are cracking down on industrial accidents by increasing the penalties while at the same time making it more difficult for safety representatives to do their job, either by threatening them with a fivefold increase in fines or by taking away their ability to do the job that they are elected to do. I am concerned about that aspect whilst supportive of the Government in other respects, in terms of the twofold increase in the fines.

One of the problems we have on the environmental front is that the legislation may be in place, that we have set up the Environmental Protection Authority but there is no willingness to enforce. However, the Government can just lie back and say, 'We have this wonderful EPA. We have this wonderful legislation on the books.' But, if there is no governmental will or resources to prosecute, no moral suasion in terms of trying to insist that companies do the right thing, then what we are seeing in the EPA could be applied in occupational health and safety. If the Government is not seen to be serious about the issue, not just in terms of legislation but in terms of enforcement, then small incremental steps forward achieve nothing at all.

Because we had major reforms in the 1980s (and I know the Minister will agree that nationally there was a greater awareness of occupational health and safety issues after years of Dickensian and paternalistic legislation), I would like to see, as we move into a new century, a much stronger focus on occupational health and safety. It will certainly be a keynote issue in our policies for the next election, but it would be marvellous if it were a bipartisan one.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I thank members opposite for their contribution. As I have said on previous occasions in relation

to an allegation that this Government is attempting to 'water down health and safety regulations', I deny that. That is rot: we are not; and I will continue to deny it. In relation to the allegation of limited time in Estimates (and I note that the Deputy Leader of the Opposition is leaving the Chamber), the honourable member may like to speak with her Deputy Leader, because the times allocated for questioning in Estimates were agreed with her Deputy Leader. The member opposite was then party to another member of her political Party asking 20 minutes of omnibus questions during the time that her Deputy Leader had allocated for this subject.

Indeed, if there is a single accusation about a limited time for questioning, the member opposite may choose to question and deal with her Deputy Leader and the member for Reynell, I think it was, who asked the questions. It was an agreed time with the Opposition, so there was no suggestion that we were attempting to limit questions at all.

In regard to the question of inspectors having their opportunity to inspect being limited by an alleged car restriction, as I pointed out in Estimates the average distance travelled annually by an Industry Services Division vehicle at present is 16 826 kilometres. I would have thought that, if these inspectors were undertaking the sorts of role members opposite indicated they are restricted from doing by our supposed restriction on car numbers, that average kilometrage would have been much higher than 16 500 kilometres per year. As I also pointed out in Estimates, it was interesting that that question was raised in the omnibus questions almost immediately after we had been asked questions relating to how many mobile phones and private-plated vehicles there were, and so on, clearly intending to make an allegation that the Government did not care about waste of the taxpayers' resources. I would have thought that, to focus down the number of vehicles from a number to where they were averaging 16 500 kilometres per year, was quite reasonable in the face of those allegations.

The Leader of the Opposition made an extraordinary allegation, which I believe he indicated that he had made before but I will look up the *Hansard*. Certainly, the thesis of his allegation was that with low penalties it is profitable for firms who are unscrupulous to disregard safety in order to cut costs because of low penalties. That is an extraordinary allegation, and at some stage I intend to detail to the House (I have asked for figures but do not have them at hand) what attempts were made by the Labor Government to increase penalties when the present Leader of the Opposition was a Minister sitting around a Cabinet table. I believe the answer to the question which I have asked my staff to present to me is 'None.' I do not believe there was an attempt by the Labor Party when in government to increase penalties.

What an extraordinary allegation for the Leader of the Opposition to make—that he believed it was profitable for firms to be, in essence, profligate with safety matters because the penalties were so low and then not have done anything about it. It is a staggering accusation, and I look forward to determining the attempts or otherwise of the Labor Party when in government to increase penalties, because that is what this Bill is doing and what this Government is interested in doing.

Interestingly, the matter of the fatalities has arisen, and I will present figures later, because on my understanding of these matters, when one looks at the figures relating to either per 100 000 employees or hours worked, the number of fatalities has not increased. I intend to bring back further information regarding that and, if my recollection is wrong, I will be the first to acknowledge that to the House. I did see some figures that I believe showed that, because of the increased work force and the increased time worked, the percentage—if you like, the rate of fatalities—has not increased. That is not good. I would rather the rate of fatalities was decreasing. The allegation that the number of fatalities has increased, whilst it is easily made, when one looks at the figures, one sees they do not support the allegation that we as a Government are being non-caring about fatalities. This legislation will see penalties increased, and it runs a flag up the flagpole to people involved in South Australia's industries that the Government will not sit by whilst people do not concentrate on appropriate occupational health, safety and welfare in the workplace. I thank honourable members for their contributions.

Bill read a second time.

In Committee.

Clauses 1 and 2 passed.

Clause 3.

Ms KEY: In my comments to the Bill I sought further clarification from the Minister—and certainly the Leader also did this in his address representing the Opposition—on a division 7 fine. The Minister may be surprised to hear that I agree with him on the matter of penalties. As I said in my contribution, the comparison of the Labor Minister's council—and the Minister would be aware of these—places the maximum penalty for individuals as being the lowest in Australia. I note the Commonwealth has a maximum penalty for individuals of $5 000. Although we have 6 000 health and safety representatives in South Australia, we also have a number of workers now who I would hope have been trained in health and safety, and prevention issues. The Minister said the penalties have been doubled and, after referring to the Act, I agree that the divisions up to division 6 have been doubled. Why has a division 7 fine, which relates to section 22, for workers increased five times?

The Hon. M.H. ARMITAGE: I can only say I wish the member opposite had not taken me absolutely literally in that there are other examples where penalties have more than doubled. I draw the member's attention to the fact that, in particular in the application of division 7 which she is talking about, she is, indeed, correct: the fine has gone up five times. However, I ask her to look at section 22, which relates to the duty of employers and self-employed persons. Paragraph (b) provides that the fine has gone up from $5 000 to $100 000, or even $200 000. So it has gone up 20 times or, in some instances, even 40 times. Clearly we would not be hamstrung by merely doubling all penalties. We decided that there were some which needed, as I said before, a more indicative flag to be run up the flagpole. Whilst we have, indeed, increased that penalty by five times, we have increased penalties for a number of employers by up to 40 times.

Clause passed.

Clause 4.

The Hon. M.H. ARMITAGE: I move:

Page 2, line 20—Leave out 'Division 6 fine' and insert:
Division 7 fine

This amendment rectifies a clerical error. To save the Committee the pain of hearing my voice twice, I shall explain this amendment and not speak to the next one. As a result of clerical errors being corrected, now an employee must, so far as is reasonable, use equipment provided for health or safety purposes; obey reasonable instruction from the employer; comply with any policy published or approved by myself as

Minister; and not endanger safety as a result of consuming alcohol or drugs; or face a maximum penalty of $5 000. The tabled Bill mistakenly prescribed $10 000.

An employer or self-employed person who does not take reasonable care to protect his or her own safety at work will face a maximum penalty of $10 000. The tabled Bill mistakenly prescribed $5 000. This issue was, indeed, the subject of a great deal of debate within the tripartite Occupational Health, Safety and Welfare Committee, and some employer members considered that the offences should attract the same penalty—which I indicate to the member opposite is the direct reverse of the point that I think she was trying to make with her previous question. After considerable discussion, the committee agreed to the penalties, unanimously recommending those to me. So, the amendment to clause 4 is one half of implementing those unanimous recommendations.

Amendment carried; clause as amended passed.

Clause 5.

The Hon. M.H. ARMITAGE: I move:

Page 2, line 26—Leave out 'Division 7 fine' and insert: Division 6 fine

I move this amendment for exactly the same reasons as I indicated with respect to the previous amendment.

Amendment carried.

Ms KEY: I want to ask a question about the amended clause. Can the Minister enlighten the Committee about the consultation that would have taken place? He commented a moment ago about the discussions and the debate within the health and safety advisory committee with respect to this issue but, as was pointed out, it has also been noted in the documentation that I have received that a number of self-employed people have died, according to the statistics that we have of fatalities at work. This is also in light of the fact that, if the Industrial Relations Bill was to be successful—

The Hon. M.H. Armitage: When it is successful.

Ms KEY: If it is successful, which seems very doubtful—there are, in fact, some changes of responsibilities with regard to the Employee Ombudsman and also the role of the inspector. What will be the strategy to try to redress what are pretty serious statistics with regard to self-employed people? Also, as the Minister keeps reminding us, we have a number of small business components to South Australian industry: how will this provision improve health and safety in that area, especially with what would now be a Division 6 level fine, or penalty?

The Hon. M.H. ARMITAGE: I believe that the question relates to consultation. As I indicated, the issue was taken to the Occupational Health, Safety and Welfare Committee, where there is a broad spectrum of input. The legislation went to a working party made up of members of the committee. The employer representative was from the Chamber and I would assume—and I believe—that he would have spoken widely about that issue within the employer community. This Occupational Health, Safety and Welfare Committee is the appropriate body with whom to consult about these sorts of matters.

Ms KEY: I want to emphasise that point because, as I understand it, the Chamber of Commerce does not have a majority of members who are self-employed; they quite often are not members of employer associations at all. I refer also to the small business area. As I understand it, small business people who belong to an association quite often tend to be in a small business association, or a smaller association that is relevant to that particular industry. So, I wonder about the consultation process in light of that. Despite the good work that the chamber does in dealing with its members' issues, how could the Minister possibly have consulted with people who are not part of the chamber?

The Hon. M.H. ARMITAGE: In relation to the previous observation, I should also add that I know the member is aware, but failed to mention, that we have increased the number of inspectors by 10, which is, of course—

Ms Key interjecting:

The Hon. M.H. ARMITAGE: No, in relation to the question that the member asked before. I suppose, at the end of the day, as I indicated before, the Occupational Health, Safety and Welfare Committee is the appropriate body with whom one should consult. We would expect that representatives of those bodies, be they employer or employee, would consult widely within those bodies. But, at the end of the day, this decision to increase penalties significantly to ensure that people in industry know that the Government is very serious about this matter is a Government decision and, no matter what consultation was to be had, this was a decision that we were going to make. We wanted to make sure that people in the community knew that we were serious about appropriate occupational health and safety.

Clause as amended passed.

Remaining clauses (6 and 7), schedule and title passed.

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

That this Bill be now read a third time.

I am delighted that the Bill has been passed, because I believe that it will identify to the people in the working community, be they employer or employee, of whatever category, that occupational health, safety and welfare is a very important matter.

Bill read a third time and passed.

PILCHARDS

The Hon. R.G. KERIN (Deputy Premier): I seek leave to make a personal explanation.

Leave granted.

The Hon. R.G. KERIN: In Question Time today the Deputy Leader of the Opposition asked me a question about the allocation of the 1999 pilchard quota. A quote from the Estimates Committee of 29 June 1999 was used. The quote used was clearly made in relation to the 1998 allocation of quota, responding to the Deputy Leader's question regarding the effect of the results of a biomass survey. The Deputy Leader has mistakenly attributed this quote to have been in regard to the setting of the 1999 quota.

An honourable member interjecting:

The SPEAKER: Order!

The Hon. R.G. KERIN: Furthermore, in relation to the 1999 quota, the Deputy Leader referred to the November minutes of the pilchard working group in relation to its decision on quota. Since Question Time today, I have had brought down to the House the minutes of the December meeting, where they reaffirmed the decision that it be pro rata allocation on last year. I point out that there was a misunderstanding today. As I said in Question Time today about the question asked of me, I believed that 'someone has obviously pored through things and tried to slot things in where they did not really fit.' That has proven to be correct, and I am disappointed that the Opposition has asked a question without the checking the context. They got it wrong.

ADJOURNMENT DEBATE

The Hon. R.G. KERIN (Deputy Premier): I move:

That the House do now adjourn.

Mr FOLEY (Hart): I rise to put on the public record my total opposition to the development of a ship breaking facility at Pelican Point on Le Fevre Peninsula. The notion is that, as we head towards the twenty-first century, we should be aiming for an innovative, dynamic highly skilled economy. To think that we would even contemplate throwing back to an industry based in the nineteenth century I find absolutely bizarre in the extreme. The notion that almost every available square metre of land at Pelican Point would be turned into a ship breaking facility, a steel smelter with an arc furnace, and with further processing I find quite horrifying. I will declare my interest up-front, both as the elected member for that area and as a resident. Before anyone accuses me of being a NIMBY, I declare myself to be an out and out NIMBY.

The plans shown to me place this facility within 200 metres of the main road which many thousands of people back onto and live near. This development is not kilometres away from where people live. It is right in the heart of a built-up community, a community that to date already has and accepts as its position in life a major shipping port, with three container cranes, and soon to be four, with the Submarine Corporation, Adelaide Brighton Cement, the Penrice Soda Products facility and power stations galore. We have in our electorate more than our share of industrial development. We simply cannot now subject the people of my area to this horrendous industry.

This industry is usually undertaken in Third World countries. The beaches of Pakistan and India are where the majority of the world's ships are broken up. Up to 40 000 people earning less than $2 a day break up these ships. Reports have been given to me from the United States' that it will be uneconomic to make this project environmentally safe. The cost to the project to make it environmentally friendly would be so huge that it would not be a viable project. In America, in the port city of Baltimore, Wilmington, North Carolina, Terminal Island in San Francisco and on the border between Mexico and Texas, these projects have been established to break up United States' Navy ships, and one by one they have been unmitigated disasters. Workers have been killed and subjected to asbestosis. There are pollutants in the waterways. They have caused such a political and community furore in America that, in recent times, the United States, Senate and Congress have taken a view on this, and they are doing what they can to close down these facilities in the United States.

These are not developments on which a modern, skill-based economy should be focusing. 'Jobs at what cost' would simply be my response to the interjections that I am sure some members opposite would make—what about jobs? Jobs at what cost? I do not want my sons to grow up with a future in breaking up steel hulks and ripping asbestos off ships. I want them to work in a proper working environment, in a proper factory, under proper working conditions and developing skills, not being subjected to work that is usually the province of Third World countries. I appeal—

Mrs Geraghty: They shouldn't be doing it, either.

Mr FOLEY: No. I am not advocating that it be done in Third World countries. I am simply making the point that that is where they are currently done, and we should not be advocating the establishment of that industry in our community. I make an appeal to those people who support the project. I appeal to the Government whose decision it will be over the course of the next few weeks to decide whether to allow this company a hold over the land for the next two to three years to conduct a feasibility study. I make a plea to the Government to take into account a number of factors. As a local resident and as the elected representative of my community, I ask the Government to take into account the views of local residents. It should take into account the people's livelihood, their property values, the amenity of their community, the air environment, the water environment, the ecosystem of the area, noise pollution and the enormous impact of the project. That is the very first consideration that one should make.

Mr Venning: What about jobs?

Mr FOLEY: Would the member for Schubert suggest this industry for the township of Clare, if it was on the water? He would not want it in Clare and we do not want it in Port Adelaide. We do not want the pollution in Port Adelaide.

Mr Venning interjecting:

Mr FOLEY: The member for Schubert makes a silly, inane comment, 'What about the State?' What about the State? Do we want a reputation as the State that breaks up the world's rusty, polluted ships, or do we want a State that is recognised as a high-tech, highly skilled, innovative knowledge based economy? Do we want an economy that throws back to the nineteenth century? John Howard is giving $150 million to Tasmania to drag it into the twenty-first century as a highly skilled economy. Do we want to throw back to the nineteenth century, to the days of Charles Dickens and the pre-industrial revolution in England and have the smelliest, dirtiest, vilest, polluting industry? I say that is nonsense.

Mr Venning interjecting:

Mr FOLEY: The member for Schubert says that because we build ships we should wreck them. When was the last time we built a ship in this State? Except for the Submarine Corporation building highly advanced weaponry and advanced technology, we have not built a ship in this State for 30 years. Come on! The honourable member cannot come at that one.

Mr Venning: I don't think that is quite right.

Mr FOLEY: Well, 20 years—whenever. I am as pro-development as the next person, but I will not subject this State to this vile, polluting, disgraceful, despicable industry, one that no clever thinking politician should support. It is not an industry that someone who wants to see our economy forge into the future should support.

Mr Venning interjecting:

Mr FOLEY: The member for Schubert says that I am a NIMBY—absolutely, and I make no apology for that. If he had been here earlier he would have heard me talking about a grand vision for this State. I make a plea to this Government, which I hope will do the right thing and which will not be a Government that will take development at any cost: if this project is to have any credibility let us locate it in an area that will not impact on people. Take the project away from areas in which people live. Perhaps the electorate of Schubert has a suitable location. I doubt that the member for Flinders would think it was a good industry to be located next to Lincoln Cove at Port Lincoln, and I doubt that the member for Gordon would think it was a particularly smart project to have near Mount Gambier. If, at the end of the day, it is a project that can be sited well away from areas in which people live let us evaluate it then, but do not impose it upon

a community that should not have it, does not want it and, if I have anything to do with it, will not get it.

The ACTING SPEAKER (Hon. G.A. Ingerson): Order! The honourable member's time has expired.

The Hon. D.C. WOTTON (Heysen): During Estimates I asked a question of the Deputy Premier and a similar question of the Minister for Environment and Heritage and Aboriginal Affairs regarding integrated resource management. I want to spend a short time this evening reiterating some of the points that were made at that time. Integrated resource management is something I have supported for a long time. In fact, a number of years ago I visited New Zealand which had just introduced the Integrated Resource Management Act. I wanted to determine how successful that legislation had been in its earlier days.

I had the opportunity last year, while attending a Commonwealth Parliamentary Association Conference in New Zealand, to speak with some of the officers and the Minister who have responsibility to determine how that legislation was proceeding four or five years (if not longer) since its introduction. New Zealand has done an excellent job with this legislation. It was fortunate that the legislation was introduced at a time when local government was being restructured and it was able to build this legislation around local government. During the period I was Minister I was very keen to see integrated resource management introduced and to be followed up by legislation.

That has not happened and I have a concern that perhaps we are not moving as quickly as we could have in this area. Integrated resource management is about functional reform. It is a very important issue in that we need to look at those who have responsibility in working for and with community boards, and so on, whether they be people associated with Landcare, catchment management boards, soil boards, or whatever the case might be. I regret that some overlap of responsibility has occurred with some of these boards. Certainly in country areas there is an overlap of representation.

I certainly found and continue to find in travelling through country areas that the same committed people who work on soil boards work on Landcare and have now become associated with catchment boards, and so it goes on. They were all doing an excellent job but I believe that we could be much more effective and that those boards and organisations could be much more effective if there was some functional reform. In the questions I asked I made specific reference to the Mount Lofty Ranges Catchment Program and the board that has a responsibility for that program.

Again, I am delighted that I was given the opportunity to be involved with the then Minister for Agriculture in the establishment of that board and of the programs that have been associated with that board. At the outset I want to commend the members of the board who have served since its establishment. I want to recognise the many excellent programs that have been introduced as part of that program by the board. The major recent achievements of the board and of the program include the development of strong partnerships with other agencies, including catchment boards, grants to assist community projects, support for land management groups, provision of land management and property planning courses to encourage sustainable land management, development of a regional revegetation strategy for the Mount Lofty Ranges and on-ground outputs, such as protection of vegetation habitat, fencing of water courses, revegetation, and so on.

I was delighted, again as Minister for Environment, to recognise the excellent work that is being carried out, particularly by primary industries and land owners who have gone out of their way, in a voluntary capacity, to fence off their water courses and to introduce a number of vegetation habitat programs, as well as other initiatives. That has come about with the support of the Mount Lofty Catchment Board and through the introduction of programs for which that board has been responsible. The program is funded jointly by the community, including local governments.

Funding is provided as follows: 44 per cent or 45 per cent through councils; State Government, 22 per cent; and the Federal Government, I think through the Natural Heritage Trust (and there has been great success in attracting grants through that trust), approximately 34 per cent. A proposal was put to both Ministers (the Minister for Environment and the Deputy Premier) in July last year to reconstitute the program as the Mount Lofty Ranges Natural Resources Program. The proposal was also to replace the current board of management with a Natural Resources Committee, about which I wanted to ask both Ministers during Estimates because a formal response has not been forthcoming from either Minister in regard to this matter.

I was pleased to learn from the Deputy Premier and one of his officers, Mr Wickes, that new members have recently been appointed to the board and that the department is considering how it can pull together the bigger issue of integrated natural resource management before a new body is put in place. That is all very well and I hope that does happen, but I believe very strongly that it should have happened before this. I reiterate my commendation for the board and what it has achieved. However, I am disappointed that the board and its responsibilities have not been reconstituted, and that it has not been replaced with a Natural Resources Committee, because it is an excellent opportunity to introduce integrated resource management to cover the catchment boards, the soil boards, Landcare and vegetation responsibilities, to work with councils and the State and Federal Governments throughout the Mount Lofty Ranges.

It is something on which I am going to be spending a lot more time in the future. It is something that I support strongly. We are very fortunate that we have excellent staff working with the board in the Mount Lofty Catchment management. They have just recently moved to new offices in the centre of Mount Barker, opposite the local government centre. That is appropriate. It is more easily accessible and I am sure that was a move in the right direction. I want to commend all of the staff who work so well in the work that they do under the leader of the Mount Lofty Ranges Catchment Program, Dr Jill Kerby. I just hope that the Government recognises the importance of this program and the importance of functional reform and gets on with it as a matter of urgency.

Motion carried.

At 5.32 p.m. the House adjourned until Thursday 8 July at 10.30 a.m.