HOUSE OF ASSEMBLY

Thursday 4 May 2000

The SPEAKER (Hon. J.K.G. Oswald) took the chair at 10.30 a.m. and read prayers.

NATIVE VEGETATION ACT

Adjourned debate on motion of Mr Hill:

That the regulations under the Native Vegetation Act 1991 relating to exemptions, made on 16 December 1999 and laid on the table of this House on 28 March, be disallowed.

(Continued from 13 April. Page 923.)

Mr LEWIS (Hammond): The regulations in this instance, as explained by the member for Kaurna at the time he moved this motion on 13 April, relate to the activity near Bonney's Camp where a 17 kilometre stretch of land, 150 metres wide, needs to be cleared to make way for a 20 metre deep drain. That forms part of the work that the Public Works Committee has examined and about which I spoke yesterday in the course of my remarks about things that we are doing to mitigate the effects of increasing areas of dry land salinity killing agricultural production as well as native vegetation in the Upper South-East in the area north of Lucindale and south of Coonalpyn. If we do not allow this drain to be constructed, the consequences will not be just a narrow strip of land, 17 kilometres long on which there are some trees that die, because thousands upon thousands of hectares of native vegetation that have been set aside and kept for posterity's sake will be destroyed by that salinity. That native vegetation is not only in national parks but also on land that is heritage listed.

All of the land is in the electorate of the member for Mackillop and it has been a vexed question for him, knowing as I do that he has a longstanding and genuine concern for the preservation of sufficient areas of ecosystems in their natural state to ensure the survival of species that form the fabric of life, and I commend him for that view. It is as much based on that view as it is based on his view and mine that the agriculturally valuable land that will otherwise be lost to salinity is also in need of protection.

The only way we can do that is to dig this drain. One cannot dig a drain without removing the grass, the lichens, the trees and the bushes that grow on the ground where the drain has to be dug. The member for Kaurna, whilst he is waxing eloquent about the trees that need to be removed to make it possible, and saying how shock-horror unfortunate that is, nonetheless ignores completely the other side of the argument; that is, that the sacrifice of a few trees on that stretch of land where they occur will make it possible to save millions of trees and bushes, bird nesting sites and so on that will otherwise be completely lost as a result of the salinity simply killing them.

We have to make up our mind. We cannot have it both ways. It is like saying we do not want people to piss. If you put an elastic band around your urethra, and it is easier to do for a man than a woman, you will not be able to get rid of the saline water that builds up, and the consequence is that you will die. It is the same with the Upper South-East. The salt water is building up. If we do not remove the restriction, there will be absolutely enormous devastation of the native vegetation on heritage listed property and in the national parks. It will not be just in that ecosystem at Bonney's Camp: it will be right across the board. We will lose an enormous amount of habitat and we will change it forever because it will never be possible to get it back any time in the next few hundred thousand years. We will be long gone if we take that step. The species will probably be finished. I do not know how long homo sapiens will survive. From the way it behaves in some respects, I wonder whether it will make it for the next one thousand years. But that does not matter, because life itself will survive on this planet with or without us as a species. I am not one of those people who subscribe to the doomsday notion, but it does not matter much if homo sapiens is not here because you would not have any people to be compassionate about: you would not have to worry about them because there would not be any.

I think our job is to try to minimise the consequences of change which has occurred and which cannot be unscrambled. We have done that by examining the balance sheet of the environmental consequences of digging or not digging this drain. On the balance sheet, it is clear that we come down in favour of saving the greatest number of assets if we allow the drain to be constructed. By allowing the drain to be constructed we also save—and, indeed, rehabilitate—a large area of the native vegetation which has already been somewhat adversely affected. That area will drain, the salt will go away and a sufficient root zone will recover and enable within the next 50 to 100 years pretty much a natural recovery of the species that were there.

It will also enable us to recover the value of the agricultural land that generates the revenue that we can spread around. If you do not have any prosperity, you cannot be compassionate: you will be too busy trying to provide yourself with food and shelter as individuals and you will have nothing left to spread around amongst those who cannot care for themselves. You will not have enough for yourself to be able to share. If you give it to someone else, you will die, so you need to hang on to it.

That is the difference between ourselves and fools like Mugabe. He takes the view that everything will go on and that he will still have money tomorrow, even though he is killing off the people who generate the wealth—and that is because he is a racist idiot. He hates people just because they have one skin colour.

The Hon. G.M. Gunn: Or they are opposed to him.

Mr LEWIS: Yes, that too.

The Hon. G.M. Gunn: We know where he's going to end up.

Mr LEWIS: Yes, we do, six feet under, like all of us, but he will probably get there a little more quickly than he planned—and it will not be any of my doing. I beg him to save himself and his country. However, I return to the problem before us. The member for Kaurna missed the point when he moved to disallow those regulations which would facilitate the essential clearance of a few trees and bushes for the sake of the many more that would be saved, the thousands of hectares of agricultural land that would be saved and other land that would be capable of rehabilitation. So, I say that the member for Kaurna has got it wrong. He did not think far enough ahead, and he did not look at the big picture.

The Hon. G.M. GUNN (Stuart): This is a miserable motion. Indeed, it is the most miserable, ill-conceived and foolish course of action that I have ever seen in my time in this parliament. It gives no consideration to the welfare of the people in the Robinson Basin in the District Council of

Streaky Bay. Let me say from the outset that I am a resident of the District Council of Streaky Bay. I own a number of hectares of land situated above the Robinson Basin, and my farm draws water from the basin. My family has drawn water from the Robinson Basin since about 1904.

The whole purpose of this regulation is to allow for the removal of sheaoaks which have proliferated in the basin and are drawing down the water, because there is a chronic shortage of water in Streaky Bay. If the honourable member had listened to the regional news this morning, he would have heard representatives of the council expressing their grave concern about the urgent need not only to conserve but also to enhance the availability of water for that town.

This regulation has been put forward by responsible people after a great deal of thought and consideration. Does the honourable member have any idea why the sheoaks are proliferating? It is because there are no rabbits there. If people knew anything about it and did not just blindly take the advice of the Wilderness Society, the flat earth groups, and odd bods and dills and others who are allergic to water, they would face reality. The member for Kaurna holds himself up as a future leader of the Labor Party and leader of South Australia. Every proposal that he has put to this parliament has been at the behest of the anti-development league with no regard whatsoever for responsible development.

This is an absolute outrage, and it is a reflection on the future welfare of the people of the District Council of Streaky Bay. It shows the stupidity of the honourable member and his friends in the Conservation Council. I am amazed that someone who sat on the select committee on water could be so easily duped by this sort of nonsense from these people; he has been absolutely duped by the nonsense, the short sightedness and foolishness of these people to engage in such reckless and irresponsible behaviour with no regard for the consequences. Mr Speaker, do you really think that this regulation has been put before the parliament in a willy-nilly fashion or without proper consideration as to the effects of it or the alternatives? What are the alternatives? The honourable member has not given any alternatives. What are they in the short term? The honourable member has not told us.

Mr Lewis: You are meant to die of thirst.

The Hon. G.M. GUNN: That is right. Everyone knows that in the Robinson Basin fresh water is sitting on top of a layer of saltwater. It is a limestone area set in a reserve south-east of Streaky Bay, and there are pumps to pump water. If people continue to pump in excess of the current demand, the salinity levels will rise. The salinity levels in the Robinson Basin have increased quite considerably. Every litre of water drawn out by the sheoaks increases the salinity level and it is holding back development. We know that long term there must be a desalination plant built at Streaky Bay but this is a short-term measure to assist with that proposal.

I am amazed that the Labor Party would allow such a stupid motion to be put forward. This matter has been given careful consideration by members of the Native Vegetation Council. They are practical people: they are not fuzzy wuzzies but, rather, practical people who understand what is going on. I have spent a considerable part of my life sticking up for people in isolated communities who are the victims of self-centred, miserable, selfish people sitting in Adelaide, and this is a prime example of the sort of outrageous superior thinking of some people. It does not matter where you go around rural South Australia, people are the victims of this sort of bloody behaviour—and we have had enough of it. The rural community has had enough of it. It was bad enough when the cranks in the department of environment tried to stop the oyster industry at Smoky Bay—people such as Bond and company, those woolly thinkers, and others, and their agents in the conservation council. This is yet another prime example of that woolly thinking and wobbly attitude of people. They may be allergic to water. These people might want to live in tents but the overwhelming majority of people who want to live at Streaky Bay want to have a decent shower and want to access a decent supply of water.

I am appalled that the honourable member would want to engage himself in such reckless behaviour when there is no need for it. This is a selective program to get rid of the sheoaks. Does the honourable member know what a sheoak is? Does the honourable member know that rabbits like them? I am not talking about broadacre clearance. It is open limestone country, if the honourable member knows anything about it.

This has been put forward: it has the full support of the District Council of Streaky Bay. What I suggest is that it gets on with it and does it as quickly as possible because it will be acting in its own interest—and let the Wallies stop them. If they want them stopped, then put restrictions on the water in the member's electorate. If he wants to be fair dinkum, lets put them under the same sort of pressure. If it is good for the goose, then it is good for the gander. If he wants to stop these people from having water, well put the same restrictions on his constituents. Let us be right up front in these particular matters because these people are doing this because they have some desire to get out there and knock the sheoaks. It has been put forward in a responsible and reasonable manner to assist with the water supply in this area.

In relation to the matter in the South-East, I am as unfamiliar with that and, as a result, I leave it entirely up to the member who understands it. However, I am fully aware of this matter and I have personally discussed it with representatives of the council, including the chairman and the chief executive officer. My family lives in the District Council of Streaky Bay—and now the fourth generation lives there. I understand it very clearly. I know what has happened to the water levels, the salinity levels and the difficulties they have had in providing sufficient water to allow for the orderly development of Streaky Bay, which is a pleasant place for people to live. People in isolated communities do not ask for a lot. They normally get less; and one thing they do not need is arrogant, left wing politicians trying to impose their ill-conceived irrational views upon them at the behest of minority groups such as the Wilderness Society and other odd bods who are anti development, anti South Australian and should be ignored and exposed as—

Mrs Geraghty interjecting:

The Hon. G.M. GUNN: Look, you would not know. You go and swim in your reservoirs. We know that you will get Peter Duncan to write your next speech and organise you. Some of us are free thinkers; we do not need Peter Duncan to help us. We are sticking up for the people who are the victims of this sort of damn nonsense which has been put forward by the member, and if this is successful they will have their water cut off. If you think that is a good thing, well you vote for it, but some of us will stick up for people in rural areas who would be the victims of this sort of arrant nonsense which has no substance, foundation or commonsense about it. I strongly oppose this and call on the member to apologise for his attack on the people in that area.

Let me say that we know the honourable member's chief adviser and the adviser of other members opposite is Darcy O'Shea. If he wants to associate with that sort of person, let everyone know. The member is still trying to stop Yumbarra—we know you are up there with Darcy O'Shea—but, for goodness sake, let the people have decent access to water and ignore the nonsense you have been fed. I know a fair bit about this area and what the member is trying to do is an absolute outrage.

Mr WILLIAMS (MacKillop): I rise to speak against the motion by the member for Kaurna to disallow the regulations under the Native Vegetation Act. I doubt whether the member for Kaurna understands what these regulations do. The previous speaker, the member for Stuart, said that he is not fully au fait with what is happening in the South-East; likewise, I am not fully au fait with what the situation is near Streaky Bay in his electorate, so I will relate my remarks purely to what is happening in the South-East. What the regulations have done is allow the Native Vegetation Council to get on and do its job. Without these regulations—

Mr Hill interjecting:

Mr WILLIAMS: I will explain to the member if he will sit quietly and listen for a minute. When the Native Vegetation Council assessed a native vegetation clearance application under the previous regime before these regulations were made, it could not take into its assessment the effect on any land other than the land on which the clearance was proposed to take place. What has happened in the South-East regarding the drainage system is that we have hundreds of kilometres of drains, and suddenly it reaches a particular piece of property which requires some native vegetation to be cleared to allow the drain to proceed through that property and through other properties and eventually, in this case, to the outfall into the Coorong.

What happened is that it came across a property where the native vegetation needed to be cleared. The Native Vegetation Council when it was considering the application was unable to take into account the effect on all the upstream land and the drain's beneficial effect on the environment, apart from on the piece of land in question. So, the hundreds of kilometres of drainage works upstream from that piece of land could not be taken into account by the council. In other words, the Native Vegetation Council could never approve such a clearance, irrespective of where it was.

The member for Kaurna continued in his contribution on 13 April and said that there was an alternative in the South-East. I draw to the honourable member's attention that if the alternative through the properties known as Deep Water and Currawong were used—and the member may be unaware of this because I am sure the conservation council has not briefed him on these facts—it would then require clearance of native vegetation in the Martin's Washpool Conservation Park. The member is nodding, and I assume from that that he was aware of that.

If he understood these regulations, he would also be aware that, if an application were made to clear that vegetation in the Martin's Washpool Conservation Park to allow the drain to proceed through that area to the outfall into the Coorong, the Native Vegetation Council could also not consider that clearance and take into account the positive, beneficial effects on the upstream land. This is a problem with the Native Vegetation Act and the regulations which has dogged us in the South-East and the drainage scheme for many years.

I happen to have served a period of time on the South-East Water Conservation and Drainage Board before coming into this place, and this is not the first time we have come up against this same problem. We have had months of frustration, and in this case years of frustration, over these very issues, because the regulations did not allow the Native Vegetation Council to get on with its job and perform a proper assessment of the beneficial effects of the clearance.

There are other regulations which also hinder the Native Vegetation Council in its deliberations. For example, when making an assessment on a clearance application, they cannot take into account any previous good environmental work that property owners have done. I would argue that that mitigates against the environment. I have a steady stream of land-holders who come into my office regularly, land-holders who have spent the best part of their working life—20, 30 or 40 years—replanting native vegetation or locking up portions of their farm land to preserve the biodiversity of that area: they put in an application to knock down one or two redgums or a handful of other trees—pink gum or whatever—and they are told by the Native Vegetation Council that their previous good work cannot be taken into consideration.

The sum effect of what happens with that sort of woolly-headed thinking is that now that landowners are aware of this, if they intend to do some good environmental work on their properties, say, 'To hell with that. We won't do that because at some time in the future we might want to make a request to knock down three or four trees to do something on our farm to increase our productivity. We will leave any positive environmental work until such time, and then we can offset it.' It is an absolute nonsense. It is today, and has been for many years, mitigating against the good intentions of land-holders, certainly in my electorate and I would suggest right throughout the state. That is another regulation of the Native Vegetation Act which should be changed, and changed forthwith.

If I can just go back to the alternative, there are other pieces of information that the member for Kaurna would be pleased to know of, if he does not already—and I suspect he does not. If an alternative route were taken through the Deep Water and Currawong property—and he did allude to the fact that there is talk that it could take five years to compulsorily acquire that land—my information is that not only could it take five years, but to compulsorily acquire that land would more than likely cost taxpayers something between $4 and $5 million. It is not an insignificant property. On top of that, and because the proponents of the drainage scheme have not had access to that property and have not been able to do an on-ground survey—although they have done some very close estimations from digitised remote sensing work—it is assumed at the moment, with the best knowledge available, that to use that route would also entail the removal of about an extra 800 000 cubic metres of material to put the drain through that property and, on a quick calculation at $3 per cubic metre, that means an extra $2.4 million in excavation costs.

So, the alternative proposed by the member for Kaurna could cost—the figures are a bit rubbery—up to $7.5 million extra. I suggest that the member for Kaurna would agree with me if I say to the House that if the taxpayer of South Australia has $7.5 million to spend on the environment, this would not be where he would choose to spend it: saving somewhere between 100 to 200 hectares of native vegetation which, as the member knows and as he said in his remarks

earlier, has already been cleared. That is a moot point and somebody else might make a judgment on that.

Mr Hill interjecting:

Mr WILLIAMS: You know a lot more about it than I do if that is the case, but it is a moot point.

Members interjecting:

The SPEAKER: Order! Interjections are out of order.

Mr WILLIAMS: It is certainly up to somebody else to make those decisions or come to those conclusions. In conclusion, there are many good reasons why it was imperative—and the member for Hammond has expressed some of those, so I will not go into that—to go ahead with the drainage scheme and many good reasons why this particular alignment was required. The long history of it is that the original and preferred alignment would have been through the Messant Conservation Park. The second choice was through Deep Water Currawong, but that entailed going through a conservation park also. This is the third choice, but is a choice that will see the drain proceed and see at least 40 000 hectares of very valuable farm land and environmental land—vast tracks of native vegetation—protected in the South-East. I could not support this motion to disallow the regulations.

Mr De LAINE secured the adjournment of the debate.

GAMING MACHINES (FREEZE ON GAMING MACHINES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 13 April. Page 930.)

Mrs MAYWALD (Chaffey): I support the bill introduced by the member for Gordon and congratulate him on his foresight in introducing this bill. The bill draws a line in the sand, but it is only an interim measure. To date I have been pleased by the general response of members of parliament who have spoken in this debate, but I am particularly pleased with the Premier's strong support for a freeze on poker machine numbers in this state. I reiterate: I believe that this is only an interim measure. The government now has a clear opportunity to once and for all address the community concerns and the expectations regarding poker machines. It is vitally important that we provide an opportunity for this House to consider issues surrounding gaming machines in general and the operation of the act. I will seek the support of the House for an amendment I will table which will provide for the minister to cause a review of the act and its operation to be undertaken and to be reported to both houses of parliament by 30 April.

The intent of this amendment is to provide an opportunity for the government to undertake a consultative process and to look at all the matters surrounding this issue and the unintended consequences of a freeze on poker machines. It is vitally important for the industry, those who are employed in the industry, those who currently own licences and those who would like to own licences in the future that the appropriate framework be established as to how we manage poker machines in the future. It should be the role of the government to take the lead on this and to consult broadly in the community and with the industry itself.

There must be a balance between the needs of the community and the needs of the industry. I applaud the Premier for his comments in relation to one of the unintended consequences of this freeze, namely, the creation of a cartel-like environment which would be totally inappropriate because it would make some people very wealthy and deny others an opportunity to expand within a very important industry. I support the bill in principle and understand that a number of other amendments will be proposed by different members. When moving amendments I would like members to consider that the last thing we need in this issue is a piecemeal approach as to how the legislation is finally put through the House. It is important that appropriate consultation be undertaken not only with the community but the industry to ensure the best possible outcome for all concerned.

Mr WILLIAMS (MacKillop): Originally I would have spoken against this bill, but, instead, I have decided to file an amendment to the member for Gordon's proposal the effect of which is to place a sunset clause on the member for Gordon's amendment so that it expires in 12 months from 30 March. When we last debated this matter I was moved by the contribution of the member for Elder, who spoke about why this amendment would be supported and about why some members might throw their full weight behind it. I totally agree with his comments and suggest that all members re-read what he said in regard to this legislation doing absolutely nothing to solve or to help those unfortunates among us who have developed a problem with gaming machines and, indeed, with any form of gambling.

We know that Australians have a very strong propensity for gambling per se. It is and has been accepted by many of us that gaming machines have added to those problems, but this proposal to put a cap on the numbers will do absolutely nothing to stop that. Indeed, it does provide for some unintended consequences—and, I believe, some very serious unintended consequences—not the least of which is: what happens to the value of gaming machine licences? What happens to the transferability of gaming machine licences?

If this amendment that we are debating was successful and if a hotelier or a licensed club that had a gaming machine licence closed down for any reason at all, what would happen to the licence? If someone else bought a hotel, what would happen to the licence? On my reading of it, if I or anyone went out and bought a hotel that had a gaming machine licence this bill suggests that I could not take over the licence because there is a freeze on any new licences and it would be non-transferable. A huge issue exists relating to transferability. If we ever reach the third reading, I am sure that many members and I will be interested to discover the intention of the honourable member who introduced this bill.

I again ask what is the purpose of this bill. I suggest that its purpose, as the member for Elder pointed out to the House, is to allow certain members to go back to their electorate and say, 'Look, I tried,' or 'Look what I achieved,' when nothing will be achieved.

In respect of another matter, the member for Gordon said recently:

> . . . it is my view that it would be better to get more of this right before continuing to make these incremental changes, because I do not think we are weighing up all the positives and negatives of each step. We are not working back from the future. We do not have a holistic view. . . and anything less than that is a silly stepping off point. . .

He further said:

> We do not know all of the consequences of the next step. To my mind it would be better to pause a little longer and ask more questions and get more answers before we move forward.

That is what the member for Gordon said when the House was debating a matter relating to water allocations in the South-East. The honourable member wanted more knowledge. He wanted to get all the steps in place before we moved forward, yet he produces this particular amendment in respect of a freeze on gaming machines, which does not address the unintended consequences of transferability when licensed premises change hands. The amendment does not even begin to address the problems that some unfortunate people in our community experience.

From my reading of the matter, I believe that less than 2 per cent of the community do develop a problem with gambling and gambling machines, and all of us would have that otherwise. I am sure that this bill does nothing for those people because, if we place a cap at 13 500 machines, or where ever we are at the moment, there is still plenty of access. Something that has been said many times, and indeed in this chamber, is that we should have allowed gaming machines only in licensed clubs and not hotels.

I read the eleventh report of the Social Development Committee of this parliament into gambling. I read some of the evidence that was given to that committee and some of the conclusions that the committee drew. I am using historic figures going back a year or two but, at the time of the report, there were approximately 11 000 machines in South Australia. In South Australia there was one machine per 120 adults, whereas in New South Wales—which is relevant to those of us who say that we should have poker machines only in licensed clubs, and that is exactly the situation in New South Wales—there is one machine for each 60 adults. At that time the number of machines per adult was double the figure in this state, and those statistics would be almost reflected in today's numbers.

An even more interesting statistic emerged from that report. Evidence was given that the venues with the higher number of machines received greater revenues per machine. In fact, in 1997, the daily net revenue per machine in venues with 31 to 40 machines was $119, which was almost 24 per cent higher than the average of all machines in the state. If we are going to do something about the gambling problem, I suggest that we get a little more serious about it, and that is exactly why I have moved this amendment today. This will put an expiry date on it and give those amongst us who seriously want to do something about this problem a window of 12 months to do that serious work, to consider some of the options that have been put forward.

One of the options that has been discussed around the communities or through various forums in recent times to ameliorate the woes of problem gamblers is to put in things as simple as clocks and windows, so that people in some of these gambling venues get a worthwhile perspective of the movement of time, they know that the day has ended and it has become dark, and they have a good idea of how many hours they have been sitting there. Another option is the banning of inducements for people to use the machines.

One of the more serious actions that could be taken by this parliament, if we seriously considered trying to get on top of this problem, would be to lower the number of machines in each venue. Currently, we have a cap of 40 machines per venue, and evidence given to the Social Development Committee suggested that those venues with the higher number of machines were taking more per machine per day. There is certainly scope there to do something about getting to the root of the problem.

I reiterate that all the commentators I have read or listened to on this matter seem to agree that problem gamblers constitute between 1 and 2 per cent of the total adult population, and I do not think that we should lose sight of the fact that that implies that at least 98 per cent of the population do not have a problem controlling their gambling habit. Notwithstanding that, I have serious problems with the gambling industry in South Australia and the effect that it has on that 1 or 2 per cent of people, but I think we should get more serious about it than the member for Gordon's amendment proposes.

Mr MEIER (Goyder): I support this bill, which is simple and straightforward and seeks to get to the crux of the problem in as simple a way as possible. We just heard the member for MacKillop suggesting that perhaps the bill is a little too simple, and I am happy to consider any amendments moved to it. The member for Chaffey has already indicated that she will be moving an amendment, and I know from speaking with a couple of my colleagues that at least two other sets of amendments will probably be brought in with respect to this bill.

I started to fully appreciate the effect of pokies on our community soon after they came into our hotels and clubs. Members would recall that the bill passed in 1992 and the machines started to come in either in late 1993 or early 1994, as the lead up time was significant in hotels having to obtain licences and prepare their premises for them. The thing that really struck me in my electorate was people from small businesses coming to me and saying, 'Mr Meier, what is happening to our business? We are losing an enormous amount of trade.' And nothing had changed in the environment other than the introduction of poker machines.

Of course, I am talking of smaller towns in my electorate, towns from the size of 500 people up to 2 000 and even, in one case, 3 000 or more people. It did not surprise me, because my view on poker machines has been consistent throughout my time in parliament. In fact, I guess I have had problems with a lot of gambling simply because I have seen the negative effect that it has had on so many people. In fact, this debate gave me the opportunity to look back at earlier debates and see what had been said. I was interested to see that back in 1992 when we were debating the introduction of the Gaming Machines Bill I indicated I opposed the bill, and I referred to a headline from the *News* in 1986 which read, 'I'm against pokies here—Bannon'. In that article the man who was Premier in 1986 and 1992, John Bannon, identified his personal opposition to poker machines being introduced into South Australia. The irony was that he changed his mind from 1986 to 1992 and, as most members would be aware, John Bannon supported the introduction of poker machines. He said in 1986 that he saw it as a mindless form of gambling. Anyone who has used a poker machine could only agree. I must admit I have used them on a few occasions if we have gone out for dinner, and I might say, 'Let's throw $2 on the poker machines.' I have not won yet; probably that is no great surprise.

Ms Rankine interjecting:

Mr MEIER: She also puts on $2, does she?

Ms Rankine interjecting:

Mr MEIER: She puts on more than $2. It is interesting to hear a member opposite saying that she knows of some people who win on a regular basis. I say, 'Good luck to them,' but the point is that hotels and clubs would not be doing as well as they are if they were on the losing side. That

is pretty obvious. Obviously, the people who are playing the poker machines are the ones who will lose, sooner or later. What upsets me is to see people who seem to be addicted to it. I was not aware until more recent times that the more lines you play, the more money it takes. So, if they play a 5¢ machine people say, 'Right; the maximum I can bet at any time is 5¢.' That is a lot of hooey, because if you play seven or more lines you can be betting over $4 in one go, so a 5¢ machine can become very expensive and you can start to throw money at it at a very rapid rate. I believe a lot of people have been caught out in that way.

What fascinates me more is to hear the jingle of the money. Given that I am not a big punter, from the amount I have disclosed already (and I must admit that I have occasionally gone up to $5 and sometimes even $10)—

An honourable member interjecting:

Mr MEIER: In real terms very little, thank goodness. I was going to say that I am fascinated to hear the amount of money that sometimes comes out of those machines, and I wonder how on earth they manage to get winnings like that. The reason is that they put in a huge sum to begin with, and place many dollars per bet. It is understandable that if they strike a win it will be a fair amount, but so often I have seen people just gamble those moneys away.

I do not want to sidetrack from the issue of retail businesses. Speaking with some of the hotel proprietors in the early days, I made no secret of the fact that I was opposed to poker machines. A few of them said, 'John, we are actually on your side. However, because poker machines have come into our society we do not have a choice of whether or not we have poker machines. If we want to survive in this town we have to have poker machines as well.' I said, 'I can understand that. The parliament passed it; that is your choice.' It has now grown to the point where most hotels have poker machines, and those that do not find it difficult to compete against those that do. I want to disclose something to the House that happened back at the time when the previous government was in power, namely, from 1993 until 1997-98. About a year or two years into that term I proposed in the party room that we should put a cap on poker machines.

We had a debate about it, and I could see that I was going to be defeated but I insisted on a vote. The vote indicated that three agreed that there should be a cap on poker machines and, with 36 members here plus 10 in the Legislative Council—totalling 46, it would have been a vote of about three to 40 against putting a cap on poker machines. How things have changed some four years later if the *Advertiser* poll is at all accurate. I think people realise that a cap needs to be placed on poker machines.

The other irony was that soon after my unsuccessful attempt within my own party to put a cap on poker machines Jeff Kennett announced that a cap would be going on in Victoria. He said, 'Enough is enough'. I guess that he too could see very clearly the damage poker machines were doing in many areas.

I have no problem with this bill at all. I am quite happy to consider any amendments, and I hope that it will not drag on unnecessarily. I see one very necessary amendment, and that is the commencement time of 30 March. It would now be retrospective legislation and, if no-one else moves an amendment, I would want to move an amendment so that it applies from a more suitable date. If this bill is to get through in the next few weeks, I suggest that 1 July might be an appropriate date, but we will see how long the debate takes.

In conclusion, I want to refer back to the debate in 1992, when the *Advertiser* managed to get it horribly wrong when it identified through a pictorial spread on Saturday 9 May who had voted yes and who had voted no. Under the heading 'Absent, abstained, overseas or resigned,' the *Advertiser* pictured a large group of members, 18 in total. My photograph was there, but I can tell the House that I was one who was paired. The *Advertiser* did not seem to know what 'pairs' meant. Indeed, many of those members were paired. I was paired with the Hon. Greg Crafter, the then member for Norwood. I know that my present counterpart, Mr Murray De Laine, was paired with Mike Rann. Murray De Laine was against poker machines and Mike Rann was in favour of them. I could go through the various other pairings that occurred then, but it is very disturbing that any subsequent article has usually referred back to that original *Advertiser* article—and it was wrong.

Mr SCALZI (Hartley): I, too, wish to make a contribution to this important debate. Like the member for Goyder, I understand that there are problems with the capping as it is, the freeze, especially with the date. Other issues have to be looked at, and I am aware that the members for Chaffey and MacKillop have also foreshadowed amendments. No doubt, once the debate reaches the third reading stage these problems will be sorted out.

I was not in this place when the vote was taken for poker machines, but I have stated on many occasions that I would have voted against the measure. Nevertheless, we now have to deal with a different problem. We cannot go back into the past but, equally, we have to take into account what has happened in the community and the community's outrage at the proliferation of gambling in general and gaming machines. As a member of the Social Development Committee, which for 13 months looked at gambling, I am pleased that the member for Gordon has brought in a bill that supports the committee's Regulations and Legislation recommendation 1.3:

> A ceiling of 11 000 gaming machines be imposed, with the cap to be reviewed biennially with the long-term aim of reducing the number of gaming machines in South Australia to fewer than 10 000.

The Premier stated a couple of years ago that enough was enough, and I support that stand, and he has made ministerial statements to that effect. We now have over 13 000 gaming machines in the community. An analysis of this issue is long overdue when it is considered that the Social Development Committee did a thorough study of the problem. The Social Development Committee also supported retaining the statutory limit of 40 gaming machines per venue, excluding the Casino. However, the report went on to say:

> The committee is opposed to the establishment of pokie parlours and the like which are devoid of facilities for meals and relaxation areas, and recommends that these venues not be granted gaming machine licences.

One of the important recommendations of the committee was that all gambling codes should contribute to the Gamblers Rehabilitation Fund. I commend the hotel industry for putting money back into the Gamblers Rehabilitation Fund for problem gamblers—that often-quoted 2 per cent who have serious problems with gambling.

We must put it in perspective because it is not only gaming machines that are a problem in the community but gambling in general. To say that gaming machines are solely responsible for all the problems is like saying to an alcoholic, 'If you stop drinking brandy, you will be okay, but you can

have beer and wine,' and I think that I have mentioned that before. We have to look at it in its totality, and that is what the Social Development Committee did. Nevertheless, the focus on gaming machines and the proliferation of gaming machines is a problem.

A couple of weeks ago when I was in Melbourne I went to a hotel that had 47 gaming machines and a little corner as a bar. It was false advertising to describe that place as a hotel because it was more of a gaming parlour that most probably also served liquor. When the committee was looking at the gambling reference, small businesses made representation, saying that, when gaming machines were introduced, their businesses had difficulty, their turnover went down and they could not compete with the cheap lunches offered by hotels, and so on. I find it equally amazing now that I am lobbied by hotels, saying that they cannot survive unless they have gaming machines. If they argued against the small businesses that other market forces caused their predicament, surely we can say that the hotels must deal with those other market forces as well, and not be toing-and-froing with regard to gaming machines.

This problem will not go away unless we take a thorough look at it. A moratorium on gaming machines at this stage is a good thing, and I support the member for Gordon for taking up the issue that the Social Development Committee recommended two years ago, that we should look at capping the number of poker machines. I am also aware that the government in South Australia and governments in Australia generally depend too much on gaming for revenue. That has to be addressed because, as long as we depend on that gambling dollar, that will be a problem for governments of all political persuasions in the future. This bill alone will not deal with that problem, but it is important in the sense that it makes us focus on the issue. I think members should support this bill, examine the amendments in committee and try, in a bipartisan way, to find the best outcome in respect of this important issue.

I have difficulty with the nature of gambling in many venues. I note that in other states there are machines that take notes: you put in a $50 or a $100 bill and you are immediately given credits. As I said, when I was in Melbourne, I visited a gaming facility which had a small bar, and I saw an individual lose $40 within a period of five to seven minutes—the note machine just took it. Fortunately, we do not have those sorts of machines in South Australia. I was one of the members of the committee who strongly opposed their introduction, because they facilitate people to wager more than they can afford in many cases.

It is difficult to know where the balance lies. However, the arguments of the opponents to this bill, who are against capping in general, who say that we should not go back to a nanny state or that prohibition never works, are fallacious and without substance. How can they say that this bill supports prohibition when there is such a proliferation of gaming machines (over 13 000)? The motion is really saying that we should take stock of the current position and try to find the best way of managing our problems with gambling in the community.

I acknowledge that the hotel industry provides a lot of employment and that it has been responsible in supporting the rehabilitation fund. I urge all gambling codes to be responsible and contribute to the rehabilitation of problem gamblers. This should not be left just to the hotel industry. Rather, it should be the responsibility of all gambling codes, including the Lotteries Commission, and advertising of all gambling codes should also be examined.

In many cases, education is the answer. The community must be made aware that this problem is not just one of gaming machines; it is a problem with gambling in general because it provides a way of escaping from the real issues that face people. We should assist the individuals who have these problems in the best possible way so that this social problem does not become any greater than it is now.

For those reasons, I support the bill. I look forward to the committee stage which will provide breathing space to enable a rational, balanced debate on the current situation and a realisation that the industry must be assessed.

Mr De LAINE secured the adjournment of the debate.

CITY OF ADELAIDE (DEVELOPMENT WITHIN PARK LANDS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 28 October. Page 314.)

Ms THOMPSON (Reynell): This Bill has been sitting here for some time since the Public Works Committee put it forward as a way of addressing some of the poor development that has occurred over many years in our parklands. The bill provides that, before any further development occurs in the parklands, it must be considered by both houses of parliament and the Adelaide City Council. Hence, this bill is relevant in the current climate. In a way, it is very innovative in requiring such wide consideration of the important heritage aspect of the parklands, but in fact section 206 of the Local Government Bill 1999 already requires that, when the Adelaide City Council is looking to extend a lease of the parklands, it must be submitted for consideration to the Speaker of this House and the President in another place. So, the idea that the parklands are so important that they should be managed only with the consent of the houses of parliament, as well as the Adelaide City Council, which has the duty of care in relation to the parklands, is not something new.

The reason that we need to look very carefully at the developments that occur in the parklands is really quite evident. I often refer to the horrible blue loo of the Schulz Tower, a building that was built much to the surprise of many of the citizens of this state—and I am told of the Adelaide City Council—because the fact that it was on the premises of the then Adelaide Teachers College meant that the Adelaide City Council did not have to give permission, and the consultative procedures at that time were quite limited. As a result, we have this horrible blot on our skyline for all time, very evident to anyone coming into the Adelaide Railway Station. I suppose in a way, Mr Speaker, it is a plus that our interstate visitors end up at Keswick: they do not see the horrible blue loo on the skyline as they come in. We do not want that to occur again.

In more recent times we have had the problems of the development at Memorial Drive, where we now have what is essentially a leisure centre on premises that were originally leased for the purposes of tennis. It does not take a lot of observation as you drive past that centre to see that the amount of space given to tennis is small in comparison with the space for other activities that require considerably less space than does tennis. The promotion for that facility is about its gym, its massage centres, its recreation facilities and

its entertainment facilities rather than about tennis, which was the purpose of the original lease.

We also have the situation with the establishment of the National Wine Centre. The National Wine Centre in itself is something very important, but I still am not able to see why it could only be located in what most of us think of as parklands. Technically, it was land that was already appropriated for other purposes, but I do not think most of the public looks at what little bit of the parklands has been appropriated to what purpose. As far as we are concerned, it is all our land, and while some of it has been appropriated for important civic purposes such as a hospital, a museum, an art gallery, universities and Botanic Gardens, the notion that it should be appropriated for a headquarters for a very important industry is a little beyond most of us.

There are many important industries in this state and the thought that we should line up all their industry headquarters in the parklands is somewhat appalling, and I cannot see where the wine industry differs from many other important industries. The dairy industry is very important and the notion of the dairy industry headquarters being located in the parklands I think most would see as quite absurd. What we need to do is look at how the whole community can have its interests in the parklands protected, but, at the same time, not stop the necessary development that needs to be undertaken by organisations of importance to this state, organisations such as the University of South Australia, the University of Adelaide, the museum, the art gallery and the library.

This bill would provide that when such organisations want to undertake major developments those proposals have to come before the two houses of parliament and the Adelaide City Council. At the moment the council, while it has the care and management of the parklands and while any leases that are granted such as that in relation to the Memorial Drive Tennis Club accrue revenue to the city council, does not actually get to say whether or not it wants the development to occur. We have the ironic situation of the Adelaide City Council having to negotiate a lease with the Memorial Drive Tennis Club over a development with which it did not agree and did not have the power to stop.

It is time we removed that sort of idiocy from our legislation and enabled those organisations to have a say, not just to be consulted but to be able to negotiate with any proponent of developments in the area that was set aside by Colonel William Light to be parklands. Although it is recognised that much of that land has been appropriated, it still needs to be considered as a whole and managed as a whole. We have had some notions put forward at different times in this place that perhaps we could have a land bank. That would mean that when land that had been alienated from the parklands was returned, then another portion of land could be developed—there is even talk about a two for one basis. However, I do not think that the general community thinks that returning degraded land from the back of the railway station to parklands would make up for building a structure on some of the prime area parklands along some of the major thoroughfares.

I do not think another building in Veale Gardens, for instance, could possibly be replaced by a bit of land at the back of the railway station—and I am not indicating in any way that there is any proposal for another building at Veale Gardens; that was simply a for instance. Generally, I can be quite confident that our important institutions will not be prevented from undertaking necessary developments by the provisions of this bill because we are very sensible people in this place, the other place and the Adelaide City Council and we recognise when these developments have to occur.

But we also know how important these facilities are to the community. Together, we can ensure that we do not find that our parklands are traded for some commercial advantage. For instance, in the case of the wine centre, it was put to the Public Works Committee in evidence that by putting the wine centre on the parklands, we had an advantage that no other state could match, when every state was wanting the wine centre. Well, that is an important consideration, but I do not think that, in order to facilitate the resurgence of this state, we should look to trading in one of its most important assets, the parklands. That is just a short-sighted attitude to development.

So, I consider that the Public Works Committee has put forward a sensible proposal to find a new way of protecting our parklands. There are provisions in the bill to enable temporary developments to occur, and there are provisions to enable small upgrades to occur without the matter having to come before this parliament. We are careful not only to look at the footprint but to recognise that the amenity of the parklands can be destroyed by putting on another three or four stories just as much as by extending the footprint.

Mr MEIER secured the adjournment of the debate.

SELECT COMMITTEE ON A HEROIN REHABILITATION TRIAL

Adjourned debate on motion of Mr Hamilton-Smith:

That the report be noted.

(Continued from 30 March. Page 688.)

The Hon. G.A. INGERSON (Bragg): I would like to continue the comments I made three or four weeks ago in relation to this select committee, and I would like to make about half a dozen major points. First, the select committee clearly endorses the fact that heroin addiction problems are in fact a public health problem. Whilst there is a whole lot of debate in the community about how and why people become addicted, that has to be put aside and we must recognise that we have a public health issue and that, as a government and a community, we must attempt to put in place programs that encourage the people who are addicted to at least look at the option of getting right off these drugs.

The select committee recommended that there should be far more scientific investigation into the drug heroin. One of the major issues that arose during the select committee hearings was the fact that, whilst the addiction problem with this drug has existed for a long time, the reality is that there has not been a lot of scientific investigation into its actual pharmacology—how it works, why it works, how we can do something about blocking the way it works, and so forth. As a group, we unanimously recommended that more scientific work be done.

Secondly, it was obvious to all of us on the committee that heroin ought to be publicly considered as an option in the treatment program. The problem for the committee was that, whilst we believed—and I think there was one dissension in this respect—that it ought to be considered as an option and be part of the treatment program, the reality is that, because the federal government will not make the drug available to be used, in fact it is not a practical option at all.

Clearly a lot of the views that we had about using heroin as an alternative were not real in fact because the federal

government will not allow you to do it. A lot of work is being done worldwide on the use of heroin in treatment programs and it is my view, and that of the committee, that we should actively monitor those programs because it is very easy when you get an issue like heroin and heroin addiction to put your head in the sand and say that because we have a view of opposition to it or because we are concerned about the fact that people are addicted to it we should not continue to look at the whole problem in totality. Part of the problem is whether it should be used in the addiction program.

In reality the Australian government will not let us use it, so what are the options? There are a number of very interesting drugs at the moment on the horizon and buprenorphine is probably the most exciting of all. We have recommended as a group that the state government should look at this drug in particular, look at it as an entry point into the treatment program and, instead of spending the time we normally do, sometimes years, testing these drugs before we put them into the program, it is my view and I think that of the committee that we ought to move quickly on buprenorphine and at least do legitimate trials on its use and test it over a short period to see if it is working. The committee itself believed that that was one area in which we should move quickly.

The other area that came up in discussion in the committee was the fact that many opioids are of a similar structure to heroin and we ought to look at short acting opioids and at doing trials on their use. A lot of options are available. We ought to be working quickly on this area because it is at the entry point in the beginning of stabilising these addicts and gradually weaning them off the drug that we need to do most of the work. With buprenorphine and short acting opioids as options we encourage the government to look at that quickly.

Earlier I mentioned the need to look continually at the programs done overseas because a lot of work is being done. Some of the reports and statistical information is easy to shoot holes in, but in reality we should continue to look at it because there could be some exciting developments.

The other issue that came up during the committee and which interested me was the treatment program itself. How do we quickly make available the resources needed when someone voluntarily comes along and says, 'I am an addict, I am on heroin, I want to get off it and I need urgent help.' Whilst we have a reasonable amount of resources available, they are nowhere near adequate. If we are really fair dinkum about trying to help a large number of people—of the order of 3 000 to 4 000 people in South Australia—to quickly get into programs and start to get off heroin, we need an expanded role in this up front area. I have been a minister for a long time and know there are always resource problems, but this is one area in the health portfolio that needs a boost of funds and we clearly ought to look at how to do that.

Time expired.

Mr MEIER secured the adjournment of the debate.

DOCTEL RAGER

Mr MEIER (Goyder): I move:

That this House congratulates and praises the excellent work of emergency services personnel including the South Australian Ambulance Service, police, helicopter pilots, Australian Search and Rescue, special operations and all other personnel who assisted in rescuing the crew of the yacht *Doctel Rager* which capsized off southern Yorke Peninsula on Friday 31 March.

I am pleased to be able to formally move this motion and to extend sincere thanks to all involved in the rescue operation. Members would recall the *Sunday Mail* headline following that catastrophe: 'The Great Escape. Twelve Survive.' It really was a classic case of where 12 people could have drowned but where all 12 were saved. It is a credit to everyone who was involved, but particularly all the rescue service personnel.

I would get into enormous trouble if I started to mention names, because I know so many of the people involved in the rescue, since it occurred in my electorate. The big problem is that, undoubtedly, I would miss out many names, not realising what part they had played. The rescue operation demonstrates very clearly the need for very modern and efficient emergency services in this state. It also shows very clearly that a separate emergency services levy is indeed necessary. In fact, when I was at the opening of the new Stenhouse Bay Visitor Centre recently a couple of the people involved in the rescue said to me, 'John, we can see now only too clearly that the emergency services levy is so important and absolutely necessary.' I guess these facts do not become obvious until we have a catastrophe or, should I say, a near catastrophe such as that involving the *Doctel Rager*.

For those not fully familiar with what occurred, at 7.30 p.m. on Friday 29 March an emergency positioning indicating radio beam (commonly referred to as an EPIRB) was activated by the yacht crew and picked up by a satellite. Between 7.30 p.m. and 8 p.m. the Australian Maritime Authority Search and Rescue picked up the distress signal. Soon after 8 p.m. the distress signal was picked up again, the position of *Doctel Rager* was confirmed and Adelaide police and Search and Rescue were notified. From then on, rescue operations went into full swing.

It is always difficult to know who to give the most credit to. There is no doubt that the police need to be given full credit. The CFS, the SES, the South Australian Ambulance Service and certainly the National Parks and Wildlife Officers as well as the State Emergency Services people all need and deserve full credit. In fact, it was very interesting to note that Warooka SES members were on the scene within a short time of receiving the call. Later that evening the SES State Duty Officer decided to deploy the Maitland SES unit. Maitland is a significant distance from Stenhouse Bay, and members of the Maitland unit obviously had to get out of bed close to midnight and proceed south.

The briefing notes that I received indicate that shortly after the Maitland SES arrived at Stenhouse Bay it was told that it could stand down and that everything was in hand. Full credit to all those people who gave their time voluntarily but who, I suppose, were not involved in the main part of the rescue.

Whilst we can be so thankful that the appropriate rescue helicopters were available, and that one special helicopter happened to be in Adelaide on that evening as a result of previous repairs, it has been highlighted that if the helicopters could not be used and one person at a time had to be winched up, the SES would have had to launch the rescue from the cliffs and then go out to the boat. That scenario would have been much more dangerous and certainly more lives would have been at risk.

So much could be said and so much has been said. I simply wish to emphasise again that all those involved need to be given full praise. I spoke to an ambulance officer the next day at Stansbury's speedboat regatta. I had heard on the radio an initial report or two, and I said to the officer, 'How are you? You are looking a little tired,' she said, 'Well, wouldn't you look tired: I only got to bed at 2 o'clock this

morning.' I said, 'Good grief, why?' She said, 'Because we were rescuing the crew from the yacht.'

I must admit that I did not feel too good about my semi-sarcastic comments regarding why she looked so tired. This person got to bed at two in the morning after spending hours helping with the rescue of the yacht crew. The next morning she is back on deck at Stansbury because the ambulance had to be ready to help anyone who had an accident during the speedboat racing. That again highlights the importance of our ambulance and rescue crews and those in our emergency services. I want to pay a very big tribute to those groups and say a very sincere 'thank you'.

The situation was highlighted best by one of the 12 people who were rescued. An article in the *Sunday Mail* of 2 April states:

> An Adelaide sailor has told of his night of terror after clinging to the capsized yacht's hull for five hours.

The article further states:

> They do not like being called heroes but they are to us. If they had not come to pick us up we would have died.

Of course, 'they' are the emergency services volunteers and all those who were involved. To the police, the people connected with Australian Maritime Rescue, the CFS, SES and the ambulance crew, I say a sincere 'thank you' for saving 12 lives. That rescue helped demonstrate to me the importance of having very efficient and up-to-date emergency services in this state.

Mr De LAINE (Price): I have great pleasure in supporting this motion which has been moved by the member for Goyder. I add my congratulations in relation to these groups. I will not speak at any great length because the government whip has adequately covered the incident involving the *Doctel Rager*. I have been a long-time admirer of all emergency services groups in South Australia. Over the years their record has been one of extreme efficiency and proficiency. I look back on one particular example where the life of Mika Hakkinen, the Formula One racing car driver, was saved as a result of prompt and efficient work by the emergency services people in Adelaide several years ago.

These groups do a magnificent job. The opposition does not support aspects of the emergency services levy, as mentioned by the honourable member. However, we do wholeheartedly support and pay tribute to the efforts of all the emergency services people and the crews who work in our state. With those few words, I have much pleasure in supporting the motion moved by the member for Goyder.

Motion carried.

TELSTRA 2000 ADELAIDE FESTIVAL

Mrs PENFOLD (Flinders): I move:

> That this House congratulates organisers of the Telstra 2000 Adelaide Festival for their initiative in establishing the Regional Festival Program in conjunction with the Country Arts Trust SA, Australian Major Events and the Australia Council, and applauds the success of the program in attracting tourists and media attention to regional South Australia and in expanding the reach of the Festival to country areas.

The Adelaide Festival has a long history within the City of Adelaide and is known internationally for its excellence and for its courage in breaking new ground. However, the country often misses out on many things that are available in the metropolitan area, and the Festival has been one of them. This year, however, the Telstra Adelaide Festival 2000 for the first time included a component that went beyond the city limits.

Country Arts SA worked with Festival staff and regional communities to create a truly exciting and innovative regional program. Country Arts SA Chief Executive Officer Ken Lloyd said that his organisation was thrilled to be part of this inaugural program that complemented locally driven celebrations with Festival acts and Gay Bilson's feasts. He said that the Festival recognised that each community had its own distinct identity and each brings a local perspective to an international event.

The ideal program was considered to be one where no-one in South Australia would need to drive more than half a day to experience a taste of the festival. To make the program even more accessible to regional South Australia, most of the events were free. I commend the Hon. Diana Laidlaw MLC (Minister for the Arts) and the Adelaide Festival Director Robyn Archer for devising a way in which to include regional South Australia in the Festival. I believe that this exciting concept of a regional component will grow in future years to become an internationally accepted part of the Festival, something that once again shows the innovation for which South Australians are noted and which sets our state apart from the rest.

The Plenty Festival, staged at Penneshaw, Streaky Bay, Burra and Beachport showcased the excellence and variety of food and entertainment that we in this state enjoy as a matter of course. At the 1998 Adelaide Festival of the Arts, Gay Bilson created and directed the closing event, *Loaves and Fishes*, a communal feeding of 2000 performed on the banks of the River Torrens, which included theatre, music and performance. For the Telstra Adelaide Festival 2000, Gay was invited to celebrate regional South Australia's beauty, vibrant community and unique produce and producers in the event entitled *Plenty*.

At each regional location Gay prepared a special meal using produce that reflected the culture of the region. The feedings at each location were accompanied by a big name Festival act: Texicali Rose at Penneshaw; the HaBiBis at Streaky Bay; Fanfare Ciocalia at Burra; and the Adelaide Symphony Orchestra at Beachport. Gay is a renowned chef and was a restaurateur in Sydney for 25 years: she now lives on the Fleurieu Peninsula, concentrating on writing about food and directing and creating art events such as *Plenty* that include food.

The food that Gay prepared for the *Plenty* events was served in bowls made especially for each event. Bowls were produced for each event by artists who live within the region, and were sold for $5 each. Gay was assisted by local volunteers in the preparation, cooking and serving of the food. The food that Gay and her army of volunteers prepared was cooked on barbecues made especially for the *Plenty* events by Dion Gilmore, a Streaky Bay boilermaker and welder, who was commissioned to make 16 barbecues from 44-gallon drums.

Dion said that he applied for a tender to make the barbecues and that it was his wife Ursula who suggested he cut the top off the 44-gallon drums to have the barbecues stand upright, rather than cutting them in half lengthwise. Ursula Gilmore added a design feature to the barbecues by drilling images of sea creatures around the perimeter of the drums. When the barbecues were filled with burning coals, images of sea life glowed from within.

The local steering committee at Streaky Bay comprised Louise Leonard, Sam Smale, Greg Schrieber, Gemma Kelsh,

Tom McArthur, Patrick Cotton, Paul Carey, Donna Vigar, Sara Williams, Jo Ellis, Sam Bowes-Smith, Tracey McEvoy, Robyn Greenwood, Alex Reid, Sean Carey, Betty Jenkins, Pat Phillip-Harbutt, Rex Menzel, Mary McCormack, Tamara Schmucker, John Wharff, David Lane, Robyn Clark, John Brace and Peter Jans.

The Arts Up Studio painted 60 rubbish bins with brightly coloured murals for the event. As a direct result of the Festival coming to Streaky Bay, the Streaky Bay District Council undertook some major infrastructure works that will benefit the community and visitors long past the conclusion of the Festival. These included permanent shade structures over the jetty platform and along the foreshore.

Gemma Kelsh said that due to Streaky Bay's distance the district usually missed out on things like the Plenty but it was fantastic, not only to experience it, but also to be part of it. She organised 30 volunteers to assist with cooking; also, 13 TAFE students from Port Lincoln's Spencer Institute of TAFE and their lecturer, Kumar Deut came to Streaky Bay. Streaky Bay artist Di Turner produced 1 500 hand-thrown glazed ceramic bowls for the Streaky Bay event. She designed the bowls in conjunction with Gay Bilson. Di is heavily involved in community projects around the region, and has worked on a number of bas-relief murals, including 'Our story, our pride' at Port Augusta. The Burra steering committee members were Janelle Cousins, Peter Harvey, Glynne Ryan, Tony Thorogood, Sue Ryan, Kate Jenkins, Daphne Lines and Helen Cleland, supported by the whole of the community. Local restaurateur, Glynne Ryan, of Ryan's Deer Farm, used his network of contacts to locate 10 chefs and 10 assistants for the event. The Burra bowls were made by artists Kathy Alty and Jill Foster. They designed the terracotta bowls with a black slip stroke decoration, again in consultation with Gay Bilson. Bruno Gentile, from Caffe Belgiorno, of Mount Gambier, said it was an honour to work closely with Gay Bilson. He said it was rare for people with a passion for the food industry to work together on such a high calibre project and it was 'a buzz'. The Beachport bowl artist, Trevor Pitt, produced hand-thrown glazed ceramic bowls using a glaze he developed from rocks found in the Mount Gambier area.

Each of the Plenty events included a street parade and participation by school children. Other Adelaide Festival productions taken to country South Australia were *Ochre and Dust* staged in Port Augusta; *Essential Truths* in Port Pirie, Goolwa and Arkaba Woolshed in the Flinders Ranges; *Imma Putitja 2000* at Umawa creek bed in the Ernabella Ranges; *On the Road* at Murray Bridge, Point Pearce, Port Lincoln and Coober Pedy; Jimmy Little and the Stetsons at Beltana; haBibis at the Riverland Greek festival at Renmark; *The Eye* at Keith and Loxton; and the Tasmanian Symphony Orchestra at Tanunda—truly a great variety of shows and talents.

What a coup for South Australia to develop this exciting concept of a regional component for the Adelaide Festival of Arts. The tourism potential for overseas visitors to include some of the regional program in their visit is enormous. I commend the regional festival program developed in conjunction with the Telstra 2000 Adelaide Festival, and I have much pleasure in moving the motion.

Mr VENNING (Schubert): I support this motion moved by my colleague the member for Flinders. I would like to speak very strongly in favour of the Festival of Arts. This is one of the most prestigious festivals in the world. It is on a par with the Edinburgh Festival and it is widely regarded as one of Australia's most important arts and cultural events. You might say it is not normal for me to speak on matters such as this, but it certainly affected me this year, particularly with the activities located outside Adelaide. Artists from all over the world clamour to be part of the Adelaide Festival, and a significant number of visitors from interstate and overseas are attracted by the diverse and innovative program it offers. Previous impact studies indicate that the economic benefits of the festival are far reaching, with the festival contributing $4 for every $1 invested in it. This equates to approximately $17 million, an enormous contribution to our state economy.

If you doubt those figures you only need to ask the people in the restaurant trade across the road or in Gouger Street or Rundle Street. They know, because that is the front line of the dollar spending. It goes right through not only in the food areas but also in accommodation, taxis and other businesses right through the whole state. It certainly filters through, and most South Australians benefit from it one way or another, some quite indirectly. As my colleague has mentioned, this year's festival was particularly successful, due to the inclusion of the regional events program for the first time. The inaugural program's ideal was that no-one in South Australia needed to drive more than half a day to experience a taste of the festival. As per the experience of my counterparts, my electorate of Schubert also benefited by this exciting initiative.

A stunning concert of Beethoven's works by the Tasmanian Symphony Orchestra was held on 15 March at the Brenton Langbein Theatre in Tanunda. A ticketed event, it drew a crowd of over 300 concertgoers, a good result for a week night concert in a regional location. If members have not yet been to the Brenton Langbein Theatre in Tanunda, I suggest that they plan a visit in the near future, because it is a magnificent venue, equal to the venue right alongside the building here. People are quite stunned that it is privately managed with not a cent from the government at this stage, although the government helped put it there.

With venues such as this and with an excellent orchestra such as the Tasmanian Symphony Orchestra, it makes for a marvellous evening's experience. Certainly, with such venues we can encourage further world-class orchestras and events, and we look forward to ongoing future activity there.

The Tasmanian Symphony Orchestra is widely recognised as one of Australia's musical gems. It is also one of the most innovative and versatile orchestras in the country. The orchestra was led by Chief Conductor David Porcelijn, and the soloist was a virtuoso forte pianist, Geoffrey Lancaster. Securing a performance by the orchestra for Tanunda was a major coup for the local community and, judging by the feedback I have received, it was a magnificent evening and supported by all. The Tasmanian Symphony Orchestra gave only one other concert the following evening in Adelaide.

As the Barossa is already established as a venue for outstanding cultural events, the performance was particularly suited to the region and to this venue. The International Barossa Music Festival and the Barossa Vintage Festival have enviable reputations both here and abroad, and the Tasmanian Symphony Orchestra's performance was an ideal way of adding to the region's repertoire.

I refer to comments made by Imelda Rivers, Program Coordinator and Arts Manager of Country Arts SA, at the start of the festival:

> South Australia has done something really unique in the world in terms of festivals. It will leave its imprint and help regional

communities, which are already really fantastic at organising events, to move further forward with new ideas.

I hope that we will see more events at the next festival and that we utilise more fully the wonderful facilities we have out there, not just in the Barossa but also at Port Pirie and Whyalla, in the South-East at Mount Gambier, and in the Riverland. We have some marvellous venues and I hope that with the success of this festival we will see even more next year.

I reinforce the importance of this festival to South Australia and, in particular, I acknowledge the overwhelming success of the regional events program in including country South Australia in the festival for the first time. Over the years, there has been a fair bit of criticism of the festival by some of our regional people who would not normally align with what they call the 'arty-farty' type people. By bringing the festival to them it shows that they can be part of it. They only had that opinion because they were being excluded because of distance and because in the past they have not been involved. When they see these sort of events in their own community, they can join with the rest of the state and realise that it is not just for the 'arty-farty' types but that it is for all South Australians to enjoy.

Mr WILLIAMS (MacKillop): I would like to reinforce the comments made about the tremendous impact of the Telstra Adelaide Festival on our state's regional areas. I was particularly pleased to see this year's performances extend right across the state and, indeed, into my electorate of MacKillop. The regional program events in Beachport and Keith—in my electorate—were undeniable successes. I would like to congratulate Robyn Archer and her team for the great job they did in instigating and coordinating the program. While I am handing out congratulations, I would also like to congratulate and pass on my compliments to the Country Arts Trust, Australian Major Events, and the Australia Council, as well as the local communities and boards in at least those two towns in putting together the total program.

The day at Beachport that I was able to attend and enjoy was another one of those perfect South-East autumnal days, with the temperature in the mid 20s and a light breeze blowing. It was full of all sorts of other events because it was part of the third Beachport Festival by the Sea, which has been an annual event for the past three years. This year's event included students from the local primary schools who, with some special training from a person whose name I do not know, paraded down the street with all manner of pipework, tubes and percussion instruments that they had created from stuff that they found in their backyard. It was very impressive to see what, with a little bit of training and help from somebody with a bit of know-how, they were able to do. That was much appreciated.

There was a whole host of other events, and one of the most interesting was a sculpting competition. Some weeks prior to the event, 30 local, would-be sculptors each took a large cube of Mount Gambier stone, a couple of feet wide, and fashioned a sculpture out of it and presented it on the day. The winner was awarded a very valuable prize of local wines, which was much appreciated by him at least. It was great to see the interpretation of the Festival by the Sea at Beachport that people put into their crafting of a block of Mount Gambier stone. It brought the arts right to the grassroots level.

There were many highlights, but one that I must mention was the opportunity taken by the local community to have the Adelaide Festival of Arts Director Robyn Archer, who was in Beachport, unveil three new sculptures, which now proudly stand on the approach roads into the township, against the seashore. They will provide a lovely visual introduction to the town for many years and many generations to come. The three sculptures were made by Adelaide artists, and the funding came from the South-East Board of Country Arts SA, the Regional Arts Fund, Arts SA, ETSA Power, Boral Energy, McGregor Construction and Williams Carriers, which all helped to contribute the $40 000 to enable those sculptures to be placed at the entrance to the town.

The highlight of the Plenty day in Beachport was an open-air concert in the evening by the Adelaide Symphony Orchestra. Members who have been to Beachport will know that it is a small fishing community of about 400 residents. About 3 500 people sat on the lawns and spilled across the road in front of the large marquee that housed the Adelaide Symphony Orchestra. It was the first time that the Adelaide Symphony Orchestra had been in that area since 1983, when it played in the Millicent Civic and Arts Centre. I suggest that it is far too long to wait 17 years between performances of our Adelaide Symphony Orchestra in my electorate, but I might take that up with the minister at another time rather than now, when I am congratulating the minister and all those involved on what they did.

That certainly was a highlight of the day. Later in the evening, after the conclusion of the performance, we all partook of the Plenty. The member for Flinders has already expounded on the work of Gay Bilson in providing that event for those people. It meant that the people congregated after the performance and stayed in the area for several hours on that balmy evening and partook of the Plenty. It was an absolutely fantastic event.

I am pleased to say that the Plenty event at Beachport was not the only festival event to be staged in the electorate of MacKillop. Theatre Kantanka's production of *The Eye* was held at Keith on Sunday 12 March, bringing the story of Cyclops to approximately 400 local people and visitors. Keith is a relatively small township, so it was good that more than 400 people were able to see one of the Adelaide festival events in their regional area.

There was a collaboration between the Australian Theatre Company and French designer, Henri Gallot Lavallee. This outdoor theatre production was staged only twice in regional areas: once at Keith and once at Loxton. The most important thing about both these events was that they were free. They gave thousands of people in my electorate the opportunity to be a part of what I would call the South Australian festival. For the first time, it has not been just the Adelaide Festival of Arts. I think we are coming to the stage where it is becoming the South Australian Festival of Arts.

Mr Atkinson: Hear, hear!

Mr WILLIAMS: I thank the member for Spence, who obviously agrees that it is worth while taking the festival to the regional people of South Australia. I will go one step further and say that it is good that we have a government that is keen to do this sort of thing. A lot of work goes into promoting and setting up these events, and I am delighted to say that in my electorate they have been a success. I am sure from the comments of other members that the festival has been equally successful across the state. I take great pleasure in supporting the motion moved by the member for Flinders.

Motion carried.

MODBURY PUBLIC HOSPITAL

Ms RANKINE (Wright): I move:

That this House calls on the government to immediately undertake a thorough, comprehensive and independent investigation and assessment into patient care at the privatised Modbury Public Hospital and that the results of this investigation be reported in full to this House as a matter or urgency.

It gives me no joy to move this motion, but effectively I have been put in a position where I have no choice. The practices and procedures in operation at Modbury Hospital are putting lives at risk: in fact, they are costing lives. That is not my assessment; it is the assessment of the Coroner. On 19 February the Coroner was reported as finding that inadequate medical procedures at Modbury Hospital probably cost the life of a 77 year old patient, Mr Edward Hobby. He went on to say that the woefully inadequate note keeping at the hospital probably helped contribute to his death. On 6 April, Coroner Chivell was reported as being scathingly critical of procedures at Modbury Hospital. That was in relation to the death by drowning of Sandra Sanders, a patient at that time of the mental health facility at Modbury Hospital. 'Costing lives' is not my assessment, as I said, but that of the Coroner of this state.

In both incidents the government has indicated that it would undertake a review of procedures at this hospital. In July last year, I raised serious concerns about the treatment of elderly patients at Modbury Hospital. This was as a result of an attempt by this hospital to transfer my elderly father from Modbury (where there was no bed shortage at the time) to the Repatriation General Hospital in the full knowledge that no beds were available. These arrangements were made with no consultation at all with family members who have guardianship over his health.

However, as I stated at the time, my concern was, and remains, for the many elderly patients reliant on the Modbury Hospital for their care and who do not have family members to watch over the care they receive and advocate on their behalf. Sadly, even when they do, and even when they are able to undertake this on their own accord, things still go seriously wrong. After raising my concerns in July, the minister also undertook to initiate an investigation. I was pleased with his swift response which he confirmed in writing to me. The problem is that I have heard nothing since. So far we have had three undertakings of investigations into this hospital.

When I read of the Hobby and Sanders cases I could very much sympathise with the frustrations expressed by Mr Hobby's daughter and Mr Sanders. My personal experiences have given me an insight into the many inadequacies which exist in this hospital. My experience highlighted the lack of communication between the families of patients and those responsible for their care. In fact, despite my raising concerns publicly, it was not until my father's last admission late last year that I was afforded the courtesy of speaking to the doctor responsible for his diagnosis and treatment.

Since raising my concerns publicly I have received three very serious complaints from both family members of former patients who were treated at Modbury and a former patient himself. They again highlight the woefully inadequate note keeping at this hospital, the lack of communication, and, sadly, in many instances, the lack of care—and today I will highlight two of those cases. The first is in relation to Mr James Queenan. I am sorry: these are very difficult cases to relay. Mr Queenan was suffering cancer. He was admitted to Modbury Hospital last August. Despite a request from his wife, Mr Queenan fell out of his bed. Mrs Queenan returned to the hospital that particular day to find her husband on a mattress on the floor, naked, covered with only a sheet—and that is where he remained until he died.

The notes in relation to this case are nothing short of appalling. Drugs were administered. When checking the drug sheet, the times do not match up; they do not correlate. The nursing care assessment plan was not filled in properly. It notes that on 15 August his wife refused an offer to stay overnight: in fact, she did stay. She stayed and cared for her husband throughout the night. She was extremely concerned about his state. She asked that a cot bed be brought in because she was afraid that he was going to fall out of bed. However, when you read the hospital notes, his incident is being described as his being found 'lying asleep on the floor'—and this was at 7.30 at night. In fact, the incident occurred very early in the afternoon. Mrs Queenan left the hospital to return home to shower. She received a phone call either just prior to or just after midday. That is when the incident occurred: not 7.30 at night.

The notes show a cot side bed was ordered for this man at 3.30 in the afternoon. It arrived at 7.35, according to notes. Mrs Queenan requested it before 10 a.m. that morning. It arrived four hours after it was ordered and 9½ hours after it was requested, if we can believe these notes. When Mrs Queenan first relayed this story to me, understandably I thought this woman was in a state of some despair; she may have got some of these facts wrong. That would be understandable. However, visitors (his work mates) arrived to see this man at 4.30 in the afternoon. They also found him on a mattress on the floor, naked, covered with only a sheet.

If members find that hard to believe, there is the notation at 11 on the night of 16 August where it states: 'The patient ceased respiration. No pulse at 0020 hours.' That is 20 minutes past midnight. How could Mr Queenan's passing be documented one hour and 20 minutes before he died? Mrs Queenan was concerned about his state. His stomach was considerably swollen. He had a fluid balance record. On 15 August it indicates that Mr Queenan voided urine at 8 a.m. He was being monitored, yet he voided in the toilet. He voided again at 7 p.m. that night, that is, 11 hours. On the next day, he voided at 2 a.m., then at 4 p.m. the next day, that is, 14 hours without passing urine. He was then administered with a catheter.

Now, as I said, the note taking and the records in this case are nothing short of disgraceful. However, in the case of Mr James Reid, the note taking is excellent; the details are all there. Mr Reid came and saw me and said that he went into hospital to have a shoulder operation. He had one minor problem: he advised them of an allergy to morphine and pethidine. However, he said that when he came around after his operation, he had an IV inserted and they were putting morphine into his vein. He said to them, 'Don't do that.' His hand was patted and they said, 'Why don't we just give it a try?' Now, again I thought may be Mr Reid does not have the story quite right, except that when we go through his medical record it is documented on four occasions. Before he was admitted to hospital on his history and examination chart it was recorded by the RMO that he was allergic to morphine and pethidine and it lists the effects. On his pre-operative nursing notes his allergies were noted as morphine and pethidine—in fact noted twice. His nursing care assessment chart lists allergies 'morphine and pethidine'; and his medication chart 'adverse reactions, morphine and pethidine'.

I would imagine that most people are as shocked as I am to hear this. When I checked his drug chart after being told of the comment 'We will just give it a try, shall we?', his chart is actually marked 'trial': they actually ran a trial knowing he was allergic to morphine. According to the drug chart, it was last administered at 3 p.m. that particular day. He was registering a pain level of between six and seven out of 10, which is significant. According to the charts, he was left for 9¾ hours with no pain relief. Mr Reid discharged himself from the hospital. I refer to a letter which he gave me and which, in part, states:

> By 12 noon, still no indication re washing and cleaning up—

this is after his operation; this is the next day. The letter continues:

> I decided I was going home and had just managed to ease myself on to the. . . bed when my wife and daughter appeared in the doorway. They were quite disgusted as I still had bloodstains on the upper chest and body and in the unwashed state I had been in the previous day and of course badly needing a shave.

This is absolutely, totally unacceptable. It is time for proper and swift action by this government. These incidents highlight the need for the bill before this House, introduced by the member for Elizabeth, to establish a health and community services ombudsman. These people came to me out of desperation.

The current situation at Modbury Hospital simply is not good enough. People in the north and northern suburbs rely heavily on Modbury Hospital for their health care. This is particularly so for elderly patients. In these cases, all patients except Mrs Sanders were over 55 years of age. These people must be able to attend this hospital in confidence. They need to be certain that they and their loved ones will be treated and will be safe. This is a fundamental right, as is the right to be able to die with dignity and in comfort.

It is time this government acknowledged what the people in the north and north-east suburbs know: there is something drastically wrong with this hospital and it has to be fixed, and it has to be fixed now before any more people are put at risk. In his 1998 report, the Auditor-General in fact referred to a non-delegable duty of care of this government in relation to Modbury Hospital. What of the promised investigations and reviews? Have they been done, and what are the results? We have not been told.

This hospital is crook, and the government has a responsibility to act. It cannot continue to palm off blame to private operators: it has the ultimate responsibility; it has the ultimate duty of care. I have detailed five cases of appalling care at this hospital. We need the government to take urgent action, and I urge members of this House to support this motion.

Mr MEIER secured the adjournment of the debate.

KARCULTABY AREA SCHOOL

Mrs PENFOLD (Flinders): I move:

> That this House congratulates the years 5, 6 and 7 students of the Karcultaby Area School on winning the National Landcare Garden Award.

It is with pleasure that I move this motion. The years 5, 6 and 7 students at Karcultaby Area School on Eyre Peninsula have won the National Landcare Competition Design and Landcare Garden Award and more than $7 000 in prizes against entries from across Australia. This is an outstanding achievement made all the more so because of the isolation of the school. Karcultaby Area School is an R-12 school with only 103 students, located on upper Eyre Peninsula in a dryland farming region, about 283 kilometres from Port Lincoln on the Eyre Highway between Wudinna and Ceduna. It is one of two schools on Eyre Peninsula that are not part of a township of any kind. It is situated on almost 400 acres of land, much of which was cleared many years ago and is now mainly used for the agricultural courses offered at the school.

Class teacher Michelle McEvoy began the Landcare project in term 3 as part of the students' science and environment lessons, with the intention of establishing a Landcare garden in an unused area of the school grounds. When Mr John Hammet, a Landcare officer from Streaky Bay, visited the school to speak to the students about Landcare in general, he mentioned the competition run by Landcare Australia. It fitted in so well that Mrs McEvoy and the class decided to enter.

The class split into eight groups and began planning their own ideas and how their garden should look. They had to take into account the kind of environment the garden would be set in, what sort of soil they would be working with, which plants would grow and why. Also considered were the different kinds of animals and bird life that may be attracted. Along with the planning and production of their entries, the class was involved in field trips to the nearby Minnipa Research Centre to learn how to recognise native plants, how to collect seeds, and then how to propagate the plants for later use.

Throughout the term, the students worked with a variety of community members who were all willing to contribute in different ways. Special tribute must be paid to the groundsman, Peter Fleming, for his strong support and the contribution he has made already to the project. The eight completed Landcare garden projects were then submitted to the school's grounds committee where one selection was made. This was the entry submitted to the Landcare Australia competition. Martin Payne, a member of the years 5, 6 and 7 class, outlined some of the benefits of the project. It is worth quoting from his speech:

> Our winning entry in the national Landcare competition began in term 3 last year with the idea of turning an area of the school into an environmentally friendly native garden to bring birds and add character to the school.
>
> We spotted the national landcare competition in the book club catalogue and jumped at the chance to enter. A lot of time and effort was put into eight class entries, with the final plan selected by the grounds committee. Our plans included bringing birds to the school by planting and growing trees, information signs, turning the old school house into an education centre, with information about the trees and birds you might see as well as seats for recreation and bird study.
>
> Some of the things I have learnt from this project are team work, working together to design a garden for this competition, some planning and recording skills and also how to look after the environment, which I think is very important in today's expanding world. When we heard that we had won everyone was ecstatic. Now the hard work begins. Throughout the year we will develop the garden as planned, with our dreams becoming reality. Our next challenge is finding a way to get water to our garden.

For a number of watering points to be placed in the area an old tank situated a short distance from the garden will need to be repaired and pipe laid to the watering points.

While visiting the school for the presentation of the award I found it fascinating to see the historic tank used by the railway in years gone by and it still holds water. The repair of the tank and the provision of the new collection sources will provide precious rainwater. It is envisaged that reuse of runoff from the school grounds will provide part of the supply. In order for the garden to be established and carefully maintained, rainwater is essential, especially in this low

rainfall area. Having a large catchment area will solve many of the problems with the establishment of the overall project.

The short-term objectives of the garden project are: to establish a water catchment area by repairing the existing tank and forming a run-off flume; to supply water to the fauna in the remnant bush area, where their range is restricted; to provide a suitable water source for the establishment of school nursery landcare garden that produces plants for linear corridors and shelter belts. The long-term objectives were identified as: for the students to try different career pathways in the area of landcare; for students to manage small business enterprises; for students to obtain training in the area of agriculture, horticulture and landcare; and, to have a landcare showpiece to show farmers and interested people that landcare really does work with agriculture.

I am exceedingly proud of that remote Karcultaby school on Eyre Peninsula and that it was acknowledged for its contribution to landcare when members of parliament, local industry and officials from Landcare Australia joined the school community for the presentation of the award. Obviously the Landcare Australia competition is not the finish of all the planning that the students, staff, parents and community members have done. It is only the beginning of what looks like being an interesting and valuable part of Karcultaby's future. Thanks to the landcare competition, it has been a very good beginning.

It will enhance the already considerable efforts that have been undertaken since 1991, when about 65 acres of natural vegetation was fenced off to protect the biodiversity through a Save the Bush grant. This area is mallee scrub grassland, typical of the locality before agricultural activities. It is a stage preserve and a valuable living educational tool that is used to teach the importance of saving remnant vegetation. A small area of half an acre within the larger preserve has been rabbit-proofed by further fencing. Students have been and are continuing to be involved in seed collection and propagation of the local trees and plants that have been planted by students, staff and parents. The school has established shelter belts and linear corridors to link the small pockets of remnant scrub together for the native birds and animals. As part of the year 10 construction course students and volunteers will dismantle the existing Minnipa nursery and transfer it to Karcultaby Area School.

The school nursery is another project to benefit from a bigger water catchment area that forms part of the landcare project. Pipe will need to be laid from the tank to the school nursery tank, which the school won through the competition. The school recently applied for seed funding from the National Heritage Trust as part of the cluster school regional on-ground project. Teacher Michelle McEvoy said the nursery will be used as an educational area to propagate more native trees and plants from the seed collection from remnant native scrubs in the area and from other locations, including the Minnipa Agricultural Centre, the Gawler Ranges and the national parks. Propagated trees will be used for the school and community projects and also for local farmers to grow corridors and shelter belts. This will help reduce wind speeds, thus reducing soil erosion and will provide protection for farm animals. It will also help increase awareness of the biodiversity in mallee scrub areas.

The Chief Executive of Landcare Australia, Mr Brian Scarsbrick, said it was inspiring to see how thoroughly students embraced the Landcare concepts in designing the garden. He said judges from Scholastic Australia and Landcare Australia were given the difficult task of finding one winner among many entries all highly commended for their excellent detail. Managing director of Team Poly, Mr Retallick, said Karcultaby students produced a well thought out, exciting plan to revegetate part of the school grounds to incorporate various habitats and an environmental facility.

The federal member for Grey, Barry Wakelin, presented class member Gareth Scholz, on behalf of Karcultaby Area School, with a $5 000 cheque to establish the Landcare garden. Local Poly Team distributor Mr Raymond North of Agco presented the school with a 4 000 gallon water tank with pressure pump. The school also received a $500 voucher from Scholastic Books and a $500 voucher from Better Stores. The Landcare garden will have a focus on educational outcomes, allowing students to learn about the native species of their local area and to study data supplied through the information centre to be located in the old school house. The garden will have special features such as a windmill, sundial, birdbath, seats and signs to mark the importance of the area.

Community awareness of the environment and the biodiversity of local floral and fauna will also be increased. Visiting the Landcare garden and information centre, taking bushwalks through the remnant bush area and the contacts that will be made in the wider community with Landcare offices, the soil board, the Minnipa research centre, TAFE and the Minnipa Progress Association will all help to raise awareness within the community. The school aims to become a focus school in Landcare for dryland agricultural areas. I am sure that the support of the school, staff, parents and the community will see that aim achieved. I have much pleasure in the moving the motion.

Motion carried.

SPORTING EVENTS

Mr HAMILTON-SMITH (Waite): I move:

That this House—

(a) congratulates the staff of the South Australian Motor Sport Board, officials, sponsors and volunteers for their role in the extremely successful Clipsal 500 Adelaide;
(b) congratulates Tennis SA, the organisers and volunteers of Adelaide's successful Davis Cup tie;
(c) thanks the South Australian public and media for their overwhelming support of both events; and
(d) acknowledges the many economic and social benefits such major events bring our state.

I rise to congratulate the staff of the South Australian Motor Sport Board, officials, sponsors, volunteers and all involved in the extremely successful Clipsal 500 Adelaide, which was clearly an absolutely outstanding success for Adelaide and for South Australia. A new Australian record crowd of 164 000 people attended the event. Crowd figures were as follows: Friday, 43 000; Saturday, 57 000; and Sunday, 64 000. The event was broadcast live nationally on Network Ten for four hours on Saturday and four hours on Sunday. The event was also broadcast live to New Zealand, Malaysia, South Africa and on cable throughout South-East Asia, China and North America.

Research is currently being undertaken on the economic benefit and media impact flowing from the event, and this should be available by mid June. I predict that it will be enormous. It is anticipated that in excess of 10 000 tourists attended the event. The biggest international market for the event was by visitors from New Zealand. Corporate attendance at the event, however, was in excess of 22 400 patrons. At over 7 400 per day, this was a bigger corporate attendance

than during many of the Grands Prix held in Adelaide in years past. Street parties were held over the weekend in various precincts, including the East End, Hutt Street, Gouger Street and Hindley Street. The financial result from the event should be known within the next five to six weeks, but it is anticipated to record a small deficit significantly less than the deficit recorded in 1999.

Overall, the police were happy with crowd behaviour at the event, although there were some alcohol-related incidents at the circuit which were dealt with expeditiously by the police. The police, our emergency services and our ambulance personnel performed marvellously during the entire event and should be congratulated by this House and by all South Australians for the outstanding job they performed.

The severe thunderstorm on Sunday during the event tested all systems in place on the circuit. Although some problems were encountered, the race proceeded to schedule and the circuit management continued in a safe manner. All roads, with the exception of Wakefield Street, were open on time at 7 p.m. on Monday 10 April. Wakefield Street was listed to be open on Thursday night; however, additional crews were working to try to open Wakefield Street by 3 p.m. on Wednesday in time for peak hour traffic.

The Triple M legends concert featuring Suzi Quatro went ahead on Sunday night despite the inclement weather. Some 20 000 fans stayed and watched the concert, which was an outstanding success and which received a huge response from the audience. In excess of 70 separate events were staged as part of the three day carnival, and an enormous amount of positive feedback has already been received on the size of the program, the air show, the motor racing program and the wonderful way in which Adelaide embraced the event.

Debate adjourned.

[Sitting suspended from 1.00 to 2.00 p.m.]

COFFIN BAY SHACKS

A petition signed by 514 residents of South Australia, requesting that the House urge the Government to uphold its undertaking to offer all shacks in Coffin Bay freehold status, was presented by Mrs Penfold.

Petition received.

PROSTITUTION

Petitions signed by 123 residents of South Australia, requesting that the House strengthen the law in relation to prostitution and ban prostitution related advertising, were presented by the Hon. G.M. Gunn, Mr Hanna, Mrs Penfold and Ms Stevens.

Petitions received.

LIBRARY FUNDING

Petitions signed by 4 603 residents of South Australia, requesting that the House ensure government funding of public libraries is maintained were presented by the Hons M.R. Buckby and J. Hall, Mrs Penfold and Messrs Venning and Williams.

Petitions received.

QUESTION TIME

DEFENCE INDUSTRY

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's announcement tomorrow of the government's new science and technology policy, will the Premier inform the House why his top level defence technology advisory group, chaired by John Cambridge, has not met since shortly after the Premier announced its establishment in 1997, and is the Premier confident, following talks involving federal and state officials in Europe this week, of a positive outcome and new business for the Australian Submarine Corporation to avoid the loss of skills, engineering and technological competence and hundreds of jobs later this year as activity on the submarines reduces?

Shortly before the 1997 election, the Premier announced a high-tech task force to look at major new defence opportunities for South Australia, including for the Osborne ASC facility, and to maximise commercial opportunities from the DSTO in Salisbury, and, most especially, to chart for our state a strategy for a strong defence industry future. Despite the importance of the defence industry to South Australia and of the need for the Submarine Corporation to win new business, the Premier's task force has not met for 958 days since the week before the last state election.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN (Premier): Mr Speaker, the—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader has asked his question.

The Hon. J.W. OLSEN: Here he goes again. The Leader of the Opposition wants to get back to knocking, carping, criticising, whingeing and just constantly opposing. What we have done in a proactive sense—in stark contrast to the Labor years—is put together a defence—

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader will remain silent.

The Hon. J.W. OLSEN: —teaming centre, representatives of which travelled with me to the United States. We had discussions with a range of defence related companies about investments in the state. In addition—

An honourable member interjecting:

The Hon. J.W. OLSEN: Defence teaming centre; can you just get it right?

Members interjecting:

The SPEAKER: Order! I call the leader to order for the second time.

The Hon. J.W. OLSEN: The leader constantly displays a level of ignorance in these matters. The defence and electronics industry, as I have advised the House, is a very significant contributor to gross state product. It contributes almost the same to gross state product as the wine industry. It is why we have worked with a range of defence related companies and, in recent times, we have seen investments in South Australia by Tennix in a number of projects. It is why we have worked when I was minister and subsequent to that as Premier and with ministers of industry and trade in relation to General Motors' diesel division, which has defence related activities, purchase and investment in South Australia, to further expand its investment, and as a result of that presenting to the commonwealth government how we might bulk up investments in the defence industry within the state. That is

in part what the teaming centre has continued to do and it is the reason why I have visited those companies on several occasions.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the leader for interjecting after he has been called to order by the chair.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! I warn the leader for the second time. He should take that second warning very seriously.

The Hon. J.W. OLSEN: What the leader conveniently ignores and what must be getting under his skin, demonstrated by his attitude, is the rejuvenation and new direction of the economy of this state. It must really get under his skin, because we can clearly demonstrate a 'before and after', a 'then and now', and there is a clear distinction between the stages. In relation to the throw away line of the leader's regarding years 10, 11 or 12 science and maths, there will be no announcement at Flinders University tomorrow. The leader has had his staff running around to all the news rooms suggesting that there might be, but he has it wrong yet again. If the leader had taken just a smidgin of notice of my reply to his question yesterday, he would know that I indicated that the government is looking at a number of initiatives in the budget process. If and when they are finally determined, they will be announced as part of the budget process.

As I indicated to the House yesterday, what I will be announcing tomorrow is in relation to the Innovation Science and Technology Council and a strategy to underpin it. I pay credit to the now Minister for Environment and Heritage who as Minister for Industry oversaw—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN:—the establishment of that policy that has now been worked through as a whole of government policy. I again contrast to the House the fact that this government has policies and a strategic direction, in contrast to the Labor Party, members of which constantly get up in this House and make speeches, statements and propositions that are proved to be fundamentally wrong time and time again, yet they have the hide to continue that thrust. They carp, they whine, they whinge—and they are always wrong.

Members interjecting:

The SPEAKER: Order!

The Hon. M.D. Rann interjecting:

The SPEAKER: Order! The leader should be very cautious.

CENTENARY OF FEDERATION

The Hon. D.C. WOTTON (Heysen): Will the Premier outline to the House the importance and the benefits of the centenary of Federation visit to London later this year by the Prime Minister and the state and territory leaders?

The Hon. J.W. OLSEN (Premier): The centenary of Federation will be celebrated and commemorated throughout Australia in the year 2001. We in the centenary of Federation committee are preparing a range of initiatives with other states and nationally to commemorate the centenary of Federation. The biggest of the international commemorations will be Australia Week in London from 3 to 8 July. The state government is committed to ensuring that Australia Week includes a good dose of South Australia. It is during the peak of the London millennium tourist season, and we will making the most of the opportunity to promote modern South Australia, its goods and services, and access to the international market. For starters, we will be hosting a mini Tasting Australia, which will showcase our wine and food companies, as well as other trade activity. We are already the largest Australian exporter of wine to the United Kingdom with Orlando Wyndham, which happens to be the largest selling label—in fact, the largest export label. In 1999, Australia exported to the United Kingdom wine to the value of $495 million, $415 million of which was from South Australia. Therefore, it is clearly an important market to us. Our food and wine will also be promoted at the various functions throughout the week, and it will give us the opportunity to highlight our state as an excellent place to do business and as a regional headquarters for companies operating in the Asia Pacific region.

To highlight that South Australia is no longer the state it was in the 1980s and 1990s, that the economy has reestablished itself and that there is optimism and opportunity in this state, I note that all states and territories will be taking the opportunity to promote themselves during this week. I pose the question: what is the reaction of the ALP in South Australia to this? It is to knock and criticise; that is their reaction. The member for Reynell, who heads Labor's waste watch committee, put out a press release last Friday, asking me to decline the invitation—asking me not to go. That is what the member for Reynell said. She also indicated that the trip would cost $1 million. The inference from the member for Reynell was that we would be spending $1 million on this trade mission and celebration of Federation. However, the member for Reynell forgot to mention that the commonwealth was paying, in effect—

Members interjecting:

The Hon. J.W. OLSEN: No, it's not entirely. That is the total cost of the trip, involving some 52 people. No fewer than four Labor premiers are involved in this trip, and former Labor Prime Ministers happen to be going too. I just wonder whether—

Members interjecting:

The SPEAKER: Order! The House will settle down.

An honourable member interjecting:

The Hon. J.W. OLSEN: The member for Reynell. I just wonder whether the member for Reynell, as well as giving me a bit of gratuitous advice that I should not go, has contacted the four Labor premiers to ask them to decline the invitation.

Members interjecting:

The Hon. J.W. OLSEN: She says that she doesn't care what they do. I wonder whether she has asked Steve Bracks, Bob Carr, Peter Beattie or Jim Bacon whether they have better things to do, or does she really have an agenda that says all the Labor states should go and promote themselves and we, a state Liberal government, should let them have it. I have news for the member for Reynell. We will not let Labor states get the march on us in international marketing. It is pretty clear to me that the member for Reynell has other things on her mind. Whilst the cabinet was having a community meeting in Ceduna Monday fortnight ago (we were out there listening to the community), the member for Reynell was having a cosy dinner herself. She was not listening to the community but having a dinner with the new ALP candidate for Enfield, Mr John Rau, and it was in a southern restaurant. That is the candidate up against what we now know to be the new independent candidate for Enfield, the current member

for Ross Smith. The member for Reynell—and the leader will be interested in this—and John Rau were discussing the leader's future at this dinner.

Members interjecting:

The Hon. J.W. OLSEN: Oh, yes, it is. It was about a no-confidence motion. Guess who was there?

Ms THOMPSON: I rise on a point of order, sir. The Premier is straying. I—

The SPEAKER: What is the point of order?

Ms THOMPSON: I have not been to any dinner—

Members interjecting:

The SPEAKER: Order! The member for Bragg will remain silent. What is the honourable member's point of order?

Members interjecting:

The SPEAKER: Order! The House will remain silent.

Ms THOMPSON: My point of order is that the substance of the question related to the trip to the UK—and I am pleased to hear that the Premier is doing something sensible—

The SPEAKER: Order! What is the point of order?

Ms THOMPSON: —not whether I had dinner with someone else, which I did not.

The SPEAKER: Order! The chair has to uphold the point of order in that it reflects on that particular dinner party. I ask the Premier to return to the question.

The Hon. J.W. OLSEN: I welcome the interjection, because the member for Reynell has now done two things. She has obviously retracted from her press release, because it is now sensible to go to London, whereas only last Friday she was saying that I should not go. And I thought that the member for Reynell was going to deny that she had had the dinner. But she did not do so. The basis of that discussion was the no-confidence motion, but the member for Kaurna was not quite ready, although the numbers were there.

The SPEAKER: Order! I ask the Premier to come back to the reply.

The Hon. J.W. OLSEN: In relation to trade missions and demonstrations of South Australia's goods and services, we will be participating. We will not allow the Labor states to get a break on us—

Mr Foley interjecting:

The Hon. J.W. OLSEN: The member for Hart interjects. I can understand his concern, because they have just passed the member for Hart by. He is like Port Adelaide now; left right behind. In relation to the trade mission and promotion of the state, we will continue unashamedly to build this export culture. For five or six years now, we as a government have had a focus on exports, developing an export culture and clearly indicating that that is the future of the state. When you have a set of figures like those of last year, where we had a six-fold increase in exports across the average of the other states of Australia, clearly, we have the right direction. When that is coupled with that 21 months of employment growth, clearly, the policy settings are right, and a press release from the member for Reynell will not shy us away from continuing in the right policy direction.

RADIOACTIVE WASTE

Mr HILL (Kaurna): My question is directed to the Premier. Did South Australia support the decision by the Commonwealth-State Consultative Committee on the Management of Radioactive Waste to agree with the collocation of the national storage facility for long-lived intermediate radioactive waste with the national repository for low level waste, and what instructions did the government give the South Australian representative on this issue? In November 1997, just 10 weeks before the commonwealth government announced that the Billa Kalina region of South Australia had been chosen for the repository for low level waste, the commonwealth-state consultative committee agreed that collocation of the national storage facility for long-lived intermediate waste should be the first option. The terms of reference for that committee specifically require the state representative to report to government ministers.

The Hon. J.W. OLSEN (Premier): I am not sure to whom those officials reported. I am more than happy to go back and look up the records for 1997. But can I just say that the government actually makes policy. The government has a clear, set policy. I enunciated that policy in November 1999 and that is, unquestionably, that the government of South Australia and I oppose medium high level radioactive waste being stored in a repository in South Australia—full stop, no qualification.

INNES NATIONAL PARK

Mr MEIER (Goyder): Will the Minister for Environment and Heritage advise the House of recent developments to improve visitor facilities at Innes National Park on the tip of Yorke Peninsula? Most, if not all, members of this House would be aware that Yorke Peninsula is the only leg Australia has to stand on, but not all members have had the opportunity to visit Yorke Peninsula—although I acknowledge that the member for Hart, during the Christmas non-sitting period, spent some days there with his family enjoying the scenery, and I assume to get away from some of his colleagues. The member for Heysen recently visited the park, and more recently the minister visited for several days.

The SPEAKER: Order! The honourable member will resume his seat.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the member for Goyder for his question and introduction. As the honourable member knows, I took the opportunity to visit the Innes National Park on the weekend before Easter to open the new visitor centre. For those members who have not visited the Innes National Park, I suggest that, if it arises, they take the opportunity to do so, because it is one of South Australia's great parks. We are fortunate that, through the commonwealth government in combination with the $30 million parks agenda that we are implementing through the Department for Environment and Heritage, we had the opportunity to develop a $1.3 million visitor centre at the Innes National Park.

The member for Goyder is a strong supporter of the officers and friends of the Innes National Park. The coast is weathered by the ferocious, at times, Southern Ocean and there are some spectacular rocky headlands and sandy beaches, such as Pondalowie, Dolphins and Surfers Beach. There is fantastic fishing, surfing and diving as well as some wonderful native vegetation to examine. I was pleased to learn that it is also the home of phycidurus eques, the leafy sea dragon, which, as the member for Kaurna would be aware, is our new state marine emblem. It was pleasing to get a very positive response to that announcement. There is also a lighthouse. The member for Hart would be interested in that. I thought of him when I saw the lighthouse, because it is common knowledge within the Labor Party that the

member for Hart is a bit like a lighthouse in a desert: brilliant but useless.

As a result of improvements to the park over the past few years, visitors have increased considerably from 180 000 a year by a further 10 000, and we expect that as a result of the announcement of the improved visitor centre the number of visitors will increase. I place on the record my thanks to the Friends of the Park who have done a great job on the renovation of the Inneston Post Office (within the park) and also the officers of the park for the great job that they do. They were very busy over Easter. Again, I thank the member for Goyder for his strong support of the park and also his hosting during this event.

RADIOACTIVE WASTE

Mr HILL (Kaurna): Given that the commonwealth announced on 18 February 1998 that South Australia has been chosen as the preferred location for a low level radioactive waste dump, why did it take the Premier almost two years to raise this issue with the commonwealth after the Prime Minister wrote to him early in 1998 advising him of plans to collocate a medium level dump with a low level repository? In the first of two ministerial statements—

The Hon. M.K. Brindal interjecting:

Mr HILL: Yes, exactly. That is so true, Mark—that is very clever. In the first of two ministerial statements, on 19 November 1999, the Premier said that there had been no consultation with the commonwealth on dumping medium to high level waste in South Australia and that he had written to Resource Minister Senator Minchin on the same day requesting to be consulted.

In the second ministerial statement on that day, which was delivered just minutes before the parliament rose for the year, the Premier admitted that he had been consulted and said that the Prime Minister had written to him early in 1998 (almost two years earlier) and advised him of the proposal to collocate the low and medium level storage facilities.

Mr MEIER: I rise on a point of order, Mr Speaker. I believe the question is out of order because on the notice paper today is the Nuclear Waste Storage Facility (Prohibition) Bill moved by the member for Kaurna. It refers specifically to no construction or operation of a nuclear waste dump. I understood the honourable member's question to be directly related to what is contained in the bill.

The SPEAKER: Order! The chair is of the view that the question concerns a similar topic but does not contain the same substance as the motion on the *Notice Paper*. The chair will allow the question.

The Hon. J.W. OLSEN (Premier): For the benefit of the member for Kaurna, I would ask him to refer to my reply to the Leader of the Opposition on Tuesday and my earlier reply.

SEARCH AND RESCUE OPERATION

Mrs PENFOLD (Flinders): Will the Minister for Police, Correctional Services and Emergency Services provide details to the house on the recent successful search and rescue operation off Kangaroo Island?

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): I know that the member for Flinders has been following the two rescues recently conducted in South Australian coastal waters. Considering the amount of coastline that the member for Flinders has in her electorate and the increasing boating activity, both commercial and recreational, I know that the member for Flinders, together with other members in this House, is very interested in the circumstances relating to rescue efforts when people get into difficulty at sea. To answer the member's question specifically: a boat capsized in stormy conditions on a trip from Adelaide to Kangaroo Island on 27 April.

To give the House some idea of the sort of resources that go into a rescue such as this, it included the police aircraft, the SGIC rescue helicopters, the police launch, six vessels from the Sea Rescue Squadron from Adelaide and three Australian volunteer coast guard vessels. Also considerable police resources were taken up on land patrolling areas on the mainland, on Yorke Peninsula, and on Kangaroo Island to try to ascertain whether or not this vessel had come ashore to the west of St Vincent Gulf. This does not involve the *Doctel Rager* rescue, the one on which we have just finished debating the motion—and I thank the member for Goyder for moving that motion in the House because the efforts involved in rescuing those 12 people were superb.

The estimation of the cost of this particular rescue to South Australia was $250 000. I refer to what the officer in charge of the South Australian Sea Rescue Squadron said:

> As the Operations Captain of South Australia Sea Rescue points out, this is your emergency services fund at work.

This is what the emergency services fund is all about. We still have to do much more when it comes to training and equipment, and I would hope that members on the other side would run this particular good news story in their newsletters and that, instead of the fiction, they would put some fact into the newsletters that they pedal around their electorates.

Mr Levering, the gentleman involved in the incident with the catamaran, later expressed concern about the time it took to rescue him. This has caused considerable angst among the rescue volunteers, 36 of whom put their lives on the line in attempting to find this vessel. I point out to the House that Mr Levering was not carrying an EPIRB. By the way, an EPIRB costs about $200 to $250, and it is required by the harbors and navigation act when you are over 10 nautical miles out at sea. By comparison, we all know that in the case of the *Doctel Rager*, which overturned about a month ago off Stenhouse Bay, the EPIRB was activated and within three hours 12 people were safely taken from the water.

Mr Conlon interjecting:

The SPEAKER: The member for Elder will come to order.

The Hon. R.L. BROKENSHIRE: The police and the members of the Volunteer Marine Rescue are today involved in a debriefing on the whole of the operation surrounding the rescue off Kangaroo Island on 27 April, and I have asked for a full report on that. I have grave concerns about boat owners who go out to sea without proper safety equipment. We cannot afford to see those people become involved in a situation where the worst case scenario is that they never return to land; indeed, we cannot afford, nor expect, the thousands of volunteers who are available 24 hours a day to put their lives on the line when people do not carry the proper safety equipment.

When I receive a full briefing on this report, I intend to discuss that report with my colleague in another House, the Hon. Diana Laidlaw, to see whether or not we have to reassess any of the legislation or other issues in order to make sure we get the message across to boat owners that at all

times in their interests and in the interest of those who go out there to save their lives that every possible precaution is not only legislated but also is policed as best we can to ensure that this sort of circumstance does not happen again. I, as the minister on behalf of these magnificent volunteers, was particularly disappointed to see the comments coming from that gentleman after a great rescue effort by the volunteers.

EMERGENCY SERVICES LEVY

Mr CONLON (Elder): Will the Premier now publicly release the report and recommendations of the emergency services levy reference panel headed by Annette Eiffe, which took submissions from the community on the effect of the levy and, if not, why not?

The Hon. J.W. OLSEN (Premier): Because the minister has received the report and it will be presented to cabinet for deliberations. After cabinet has had access to and considered the report it will take the appropriate next steps.

SOUTH AUSTRALIAN COUNCIL OF ABORIGINAL ELDERS

The Hon. G.M. GUNN (Stuart): I direct my question to the Minister for Aboriginal Affairs. Will the minister outline to the House some of the important initiatives of the South Australian Council of Aboriginal Elders and the work it is doing to advance the welfare of elderly Aboriginal South Australians? In 1999 the state and federal governments provided funding for the establishment of the South Australian Council of Aboriginal Elders. The establishment of the council recognised the importance of elders in the Aboriginal culture as the custodians of dreaming and the need to address issues faced by elderly Aboriginal members of the community. I would also like to say that it is nice to see the minister back in the House today.

The Hon. D.C. KOTZ (Minister for Local Government): I thank the honourable member for his question, his brief explanation and for his welcome. It is known to this House that the South Australian Aboriginal Elders Council was derived from the highly successful Aboriginal Elders conference held at Coober Pedy in October 1998. The council has since held its inaugural meetings in Port Augusta on 1 and 2 December of last year. The council has the authority, as the elected elders of their respective communities, to provide input into the development of projects which actually impact on Aboriginal people throughout South Australia.

Mr Foley interjecting:

The SPEAKER: Order! Let us not have conversations across the chamber.

The Hon. D.C. KOTZ: As part of its functions the council has encouraged the continuation of the current regional forums which are represented in every community throughout the state. These forums provide opportunities for communities to identify local issues that can be presented for consideration by the elders council, and to date the forums have highlighted many of the key issues that Aboriginal elders are finding are the concerns of Aboriginal communities. They include areas such as transport, respite, housing, health, training and certainly the plight of Aboriginal youth and intergenerational relationships.

One of the major achievements of the elders council so far has been the development of an information package which was distributed to the key Aboriginal aged care programs operating within South Australia. This package highlighted the need for consultation to be conducted between Aboriginal communities and statewide Aboriginal home and community aged care coordinators such as HACC. The council has already held discussions with the Aboriginal Housing Authority, and I am pleased to be able to advise that there is a very keen interest for both the council and the authority to work in collaboration to assist in meeting the demands for appropriate housing for the elderly.

However, I also believe that it is vital that young, indigenous people understand the importance of being Aboriginal through strong cultural ties. To that end, I have recently written to the Elders Council urging it to re-establish links between young Aboriginals and elders to ensure that young people can access and understand their cultural traditions and beliefs, thereby fostering much greater awareness of their heritage but, more to the point, to ensure the safekeeping of the knowledge of that culture and heritage for future generations.

In my letter I suggested to the council that it may wish to consider developing strategies in working with young Aborigines to assist them in resolving some of the social issues with which they are confronted and also to look at building positive inter-generational relationships and extend to young Aborigines an understanding of cultural traditions and beliefs. I take this opportunity to commend the Elders Council for continuing to ensure that both government and community members can come together to raise and discuss issues that do advance reconciliation in a most positive and certainly a most beneficial manner.

DOMICILIARY EQUIPMENT SERVICES

Mr CLARKE (Ross Smith): Will the Minister for Human Services request the Premier to order the Competitive Neutrality Complaints Secretariat in the Premier's Department to desist from its attempts to break up and close down Domiciliary Equipment Services, a business unit of the North Western Adelaide Health Service, which, if closed, will lead to significantly higher costs for hospitals and other government services? Domiciliary Equipment Services purchases and supplies essential special equipment for disabled people to hospitals and government agencies such as HACC: it does not operate in the private sector.

Private competitors have successfully complained to the Premier's Competitive Neutrality Secretariat and DES has been ordered to curtail its activities to a level that would make the unit unviable. DES is fully self-funded and, while its prices reflect the full range of commercial costs, it has been able to rent or sell equipment and services to government agencies at prices significantly lower than private operators. If DES has to withdraw the Queen Elizabeth and Lyell McEwin hospitals would have to face cost increases for rental equipment of between $3 000 and $5 000 per month.

The Hon. DEAN BROWN (Minister for Human Services): I am aware of this issue, which falls partly under my portfolio and partly under the portfolio of the Minister for Disability Services. I share fully the honourable member's concern about making sure that patients from the Queen Elizabeth and Lyell McEwin hospitals are able to access appropriate equipment with no additional cost. Certainly, the last thing I want to see is any additional cost imposed on our own hospitals. As I understand it, under competition neutrality there is nothing to stop a hospital providing that sort of equipment to its own patients, whether they are in-patients or

out-patients. I do not think there is any difficulty at all in that area. There are some issues in terms of whether or not—

Mr Clarke interjecting:

The Hon. DEAN BROWN: I heard the honourable member ask whether I would ensure that any instructions from this group in the Premier's Department be overturned. It is not quite my prerogative to do that. However, I do point out that what the honourable member is trying to achieve, what I want to achieve and, I know, what the Minister for Disability Services wants to achieve is exactly the same: we want to make sure that people who need to access equipment are able to do so. I do not think that there is any issue as far as patients from the hospitals are concerned.

Some issues are currently being looked at in terms of people outside the hospital system. I can assure the honourable member that my interest and that of the Minister for Disability Services in this matter is to ensure that people who need equipment can get it at a very low price.

SCIENCE WEEK

Mr SCALZI (Hartley): Will the Minister for Education and Children's Services detail the range of activities taking place across South Australia during National Science Week?

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I thank the honourable member for his question, knowing—

Members interjecting:

The SPEAKER: Order!

The Hon. M.R. BUCKBY: I am well aware of the honourable member's interest in science and particularly in its effect on our lifestyle. I am sure that members in this House are aware that science has not only an effect on our lifestyle but also a supreme effect on our health. It also has an effect on the economic base of this state. South Australia leads the rest of the world in many areas, and I will give a few examples. Rib Loc is a South Australian company that is leading the world in plastic pipe technology; Hamilton Laboratories are pioneers in sun screen and Max-a-mine International are innovators in computing software. These are just a few examples of companies involved in science which are leading the rest of the world. We must encourage both our companies and also our young people to maintain that cutting edge and that interest in science here in South Australia. A very important part of that is our young people's attitude to science in our schools. That is one of the reasons why we have National Science Week, which is this week. It is a key initiative in making science more accessible to young people.

This event runs for only one short week, but many events are occurring in South Australia over a much longer period throughout the month of May. There will be 47 main events on top of activities in schools that are organised across the state. These include lectures, displays and debates, with an amazing array of innovative titles. I will run a few of them past the House so that members can be aware of some of the interesting titles of activities being run. This could be of interest to the members opposite. The first title I mention is 'Forensic frenzy'. That sounds a bit like one of Labor's body counters, perhaps. Another is 'Hands on virtual reality'. This is an absolute must for those on South Terrace. 'Sleeping for science' is another one; surely a good one for a few snoring backbenchers on the other side. 'Inertia'—surely there is plenty of that on the other side. This one is not to be missed: 'Dinner with the dinosaurs'. Are we mistaken, or is this Labor's annual dinner? Finally, 'Mapping the universe' is definitely a good one for the no-policy party on the other side.

In fact, I commend the entire program to the opposition and the House. The South Australian Investigator Science and Technology Centre will again play a major role in this Science Week. The government supports the science centre, not only through the provision of staff but also in ensuring that the budget is maintained. In our schools we have the Oliphant Science Awards, which the government supports through an annual grant; there is an award to primary and secondary schools; and two schools, Basket Range and Burnside Primary Schools, will be involved in the launch of these awards at the South Australian Museum. Other Science Week activities include the following: The Heights R-12 school will hold community viewing nights in its observatory; Nuriootpa High School, which is in the electorate of the member for Schubert, will be showing its wine making, barramundi breeding and horse racing and breeding programs; and the Hamilton Secondary College will launch a rocket tomorrow as part of Science Week.

Numerous other schools throughout the state are conducting Science Week activities, either as a whole school or as individual classes, and regional centres are not left out of this. During this week there are star viewing nights at Douglas Scrub, Stockport; Science in the Riverland is being conducted by the CSIRO in Renmark; the official opening of the Cangaroo telescope will take place at Woomera; and the Technology in Sport Show will be held at Cleve, Cowell and Whyalla. So, there is plenty to do for young people and an opportunity for all people in the community to be involved in Science Week. We as a government look forward to an exciting celebration of science not only during this week but certainly over the following month in the many displays and lectures that will occur throughout South Australia.

GOODWOOD TUNNEL

Mr ATKINSON (Spence): Given the full support of the Minister for Employment and Training for the building of a four kilometre road tunnel from the Goodwood subway to the city so that traffic could by-pass city of Unley residents, can he explain to the House what employment opportunities would flow from the project and exactly what budget strategy he will be recommending to release the many hundreds of millions of dollars needed to achieve his goal? It has been reported that at a Save Our Suburbs meeting in the lead-up to the current local government elections, the minister, in response to a question about the Goodwood tunnel, said, to the cheers of Unley residents:

> I think it is a good idea.

It was also reported that the minister thought that a tunnel through Goodwood would not need to be a deep tunnel, just something at basement level.

Members interjecting:

The SPEAKER: Order! Only the minister will know whether or not it is a hypothetical question. I do not. I ask the minister to reply accordingly.

The Hon. M.K. BRINDAL (Minister for Employment and Training): I thank the member for his question. I compliment him on his shirt; it really does deserve a compliment. If the honourable member thought outside the square when it came to Barton Road, this House might not interminably be tied up with considerations of that problem. I thank the member for the question because we as locals members—

even ministers—do actually consult our electorate. However, it was not my idea. For some years, a lady called Mia Smith has for some years been promulgating—

Members interjecting:

The Hon. M.K. BRINDAL: That is a shocking thing to say! I acknowledge that it is a light-hearted question, but the member for Kaurna is on the public record as suggesting that Unley roads should be turned into one way streets for the convenience of his electors that we should be subjected to his one-way traffic because our streets cannot cope with his commuters. If we are all a little parochial when it comes to our own electorates, I make no apology—

Members interjecting:

The Hon. M.K. BRINDAL: Yes—unfortunately Matthew Abraham—

Members interjecting:

The SPEAKER: Order! Let the minister conclude his remarks.

The Hon. M.K. BRINDAL: —who I am absolutely sure is the source of this question, added an interesting complexion. He suggested that if we turned our bargain basement road, which is a bit cheaper than a tunnel, into a Harris Scarfe-type affair, we could make some money out of it.

An honourable member interjecting:

The Hon. M.K. BRINDAL: We could have shops up and down it, you see, and people could stop and shop. I will talk to my colleagues—

Members interjecting:

The Hon. M.K. BRINDAL: No, from Cross Road to West Terrace. I will talk to my party room colleagues about my ideas for my electorate. I do not know that it will gain great currency in this House. If I can do something for my electorate, like everyone in this House, I will. And, what is more important, I will not resile from attending public meetings and talking to my electors and listening to them.

An honourable member interjecting:

The Hon. M.K. BRINDAL: No. Labor tried a campaign called Labor Listens, which was spectacular in its non-attendance. There were at least 150 people at a public meeting to talk to the local member in Unley—which is better than you lot do.

OTWAY BASIN

Mr WILLIAMS (MacKillop): Can the Minister for Minerals and Energy—

Members interjecting:

Mr WILLIAMS: Sir, I am endeavouring to change the theme somewhat. Can the minister explain to the House the importance to the South-East and to the state of the recent release of exploration acreage in the Otway Basin in my electorate?

The Hon. W.A. MATTHEW (Minister for Minerals and Energy): I thank the member for MacKillop for his question and for drawing the questioning in the House back to a more serious direction. The member for MacKillop has a deep and long interest in the petroleum activity occurring within his electorate and has actively championed the expansion of that industry. This is a particularly important question, because it focuses on a very exciting announcement for the government. Just 15 years ago, the entire offshore South Australian portion of the Otway Basin was held under just one exploration licence and no commercial discoveries had been made. So, 15 years ago there had been no commercial discoveries in that area.

Following expiration of that licence, there was active period of exploration under a number of different licence issues. As the member for MacKillop is well aware, in 1987 the Katnook gas field in his electorate yielded some very positive discoveries. In fact, five gas fields now have been discovered by Origin Energy (previously trading as Boral) in that region, and they significantly benefited recently from further work in the Ladbrook Grove area from electricity generation.

Recently, the government was pleased to release seven further areas for petroleum licence exploration in the Otway Basin area. These areas are ideally located to attract both oil and gas explorers, not only from within Australia but also at the international level. This release includes some of the most prospective areas in the region to be offered for more than 15 years. The areas concerned should be very highly desirable because of their close location to the Adelaide and Melbourne gas and, indeed, electricity markets. This increases significantly the chance of new discoveries which, in turn, will offer benefit to the community represented by the member for MacKillop and, indeed, to the whole South Australian community. Obviously, it also has the potential to return significant royalty dividends to government and, therefore, to the community from discoveries that are made.

Two of the seven areas that are on offer are located immediately adjacent to previously discovered and now substantial producing gas fields. In addition, the total areas comprise 4 050 square kilometres of the basin area, and the seven blocks range in size from 275 square kilometres to 1 585 square kilometres. Because of the success in the basin from previous exploration licences, the government is looking forward to the closing of applications on Thursday 26 October. We expect to see a significant range of very professional bids which, again, will further the mining exploration and petroleum industries in this area.

HUNDRED OF SHAUGH

Ms BEDFORD (Florey): My question is directed to the Deputy Premier. Has PIRSA spent $100 000 on hydrogeological studies on a property in the hundred of Shaugh?

The Hon. R.G. KERIN (Deputy Premier): Hydrogeological studies are now conducted by the Department of Water Resources. I am sure that the minister could track down the information on what has been spent in which hundred.

TOURISM, STATE

Mr VENNING (Schubert): Will the Minister for Tourism inform the House whether the government's international tourism and events marketing strategies are working and indicate what recent evidence she has to substantiate this? I understand that figures from the Bureau of Tourism Research have recently been released, and I ask the minister to outline how South Australian tourism numbers and the national share relate to our marketing campaigns.

The Hon. J. HALL (Minister for Tourism): I thank the member for Schubert for his question because the area covered by his electorate is making an enormous contribution to the success that we are enjoying in South Australia. There is absolutely no doubt that South Australia's targeted and focused international marketing campaign and the major events strategy are giving us great results in our state for the tourism industry. Tourism is at an all time high, and across

many sectors the industry is perceived to be booming—which, of course, it is.

The latest figures from the international visitors survey which have just been released indicate that our state has reached another all time high, breaking all records in overseas visitor numbers and overseas visitor nights. The September quarter indicated a 13 per cent increase in visitor numbers and a 16 per cent increase in visitor nights. Those figures are extraordinarily impressive.

I think that is a fantastic effort, because so many benefits are accruing across the state. What this means is that, in the 12 month period to September 1999, South Australia outperformed the other states in terms of percentage increases. Our international visitor numbers have increased to a new record level: 321 600, which is now generating 4 000 659 visitor nights in our state.

An honourable member: How many jobs?

The Hon. J. HALL: A minimum of 32 000; the figure is growing, and we are very pleased about that. These numbers are significant because, once again, they are considerably above the national average. In fact, over that 12 month period, South Australia doubled the national average in the increase in international visitor nights: an increase in South Australia of 10 per cent while the national average is 5 per cent. I think that is fantastic. We look forward to continuing to break more records as more international visitors take advantage of our major events strategy, which is now in place, and the sophisticated international marketing campaign which the State Tourism Commission is undertaking.

I think it is fair to ask where so many of these international visitors come from, because I am sure that members are particularly interested. South Australia has been one of the first states to capitalise on the rebound that has taken place in the United Kingdom. It is important to know that our very targeted and focused campaign has enabled us to record a growth in every quarter in the United Kingdom since mid 1997.

I think that probably a lot of the decisions that were made in the early term of this government under the direction of the member for Bragg are now starting to pay off in our state. We now boast of around 80 000 visitors from the United Kingdom—and that is a pretty impressive figure. Europe is continuing to generate around 100 000 visitors to our state, and North America has recently recorded some very significant rises, taking us to around 50 000 visitors.

Because we are a long haul destination, the increase in international visitors is extremely important, as they tend to stay longer than interstate visitors and they certainly tend to spend more money, because we know that here in South Australia they get great value for money with our many unique destinations and our many unique attractions.

Another area of which we have taken advantage and which is now starting to pay off is the many nations in the Asian area. They are well on the way with their recovery and our numbers have lifted out of South-East Asia to more than 40 000. That is particularly impressive because those figures were not projected to come through the system this early.

An honourable member interjecting:

The Hon. J. HALL: My colleague asks me which parts of Asia. It is fair to put on the record that Asian people who are now coming here in more significant numbers are from Hong Kong, Singapore and Malaysia, and we are expecting those numbers to continue to increase over the next 12 to 18 months.

An honourable member interjecting:

The Hon. J. HALL: I cannot give the detail yet of the number of provinces from which they come. However, I conclude my remarks by saying that it is important to note that these impressive figures have taken our international numbers to a new all-time high of more than 320 000 internationals to our state, and I believe it is extremely important that we put that on the record.

OPTIMA ENERGY

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): I table a ministerial statement made by the Treasurer (Hon. Rob Lucas) in another place on Optima Energy.

GRIEVANCE DEBATE

Mr CLARKE (Ross Smith): I am certainly heartened by the reply from the Minister for Human Services in question time today to my question on Domiciliary Equipment Services. I only wish he was the Premier so that he could order the competitive neutrality unit of the Premier's department to butt out of this process. From what I can gather as recently as 2 May this year, it has yet to report on what their interference is doing to the Premier or to other cabinet ministers on this matter.

I have in my possession an e-mail from Linda Graham from that unit dated 2 May which was sent to Philip Hefferan of the Department of Human Services. In the penultimate paragraph of that e-mail Linda Graham goes on to say:

> As part of my normal practice I update the CEO, DPC [Department of Premier and Cabinet], Ian Kowalick, on complaints and their progress. I intend to do so on the DES complaint in the next day or so. I would like to know what actions are intended by the implementation group, given the N-W [North-West] response. It may be appropriate that I suggest to the CEO [Department of Premier and Cabinet] that he write to the CEO, Human Services, before the complainants start contacting the Premier and other ministers.

I do not know Linda Graham and I do not know what she is supposed to be doing in her job, but I do know that over the past six months since private enterprise lodged a complaint through the Employers' Chamber of Commerce and Industry on 14 December alleging unfair practice on the part of Domiciliary Equipment Services that it has been subjected to all sorts of torture in having its services ripped away. The people who pay the cost of that are other government hospitals and agencies. The head of the Northern Domiciliary Care, in response to the complaints laid by these private competitors said:

> DES is pleased to confirm that its prices are indeed one half to one third of private sector rates. These are full cost recovery prices with absolutely no subsidy from Northern Domiciliary Care or the North-Western Adelaide Health Service.

This is a letter given to Professor Kearney on 17 May this year by David Coombe, the Acting Chief Executive Officer of the NWAHS. He continues:

> DES operates on a commercial model with the rental rates being full cost recovery, including rental accommodation, financing, accounting, staffing, computing and communications.

If Linda Graham and the private sector complainants get their way, the cost of rental to two hospitals alone will grow by between $3 000 to $5 000 a month. In addition there will be

significant other cost increases for other customers of DES, such as home and community care. We all want to see more hospital beds made freely available and this DES service assists that by being able to provide in a timely fashion the right equipment at an affordable cost, for example, for disabled people at Julia Farr or at other hospitals so they can get home and be attended to because they have the right equipment at the right time. It is sanitised and kept track of.

These private operators cannot stand the heat and they want the rest of the community to subsidise their private operations by disbanding DES and making our own public hospitals and government agencies pay through the nose because they prefer a mark up on their prices of around 60 per cent or more versus the 31.5 per cent mark up put on the prices by DES services. I am heartened by the minister's response. I only hope he can get hold of this tiger by the tail and bring into line this nonsense of competitive neutrality emanating from the Premier's office. I am appalled, in reading the e-mail, to find that Linda Graham has not even taken up the matter with the minister concerned or directly with the Premier when so much public money is at stake.

Mr SCALZI (Hartley): I bring to the attention of the House the very good work of the crime prevention group under Andrew Patterson, the crime prevention consultant for the councils of Norwood Payneham St Peters and Campbelltown. The group is ably chaired by Alderman John Kennedy from the Campbelltown council. Last evening in my dinner break I was fortunate to attend one of the meetings. I was at the Getting into Crime Seminar held on 19 May and attended by over 80 people at the Campbelltown council chambers.

I highlight the work of this crime prevention unit, which is a very good example of how two local councils and the state government with community groups are working together in the prevention of crime. It is important to highlight this because the nature of the reference group—crime prevention—should tell us very much about the direction we should go. I do not see much difference in reality between talking about road crashes and traumas and this. When we talk about road crashes and road traumas we are saying that they can be prevented. That is the philosophical way to look at these problems in society.

Similarly, the term 'crime prevention' tells us that, if we take the right measures and assess situations in the area in question, crime can be prevented and the effects of crime reduced in the community. I know that is the approach that the very good local government bodies in my area (the Campbelltown and Norwood Payneham St Peters councils) are taking in terms of dealing with crime. As I said, Alderman John Kennedy attended last night's meeting, as well as Andrew Paterson, the crime prevention consultant for both councils.

Also present was Rosa Gagetti, Manager, Community Services, Campbelltown council; Councillor Jennifer Drewett, Campbelltown council; Poppy Hawkins, South Australian Housing Trust; Tricia Bryant-Smith, Modbury Regional Trust Tenants Advisory Board; Ann Bloor, Correctional Services; Councillor Jean Matzik, Campbelltown council; Les Dennis, Community Services, Norwood Payneham St Peters council; and Trevor Cresswell and Peter Dent, Inner North Eastern Youth Services. I highlight those people attending the meeting last night because it clearly demonstrates what the approach should be when dealing with crime.

Members might not be aware that the government, under the Attorney-General's portfolio, allocated $50 000 in the 1998-99 budget. I was privileged to present $71 750 to both councils in January. The work that is taking place, I believe, is of great benefit to the community. As I said, I am privileged to work with this group and both councils. We often hear about the way we should approach law and order and that we should get tough. Indeed, when necessary we should get tough, because the community needs to be protected. It is the responsibility of governments at all levels to protect the community, especially those who are most vulnerable.

We can well understand the concerns of the elderly, but we must have a holistic approach. Some environments create more opportunities for crime, and the type of work undertaken by this unit is working. I commend the group for its initiatives.

Time expired.

Ms BEDFORD (Florey): Yesterday the Premier made an extraordinary claim. He accused me of wasting the time of the parliament when I brought to his attention the concerns of the people of the electorate of Florey. I would like to deal with the accusation of wasting time in this place. Each day we see in Question Time a continuing disregard for accountability by this government. Questions from the government side of the chamber and answers take an inordinately long time; so much so that my colleague the member for Spence is endeavouring to ensure that a set period is allocated to questions and answers in an effort to see ministers respond to a larger number of questions each day.

How anyone could describe the contribution made by any member on behalf of their constituents as a waste of time is an insult to the electors who have expressed those opinions, and clearly indicates that the Premier is suffering from a case of 'shoot the messenger', rather than taking the opportunity to listen and take in the concerns of the residents of the north-eastern suburbs. I listen to my constituents because my constituents and community count.

The Premier also said that I was 100 per cent wrong in what I said. He may have trouble in acknowledging or agreeing with the sentiments or the content of my speech, and the views of the electors of Florey may not be palatable to the Premier, but I assure him that that is what I have reported and it is what is being said and has been said in my electorate. The Premier is really saying that he is happy for members to speak on supply and all other matters, I imagine, as long as the views expressed agree with his in every way. The Premier does not want to hear about or respond to the stories relating to the Modbury Public Hospital, the subject of a motion by the member for Wright today. I hope that he reads the honourable member's contribution today in as much detail as his minions appear to have read mine in relation to the Supply Bill, although I note that he did not mention the Modbury Hospital in his performance yesterday. I spoke about that issue in detail, to which he did not respond, and one must ask why he did not do so.

The Premier does not mention mental health either. That is another 'no go' area for this government. He does not talk about accountability and give clear explanations about what is going on with this state's finances. The Premier did not talk about the people of Florey paying taxes and hoping to see some reflection of those taxes in expenditure in their local community. They are paying the emergency services levy, too, and they would like to know why, if the state's finances are doing so well, such a tax was ever introduced.

The Premier will not like to hear that the title for his initiative to bring skilled expatriates back to South

Australia—which he has called 'Bring them back home'—is considered insensitive in the extreme by Aboriginal residents in my area. They feel that the 'Bringing them home' report has been slighted and belittled by such a similar title. The Premier did not talk about library funding—a hot topic at the moment as portfolio areas are being trimmed in preparation for the budget.

Library funding is especially important for my constituents as the Tea Tree Gully library has been under a cloud since before the election in 1997. We share the Torrens Valley TAFE campus. Happily TAFE needs more space. Unhappily for library users, though, that means that we need to find another home. On the subject of TAFE, the hugely popular hospitality course at Torrens Valley TAFE has been moved to Regency Park—much further from home for my constituents in their quest for skills and employment. The Premier did not mention that, according to the ABS Regional Labour Market Research figures for the March 2000 quarter, the northern suburbs have the highest level of unemployment: 10.8 while the Adelaide average is 8.9. That is a concern for my residents and that is why they see employment as a big issue. They obviously welcome any alleviation of their situation and they earnestly hope to see much more.

Some of my residents worked for Consolidated Apparel and they were laid off without entitlements owed to them being paid. They were skilled workers and now they too are looking for jobs in a very difficult climate. The Premier did not say anything about the TransAdelaide privatisation yesterday and nothing about TVSPs and the redeployment areas dotted around the city. He might even like to hear today that one of my constituents has contacted me to advise that there is no telephone in his redeploy area.

How he is supposed to find employment without the use of such a basic tool of communication is something he would like the Premier to ponder and answer. The Premier did not say anything about the impact of Partnerships 21 on the Florey community. He probably will not like to hear that departmental officers have admitted in the Industrial Relations Commission that there is a blow-out of approximately $20 million in the implementation of the brave new world of education. The Premier did not say anything about the plight of our teaching and ancillary staff who suffer from a fate similar to that of our dedicated health care workers: too much work and too few staff to do it.

Rather than adopting tactics to demean and belittle the contributions of members—and, in this case, involving the people of Florey—I hope that the Premier will be listening today and will note the comments in this grievance debate and lift his sights from playing the game he accuses me of playing to real vision and results for South Australia.

Mr VENNING (Schubert): Before commencing my remarks today, I note the absence of the member for Taylor. We are aware that her pending wedding is to take place on Saturday and, on behalf of all members, I would like to wish Ms Trish White and her future husband Jack Grozev all the best, not only for Saturday—

An honourable member interjecting:

Mr VENNING: No doubt a member or two would be a little sad but not me. I am not eligible; I am too old. Seriously, we do wish the member for Taylor, Trish and Jack all the best for Saturday and their future life together. I am sure that all members in this House would join with me in expressing those wishes.

I mention today an important matter for my electorate of Schubert involving the group Barossa Infrastructure Limited, which I have mentioned previously in this place, comprising mainly irrigators but, more specifically, vignerons. This group, which is chaired by Dr David Klingberg, with Mr Mark Whitmore the executive officer and the directors, of whom Mr Grant Burge is one, is attempting to overcome the most important problem for the Barossa, namely, the availability of good quality water. The group has put together a plan to bring an alternative source of water to the Barossa, that is, via the Mannum-Adelaide pipeline. Water will be removed halfway along the pipeline and, through additional infrastructure, delivered to the Warren Reservoir. From that point the group will provide its own infrastructure, at a huge cost of $34 million, to deliver that unfiltered water to the Barossa.

That is a massive $34 million cost, and the growers have put their hands in their pockets and made offers of huge amounts of money over five years to fund this. I must say that it is a fantastic idea, because it will give the Barossa a source of unfiltered water for the vineyards, allowing the current filtered water to be used in households. During the hot days of the last summer the vignerons turned on the taps of filtered water, and the towns and homes in high places missed out on the water, as there has been no pressure.

An honourable member: They would have been drinking more wine.

Mr VENNING: They certainly are drinking wine, but it is not too great on a hot, above century day. We have had a problem in the Barossa, and it is also a government problem, in that the towns and houses of the Barossa and its regions are running out of water. We also have a problem in getting extra quality water—and I emphasise 'quality', without saying too much—that is of low salinity for the vignerons. It is a very vital time. I understand that some members of the government in high places today are discussing this matter with various people. There is a shortfall of approximately $4.5 million, and I would hate to see this magnificent project fail because of that shortfall. It is a very small shortfall of $4.5 million in a total of $34 million. I commend the growers very much indeed for sticking their necks out, because we know that times are a little difficult out there: interest rates are rising and market prices are plateauing, particularly in the premium wine areas. We must reward the expertise and courage of these growers. I would hate to see this fail for the sake of $4.5 million, considering that it is part of a $34 million package.

I do not believe there is any alternative to this project. Of all the projects that have been before me in my 9.9 years here, this is the most important. It gives this region a future. I remind the House, as the Premier said today, that the Barossa is South Australia's premium wine area. As the Minister for Tourism very capably said, this gives the wine area of the Barossa versatility and, more importantly, it gives it a future and enables it to expand further. I congratulate all those involved, particularly the chairman, Dr David Klingberg and Mark Whitmore, the Chief Executive Officer and the directors.

Ms KEY (Hanson): Today I wish to raise my concern over correspondence I have received from the Financial Services Union, which has embarked on a campaign that it is calling an 'ambulance tour' through metropolitan, regional and rural parts of Australia. This 'Save our service; save our staff' campaign is in response to an emergency situation with

regard to services that many communities and individuals will lose as banking services disappear. The union has also highlighted some of the critical issues that have been raised due to understaffing.

The Financial Services Union states that when branches close local communities suffer not only the loss of essential services but also the loss of vital employment opportunities now and for future generations. The banks have closed about 2 000 branches since 1993, and many thousands of jobs have been lost. Staff work loads have multiplied, and many of the Financial Services Union members are concerned that they are not able to provide a proper service to customers.

The union is lobbying the federal government to establish a social charter regarding banking services, in order to allow all Australians to have easy access to a full range of services. A crucial part of better service for the customer and community is ensuring better staffing levels in the workplaces. The union is asking the community to support its campaign and circulate its petition (and if members would like copies of the petition I am happy to make it available) and return copies thereof it to it by Monday 22 May.

At a United Trades and Labor Council meeting the other evening I was privileged to hear an address from members of the Financial Services Union, and some of the facts brought forward in that address raised some concerns with the trade union members who were attending the meeting. One of the points made with regard to bank profits made since 1993, during which time 2 000 bank branches have closed, is that the four major banks have posted successive record profits totalling $35.5 billion. Significant regional bank profits over the same time, along with half yearly profits for the majors, take this figure to more than $40 billion. The combined profit of the four banks has increased by 286 per cent since 1993, so one wonders why more than 40 000 jobs have been lost from the four major banks during the 1990s. Unfortunately, these losses continued with Westpac's recent announcement of another 4 000 full-time equivalent jobs to go. There has also been a prediction that more than 2 500 jobs will go as a result of CBA's merger with Colonial.

As I said earlier, not only are workers concerned about the levels of work they must perform, but also they have made it quite clear that the services to customers will obviously deteriorate over time and that some of the special efforts that have been made, particularly by regional and country branches—if the branch exists at all—will be lost. Also, the knowledge of communities and regional areas will be lost as those staff go. Most of the members of the FSU have seen this as a priority issue in their sector.

The ABS data that has been made available to me from the Financial Services Union shows that almost one million hours overtime are worked in the financial sector every week, most of it unpaid; and this is equivalent to 25 000 full-time jobs. I wish to make members of this House aware of the situation and ask them to think very seriously about supporting the Financial Services Union in its quest to ensure not only that financial services are available in viable form but also that the workers have some future. We should try to redress the fact that so many—over 40 000—jobs have been lost over the past few years.

The Hon. G.M. GUNN (Stuart): It is normally my wont to read the *Advertiser* early in the morning, and this morning when I was reading the paper I thought, 'Goodness; that's a familiar face'—and it was the beaming face of the Hon. Mr Trainer, who is well known to us here. I thought I should read this article. I then noted that one of the things about which he is complaining is that the newspapers are full of expensive, colour glossy photos of the mayor and the councillors. It was then brought to my attention that the Hon. Mr Trainer was particularly keen to have a large portrait of himself to be hung in this parliament. In fact, I understand that he even offered to come in and get dressed up in the regalia to sit for it. I thought, 'Goodness me,' because I and others were the victim of some rather interesting rulings. On one occasion I referred to a ruling of the Hon. Mr Trainer, and the member for Spence wisely interjected and said, 'That would be a bad ruling.' After that I received a most curt letter from the well-known gentleman.

I was also interested to examine the somewhat humbler vehicle which the honourable gentleman now has. The only other person I know who drives around in a vehicle like that is the member for Schubert. We remember Mr Trainer, wearing a hat, in his little MG driving to Parliament House. I just wonder about this new found interest in the council. I have taken the trouble to check up on a ruling. In my time in this parliament, from time to time I have seen members lectured by various presiding officers. Using the same sort of process to rule a council or a parliament as you use to rule a school is not effective. In my experience, the parliament was in more of uproar during the time the honourable member was here. Listen to this—

Mr CLARKE: I rise on a point of order, Mr Deputy Speaker. It is contrary to standing orders to reflect on rulings of Speakers, current and past. Well I have muzzled myself with respect to the member for Stuart on that very same issue.

The DEPUTY SPEAKER: Order! The chair is not aware of any standing order that prohibits such debate.

Mr CLARKE: I have been ruled out plenty of times before.

The DEPUTY SPEAKER: There is no point of order.

The Hon. G.M. GUNN: I was interested in this ruling—and I wonder how the council would like this:

> In view of the last question that came from the government side, I point out to members that there is a difficulty when members attempt to put a question in the contents by way of explanation in so far as there is a grey area between that which is clearly information and that which is comment. Accordingly, to avoid straying into comment while giving an explanation, members should try to draw a clear distinction between opinion and fact.

If we start giving those rulings to the council, I wonder what sort of chaos they will have. We need to get the member for Spence, as a member for the legal profession, to interpret that ruling.

Members interjecting:

The Hon. G.M. GUNN: I have been egged on, and I do not know why. The honourable member talks about excessive expenditure. I welcome that interest in any form of government, and I am also terribly interested in ensuring mayors' free telephones, when they get them, are properly used. I look forward to the contest, because I am not sure which faction belongs to which. According to my friend Senator Quirke, I take it that Mr Trainer is not a particularly popular gentleman within the ranks.

Time expired.

SITTINGS AND BUSINESS

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

> That the House at its rising adjourn until Tuesday 23 May at 2 p.m.

Motion carried.

SOUTH AUSTRALIAN PORTS (DISPOSAL OF MARITIME ASSETS) BILL

The Hon. M.H. ARMITAGE (Minister for Government Enterprises) obtained leave and introduced a bill for an act to provide for the disposal of assets of the South Australian Ports Corporation; to provide for the repeal of the South Australian Ports Corporation Act 1994; and for other purposes. Read a first time.

The Hon. M.H. ARMITAGE: 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.

Legislation is being introduced to assist with the divestment of Ports Corp on the brink of a new era in freight transport in order to:

- Encourage economic development through expanded freight service business and investment opportunities;
- Encourage improved services for exporters and importers through reduced fragmentation of the supply chain towards the concept of 'total supply chain management';
- Enable resources tied up in Ports Corp to be put to other Government uses such as debt retirement or provision of other Government services; and
- Remove risks to Government from competition in ports business and from the potential for significant lost business opportunities that would in any case be inappropriate for the Government to pursue.

These collective objectives provide the framework for the assessment of bidders in the divestment process in order to ensure that we achieve the best overall value for the future of our State.

The Ports Corp divestment is to be supported by three pieces of facilitative legislation in order to protect the State interest in ports development, to protect port access for communities and customers, to protect staff in the transition process, and for the future, to foster competition in the provision of port services in the overall transport chain, while also ensuring that marine safety control remains with the State.

The State will retain ownership of all land above the high water mark that is included in the divestment, as well as navigation aids, channels and breakwaters within the defined port boundaries.

Multiple use of the port waters by recreational and other craft as occurs now will continue but under more formal arrangements, and conditional recreational, and commercial fishing vessel access to commercial port facilities will also continue as previously announced on 7 January this year.

The package consists of this Bill, the Maritime Service (Access) Bill and the Harbors and Navigation (Control of Harbors) Amendment Bill.

This Bill seeks to ensure the protection of various State, community and customer interests, as well as staff in the transition process, while divesting Ports Corp to take advantage of wider skill and innovation opportunities in the overall transport sector.

The acquirer of the Ports Corp business will gain a freely assignable interest in the above high watermark land to be divested, based on a 99 year lease, subject to both specified cross-ownership restrictions related to container handling services, and a range of lease conditions. These lease conditions will require the lessee to give a significant period of notice in the potential event of any intended port closure by the lessee, or in relation to potential closure of any part of a port. In these circumstances this will enable the State to negotiate an appropriate outcome for the relevant community and customers, including a first right of repurchase in the event of port closure. There will also be a requirement for the lessee to periodically submit a Strategic Development Plan to keep the State informed on the lessee's strategies to develop the ports.

Apart from navigation aids, channels and breakwaters which are excluded from the divestment, all Ports Corp assets on the land above the high water mark will be sold, as well as wharves that protrude over the subjacent land, along with the business incorporating existing contracts and leases with third parties.

The lessee will be able to invest in any port infrastructure on the leased land and over the water, as well as in any deepening of channels or the building of new breakwaters considered by the lessee to be commercially necessary for the expansion of trade. Such investments will be treated as capital improvements under the lease and will be subject to normal private sector statutory approval processes.

A major feature of the legislation is the staff transition arrangements including the detailed employee protection covering superannuation incorporated in this Bill along with the provision for other conditions of transfer in a Memorandum of Understanding (MoU) with the relevant Unions. These other conditions have been negotiated by the Government with the Maritime Union of Australia and the Australian Maritime Officers Union and the agreed MoU provides significant protection including:

- All employees to be 'made available' to the lessee for a notional period from the date of divestment;
- At the expiration of the 'made available' period employees in positions required by the lessee will transfer to the lessee in conjunction with receipt of an incentive payment based on an agreed schedule;
- Surplus employees will be offered redeployment within Government or a Targeted Voluntary Separation Package (TVSP);
- A guaranteed period of employment of two years with the lessee;
- Same terms and conditions of employment;
- Continuity of service; and
- Transfer to an industry based superannuation scheme on the basis of no disadvantage as provided for in this Bill.

Recreational Access Agreements to be negotiated shortly between Ports Corp and relevant Local Councils prior to divestment, are provided for in this Bill.

In order to achieve certainty for the community and a future lessee regarding port expansion, waterfront and adjacent areas considered necessary for this purpose are incorporated in this Bill for most port locations in the State. A planning review is already on public consultation for Port Giles which is expected to result in appropriate zoning. While the zoning review for Port Adelaide/Enfield is not yet completed as a basis for formal public consultation, the zoning proposals in this Bill cover limited additional areas beyond the existing Ports Corp ownership boundaries where it is considered critical for international trade and State economic development that provision should be made for port or port related industry. Zoning proposals are shown on plans as well as associated Development Plan text changes in a Schedule to this Bill.

In the interests of accountability and clarity, it is important to refer to proposed amendments to the Development Plan at some length:

In general the changes are proposed to:

- define, where necessary, the nature of activities envisaged within a port;
- ensure the relevant Council and State Development Plans accommodate such development; and
- provide that, in those instances where envisaged port and port related uses are proposed, no decision of the relevant authority is subject to appeal by a third party following any consultation.

In the case of Regional Ports, the proposed amendments also include the addition of the words 'port' and 'port activities' in general principles of development control and objectives to provide an acknowledgment by the Development Plan that ports are envisaged uses in certain localities/zones. However no changes are proposed to any existing zone boundary or any maps for these ports. The text relating to some zones has been modified, where necessary, to identify where port operations are occurring at present and to support their ongoing existence.

Where the structure of a Council Development Plan permits, a Public Notification provision has been added to provide for Category 2 notification for port activities. This category requires that adjoining owners be consulted when development is proposed but does not allow for any appeal by third parties (including adjoining owners) against a decision of the relevant authority. Existing zone provisions and the Regulations under the Development Act already provide for this in some zones/circumstances. In the case of Port Adelaide certain port activities on the water front have been given a Category 1 notification. Category 1 requires no consultation with adjoining owners. This situation already exists under the present zoning for most uses.

Proposed amendments for the Port of Adelaide are:

- the deletion of the Industry (Port) Deferred zone and the incorporation of that land into the Industry (Port) zone on the western portion of the Le Fevre Peninsula;
- the addition of more detailed Industry (Port) zone provisions to protect the port land (and its water frontage) from inappro-

priate development and to facilitate the establishment of industries which benefit from a 'near port' location on the inland portion of the zone;

- the inclusion of the Heritage listed Pilot Station at Outer Harbor in the Industry (Port) zone (previously zoned MOSS (Buffer) with no use 'rights') to better facilitate its appropriate restoration and subsequent use;
- the extension of the MOSS (Buffer) zone currently in use as a golf course to encapsulate land previously zoned Industry (Port) Deferred;
- the rezoning to conservation and buffer zones of the MFP zoned land at Mutton Cove on Le Fevre Peninsula and where it adjoins industrial areas along the Peninsula (including the contraction of the General Industry (2) zone which presently dissects Mutton Cove and the minor realignment of a zone boundary to accord with a title boundary);
- the rezoning of the balance of the northern MPF zone on Le Fevre Peninsula to Industry (Port) with the inclusion of a provision which precludes its development until such time as an open space corridor is defined linking the proposed conservation zone at Mutton Cove with the proposed buffer zone to the east; and
- to the north of Inner Harbor east, the rezoning of portion of the MFP zone to Industry (Port) with the inclusion of a provision which increases the amount of land considered appropriate for industries which do not require a water front location.

In the interests of public accountability this Bill also contains a Schedule showing that land which is to be leased as part of the divestment process. This area is generally less, (across all ports particularly Port Pirie, Thevenard, Wallaroo and for the Port of Adelaide), than the Ports Corp total land holdings at those locations. The division of land to incorporate the reduced land requirement is also part of this Bill.

The reduction in the amount of land to be leased should not be seen as inconsistent with a greater zoning provision for port and/or port related industry. The reduction is a result of advice as part of the divestment preparation process that the lessee should only be allocated land sufficient for reasonable expansion in the foreseeable future and which is suitable for port activities. For example, land being used for recreational purposes or required as buffer zones has been excluded. The wider zoning particularly in Port Adelaide is associated with the divestment objective of fostering increased competition that may see other port service providers building new shipping facilities at appropriate locations along the Port River in future, independently from the future lessee of Ports Corp. In addition the proposals in this Bill keep these areas away from and suitably buffered from residential and other development proposals which would be in conflict with future port development. These areas on Le Fevre Peninsula and at Gillman are currently vacant and remote from most existing development. The zoning and Development Plan proposals incorporate considerable flexibility for accommodating varying proportions of port and port related development which reflect the State's economic development interest in promoting and protecting trade through this State's ports.

Finally the Bill provides for the repeal of the Ports Corporation Act after a relatively short but successful period of management by the Ports Corp Board since 1995 for which the Board is commended. A legislative review of the Ports Corp Act has not been necessary under the Competition Principles Agreement, and the overall review of the Ports Corp divestment structure incorporating an associated Access Bill and a Safety Bill, in conjunction with the ongoing arrangements flowing from these three Bills will constitute and consummate the results of the overall competition review process.

I commend the Bill to members in conjunction with the other two Bills.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 1: Commencement

These clauses are formal.

Clause 3: Interpretation

This clause contains definitions for the purposes of the measure.

Clause 4: Certain maritime assets to be treated as personal property

This clause enables the Minister to determine that specified maritime assets or maritime assets of a specified class are to be regarded as personalty. Consequently, a transfer of title to land on which such an asset is situated does not operate to transfer the asset.

A maritime asset is—

- a port that was, at the commencement of the measure, vested in the South Australian Ports Corporation (the Corporation); or
- any asset vested in the Corporation associated with the operation of such a port;
- any asset transferred to a State-owned company or other authorised transferee by a transfer order under the measure;
- any other asset of the Corporation or the Crown that is, by direction of the Minister, to be regarded as a maritime asset.

Clause 5: Territorial application of Act

This clause provides for extra-territorial application of the measure.

PART 2

DISPOSAL OF MARITIME ASSETS

Clause 6: Transfer of maritime assets to State-owned company with a view to sale of shares in the company

This clause enables the Minister to make a transfer order to—

- transfer a maritime asset to an authorised transferee; or
- transfer a maritime asset acquired by an authorised transferee under a transfer order to the Corporation or another authorised transferee.

An authorised transferee is a State-owned company, a Minister, agency or instrumentality of the Crown.

Clause 7: Disposal of maritime assets and liabilities

This clause provides for the Minister to enter a sale/lease agreement with a purchaser to—

- transfer to the purchaser maritime assets or liabilities (or both);
- grant to the purchaser a lease, easement or other rights in respect of maritime assets;
- transfer to the purchaser shares in a State-owned company.

The clause expressly contemplates the agreement imposing on the purchaser a liability to indemnify the Corporation or the Crown against specified liabilities or liabilities of a specified class.

Clause 8: Terms of certain sale/lease agreements

This clause sets out terms that must or should be included in a lease of maritime assets.

The lessee must be required to give reasonable notice of the intended closure of a port or any part of it.

The terms that should be included (and for which an explanation must be given to Parliament if not included) are those under which—

- the lessee is required periodically to submit a Strategic Development Plan giving specified details of how the lessee plans to develop the South Australian assets involved in the lessee's business; and
- the risk of non-payment of rent (including amounts to be paid on the exercise of a right or option to renew or extend the lease) is addressed at the commencement of the lease by the provision of adequate security or other means; and
- the lessor accepts no liability for, and provides no warranty or indemnity relating to, the lessee's use of the asset in trade or business; and
- the lessee is to indemnify the lessor for any liability of the lessor to a third party arising from the lessee's use or possession of the asset; and
- the lessee is required to have adequate insurance against risks arising from the use or possession of the asset; and
- the lessee is required to ensure compliance with all regulatory requirements applicable to the use or possession of the asset; and
- the lessor is entitled to terminate the lease for—
  - non-payment of rent; or
  - any other serious breach that remains unremedied after the lessor has given notice of the breach and allowed a reasonable opportunity for it to be remedied; and
- the lessor has a right or option, at the expiration or earlier termination of the lease, to acquire assets that form part of the business involving the asset at a reasonable market value (including, where the leased asset is land, improvements to the land).

A sale/lease agreement may provide for the payment of civil penalties for breach.

The clause also contemplates a proclamation exempting (to the extent specified in the proclamation) the lessor from civil or criminal liabilities as owner or lessor.

Clause 9: Orders, agreements etc. to be laid before Parliament

Copies of transfer orders and sale/lease agreements are required to be laid before both Houses of Parliament.

Clause 10: Division of land and related changes to the Development Plan

This clause provides for applications for divisions of land as indicated in the plans contained in Schedule 1. It also provides for division of other land by application by the Minister to the Registrar-General (outside of the usual division of land provisions under the *Development Act 1993*).

The clause also provides for amendment of the Development Plan as set out in Schedule 2.

Clause 11: Government guarantee

This clause makes it clear that existing government guarantees do not continue to apply post sale/lease.

PART 3
STAFF

Clause 12: Transfer of staff

The Minister may issue an employee transfer order to—

- transfer employees of the Corporation to positions in the Department of Administrative and Information Services (DAIS); or
- transfer employees who have been transferred to the positions in DAIS to employment by a purchaser under a sale/lease agreement or a company related to the purchaser.

Clause 13: Employee transfer orders

This clause requires employee transfer orders to be consistent with the memorandum of understanding between the Government and the Maritime Union of Australia and the Australian Maritime Officers Union about the rights of employees in the event of their transfer to private employment under the measure.

The clause contemplates an order containing terms and conditions that, on the transfer of an employee to private employment, take effect as terms and conditions of the employee's contract of employment.

The Minister is required to make a lump sum payment to an employee transferred to private employment under an order, in accordance with the memorandum of understanding.

PART 4
DISSOLUTION OF THE CORPORATION

Clause 14: Dissolution of the Corporation

The Minister may assume control of the Corporation at any time after the transfer of assets from the Corporation commences.

The functions of the Corporation are then reduced to functions appropriate for the transitional period before sale.

Clause 15: Repeal of the South Australian Ports Corporation Act 1994

This clause provides for repeal of the Act on a date fixed by proclamation.

PART 5
RECREATIONAL ACCESS TO PORTS

Clause 16: Recreational access agreements

The purchaser is to be required by the sale/lease agreement to enter into recreational access agreements with the relevant councils governing access by the public to land and facilities to which the sale/lease agreement relates. The agreements will bind occupiers on an on-going basis.

Clause 17: Enforcement of recreational access agreements

The council for the area or an occupier may apply to the Supreme Court for an order for the enforcement of a recreational access agreement.

PART 6
STATUTORY EASEMENT

Clause 18: Statutory easement

A statutory easement is created in respect of certain port infrastructure (fixtures at a port comprising a pipeline, conveyor belt or crane or any plant or equipment associated with the operation of a pipeline, conveyor belt or crane) that is, at the commencement of the clause, situated on, above or under Corporation land.

PART 7
LIMITATION ON CROSS OWNERSHIP

Clause 19: Limitation on cross-ownership

This clause is designed to prevent a person simultaneously having an interest in the container terminal at Port Adelaide (delineated in Schedule 1) and a major container terminal at the Ports of Melbourne or Fremantle.

PART 8
MISCELLANEOUS

Clause 20: Provision of capital to State-owned company

This clause provides for appropriation of amounts necessary for subscription to a State-owned company.

Clause 21: State-owned company to be instrumentality of the Crown

This clause provides for a State-owned company to be an instrumentality of the Crown until it ceases to be State-owned.

Clause 22: Contract or arrangement between Corporation and State-owned company

This clause enables the Corporation to enter into a contract or arrangement with a State-owned company under which the State-owned company may make use of the services of employees or the facilities of the Corporation.

Clause 23: Amount payable by State-owned company in lieu of tax

A State-owned company is required to pay to the Consolidated Account an amount equal to its presumptive liability to income tax.

Clause 24: Validation of certain contracts etc.

This clause validates any contract, lease or licence purportedly made by the Corporation which would, but for this section, be invalid because it was made without the Minister's approval.

Clause 25: Interaction between this Act and other Acts

A transaction under this Act is not to be considered subject to the *Land and Business (Sale and Conveyancing) Act 1994*, the *Retail and Commercial Leases Act 1995* or Part 4 of the *Development Act 1993*.

Clause 26: Effect of things done or allowed under this Act

This clause ensures that a transaction may be entered into under the measure without fear of breaching another law or giving rise to damages etc.

Clause 27: Stamp duty

This clause exempts transfer orders and sale/lease agreements from stamp duty.

Clause 28: Land tax

This clause ensures that subjacent land (land that lies below the water in a harbor or port) will not be liable to land tax.

Clause 29: Registration of transfer of land

This clause provides for registration of transfers of land under the measure.

Clause 30: Non-application of Parliamentary Committees Act 1991

This clause provides that if land is leased to a purchaser under a sale/lease agreement, no work carried out by the purchaser in relation to that land is to be considered a public work for the purposes of the *Parliamentary Committees Act 1991* unless the cost of the work exceeds $4 million and the whole or part of the cost is to be met from money provided or to be provided by Parliament or a State instrumentality.

Clause 31: Regulations

This clause provides general regulation making power.

SCHEDULE 1
Division of Land

This Schedule set out divisions of land within Outer Harbor, Pelican Point, Osborne, Inner Harbor West, Inner Harbor East, Port Pirie, Port Giles, Port Lincoln and Thevenard in respect of which an application for division of land will be made and new certificates of title are to be issued.

SCHEDULE 2
Amendments to Development Plan

This Schedule sets out various amendments to the Development Plan effected by the measure.

SCHEDULE 3
Superannuation Benefits for Transferred Employees

Clause 1: Interpretation

This clause contains definitions for the purposes of the Schedule.

Clause 2: Triple S Scheme

This clause applies to employees who were, when transferred to private employment under the measure, contributors to the Triple S Scheme.

If the employee has not reached 55 years, the employee is entitled to—

- the balance of the employee's contribution account (which may be taken immediately, preserved in the Triple S scheme, or rolled over into a regulated superannuation scheme);
- the balance of the employer account (which may be preserved in the Triple S scheme or rolled over to a regulated superannuation scheme as a preserved amount);
- the balance of any rollover account (which (subject to SIS requirements) may be taken immediately, preserved in the Triple S scheme, or rolled over into a regulated superannuation scheme).

If the employee has reached 55 years, the employee is entitled to—

- the balance of the employee's contribution account (which may be taken immediately or rolled over into a regulated superannuation scheme);
- the balance of the employer account (which may be taken immediately or rolled over into a regulated superannuation scheme);
- the balance of any rollover account (which (subject to SIS requirements) may be taken immediately, preserved in the Triple S scheme, or rolled over into a regulated superannuation scheme).

Clause 3: New scheme contributors

This clause applies to employees who were, when transferred to private employment under the measure, new scheme contributors.

If the employee has not reached 55 years, the employee may elect—

- to preserve his or her accrued superannuation benefits;
- to take immediately or roll over into a regulated superannuation scheme the aggregate of
  - the balance of the employee's contribution account; and
  - the lesser of—
    - twice the balance of the employee's contribution account; or
    - twice the amount that would have been the balance of the contribution account if the employee had contributed to the scheme at the employee's standard contribution rate throughout the period of the employee's membership of the scheme;
  - an amount determined in accordance with section 28(5)(b)(ii)(B) of the *Superannuation Act 1988*,

and if the employee was a member of the PSESS scheme, the amount standing to the employee's account under section 32A(6) of the *Superannuation Act 1988* is to be added to the amount preserved, rolled over or taken in cash under paragraph *(a)*, *(b)* or *(c)*.

If the employee has reached 55 years, the employee may elect—

- to preserve his or her accrued superannuation benefits;
- to take immediately or roll over into a regulated superannuation scheme an amount determined under section 27 of the *Superannuation Act 1988* as if the employee had retired from employment on the relevant day,

and if the employee was a member of the PSESS scheme, the amount standing to the employee's account under section 32A(6) of the *Superannuation Act 1988* is to be added to the amount preserved, taken or rolled over under paragraph *(a)* or *(b)*.

If a transferred employee fails to make an election under this clause within one month after transfer, the employee will be taken to have elected to preserve his or her accrued superannuation benefits.

Clause 4: Old scheme contributors

This clause applies to employees who were, when transferred to private employment under the measure, old scheme contributors.

If the employee has not reached 55 years, the employee may elect—

- to preserve his or her accrued superannuation benefits;
- to take immediately or roll over into a regulated superannuation scheme the aggregate of the balance of the employee's contribution account and the lesser of—
  - 2.5 times the balance of the employee's contribution account; or
    - 2.5 times the amount that would have been the balance of the contribution account if the employee had contributed to the scheme at the employee's standard contribution rate throughout the period of the employee's membership of the scheme.

If the employee has reached 55 years, the employee may elect—

- to preserve his or her accrued superannuation benefits;
- to take immediately or roll over into a regulated superannuation scheme an amount equivalent to the commuted value of the pension to which the employee would have been entitled if he or she had retired from employment on the relevant day and had elected to commute 100 per cent of the pension.

If a transferred employee fails to make an election under this clause within one month after transfer, the employee will be taken to have elected to preserve his or her accrued superannuation benefits.

Clause 5: Special provision for certain old scheme contributors

The Treasurer is required to obtain an actuarial report in respect of an old scheme contributor who remains a contributor and who elected to preserve superannuation benefits and must pay a lump sum (if any) determined in accordance with the actuarial report to an account in the name of the employee in a regulated superannuation scheme nominated by the employee.

Clause 6: Provisions as to preservation apply despite the fact that the transferred employee may be over 55

This clause makes it clear that benefits may be preserved even though the employee may be over 55.

Ms HURLEY secured the adjournment of the debate.

MARITIME SERVICES (ACCESS) BILL

The Hon. M.H. ARMITAGE (Minister for Government Enterprises) obtained leave and introduced a bill for an act to provide access to South Australian ports and maritime services on fair commercial terms; to provide for price regulation of essential maritime services; to amend the Ports (Bulk Handling Facilities) Act 1996; and for other purposes. Read a first time.

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

That this bill be now read a second time.

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

Leave granted.

This Bill is one of three covering the Ports Corp divestment process and seeks to provide a framework for future third party access to certain port facilities that are currently owned and controlled by Ports Corp.

The Bill will govern the commercial terms and conditions upon which the new port operator will be regulated and required to provide access by third parties to maritime services at proclaimed ports.

It is worth reiterating that an access regime is a legal avenue which allows a business or individuals to use services provided through infrastructure where that infrastructure is not economically feasible to reproduce, or where the regime is required to permit effective competition in other markets.

The commercial advice to the Government in preparing the structure for the Ports Corp divestment is that it certainly would not be economically feasible to duplicate the channels at any port.

This is the same conclusion that was reached for the Victorian ports privatisation process where an access regime has been in place for around three years.

An access regime assists not only the future owner or lessee of a business in providing certainty prior to divestment, but is also central to fostering competition by providing the basis on which that competition can occur where a monopoly may otherwise continue, or occur later.

In our public consultation process we also picked up a lot of concern about whether open commercial access to the ports would continue. This Bill will in fact ensure that it does.

Furthermore a State-based access regime already applies to the Bulk Handling Facilities that were previously owned by Ports Corp and which are now owned by SACBH.

To ensure this existing regime is effective it is necessary to connect the port channels to the bulk loaders by including the relevant berths in the access regime.

The objectives to be achieved under this access regime are therefore considered to be:

(a) To provide access to maritime services on fair and commercial terms;

(b) To facilitate competitive markets in the provision of maritime services;

(c) To protect the interests of users of essential maritime services by ensuring that regulated prices are fair and reasonable for the industry concerned;

(d) To ensure disputes about access are dealt with efficiently.

It is not proposed to regulate facilities that are currently used by a single entity under an existing agreement where there is little prospect of, or need for, competition.

The Port of Klein Point which is used only by ABC as a source of limestone for its cement making operation in Port Adelaide is an example, along with other berths in Port Adelaide which are the subject of current single user agreements such as the Sea-Land container terminal and Penrice berth, and in Regional ports the Pasminco berth at Port Pirie. It is not intended to provide third party

access to these particular berths through the access regime, but other berths in most ports (including Port Pirie) will be subject to the third party access regime.

It is proposed to seek National Competition Council certification of the third party access regime prior to divestment pursuant to Part IIIA of the Trade Practices Act 1974 as an 'effective' State based access regime. Once certified, it is proposed that regulation will be undertaken by the South Australian Independent Industry Regulator (SAIIR).

The access regime will be in two tiers comprising essential maritime services in conjunction with prescribed prices, and other maritime services for which less formal arrangements will apply eg excluding prescribed prices.

The formal access regime will cover essential maritime services at six ports (excluding Klein Point), being the provision of:

(a) channels

(b) common user berths

(c) berths adjacent to Bulk Handling Facilities.

Ceiling prices will be set initially by the Minister in a Pricing Order for these services which will be based on Ports Corp existing price structure. The proposed levels of the initial ceiling prices are currently being developed but would be based on a normal 'CPI minus X' factor which will be of great interest to certain port customers.

Common user berths will be those that exist on commencement of this measure and the SAIIR will be empowered to issue exemptions to take into account changing circumstances on the relative need and ongoing mix of single user and common user berths.

The initial Ministerial pricing determination will be in operation for a period of three years at which point the SAIIR will review the pricing determination to assess its continued applicability. The review will take into account, among other things, any countervailing competitive forces that may have emerged during the period. The review may result in a continuation of the regime, a narrowing or even removal of the pricing determination. It is to be noted that, as a result of a review by the Office of the Regulator General in Victoria, the pricing determination in that State is to be narrowed.

The access regime provided for in the Bill must also be the subject of a review by the SAIIR at the end of a three year period. The SAIIR must prepare a report, containing his or her recommendations as to whether the access regime should continue for a further three year period or not, and forward that report to the Minister for tabling in both Houses of Parliament and publishing in the *Gazette*. If it is the recommendation of the SAIIR that the access regime should continue in operation, the access regime will be continued for a further three year period by regulation.

Flexibility will exist for the SAIIR to approve the prescribed prices being adjusted to take account of subsequent augmentation to essential maritime services such as deepening of a channel.

The less formal arrangements will apply to the Bulk Handling Facilities and the provision of pilotage and storage services where a State based dispute resolution process will be administered by the SAIIR comprising conciliation, and if necessary, arbitration, with appropriate appeal mechanisms.

Thus the whole regime will be administered independently by the SAIIR and with the essential maritime services proposed to be certified by the NCC.

I commend this bill to honourable members in conjunction with the other two bills.

Explanation of Clauses

PART 1

PRELIMINARY

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Objects

This clause sets out the objects of the measure as follows:

- to provide access to maritime services on fair commercial terms; and
- to facilitate competitive markets in the provision of maritime services; and
- to protect the interests of users of essential maritime services by ensuring that regulated prices are fair and reasonable having regard to the level of competition in, and efficiency of, the regulated industry; and
- to ensure that disputes about access are subject to an appropriate dispute resolution process.

Clause 4: Interpretation

This clause sets out definitions for the purposes of the measure.

Clause 5: Proclaimed ports

This clause sets out a process for determining the ports that are to be subject to the measure.

A proclamation is required to declare the relevant ports and to define the boundaries of a proclaimed port.

The ports that may be brought within the measure are those listed in the clause (Port Adelaide, Port Giles, Wallaroo, Port Pirie, Port Lincoln and Thevenard) and any others listed in regulations (which are, of course, subject to disallowance).

PART 2

REGULATION OF MARITIME INDUSTRIES

DIVISION 1—ESSENTIAL MARITIME INDUSTRIES

Clause 6: Certain maritime industries to be regulated industries

This clause applies the *Independent Industry Regulator Act 1999* to essential maritime industries.

An essential maritime industry is an industry of providing an essential maritime service or essential maritime services. An essential maritime service is a maritime service consisting of—

- providing or allowing for access of vessels to a proclaimed port; or
- providing port facilities for loading or unloading vessels at a proclaimed port; or
- providing berths for vessels at a proclaimed port;

The application of that Act is varied by providing that the first pricing determination for the industry is to be made by the Minister rather than by the Industry Regulator.

Clause 7: Review to be conducted by Industry Regulator

The Industry Regulator is required, within 3 years, to conduct a review of essential maritime industries to determine whether essential maritime services should continue to be subject to price regulation and, if so, the appropriate form of the regulation. The Regulator is required to seek submissions and to report to the Minister.

DIVISION 2—PILOTAGE

Clause 8: Obligation to maintain a current schedule of pilotage charges

The operator of pilotage services in a proclaimed port is required to maintain and make available a schedule of charges. Notice of proposed changes to charges must be given to the Industry Regulator.

DIVISION 3—GENERAL FUNCTIONS OF INDUSTRY REGULATOR IN RELATION TO MARITIME INDUSTRIES

Clause 9: General functions of Industry Regulator

The Industry Regulator is required to keep the regulation of maritime industries under review with a view to determining whether regulation (or further regulation) is required under the *Independent Industry Regulator Act 1999*.

This clause gives the Regulator an additional power to develop and issue standards to be complied with in the provision of a maritime service. The standards are not mandatory unless promulgated as regulations.

PART 3

ACCESS TO MARITIME SERVICES AT PROCLAIMED PORTS

DIVISION 1—REGULATED PORT OPERATORS

Clause 10: Regulated port operators

The application of the access regime set out in this Part is to be determined by proclamation. The Part applies to businesses in proclaimed ports providing maritime services declared by proclamation to be regulated services.

DIVISION 2—BASIS OF ACCESS

Clause 11: Access on fair commercial terms

A regulated operator must provide regulated services on terms agreed between the operator and the customer or, if they do not agree, on fair commercial terms determined by arbitration under the measure.

DIVISION 3—NEGOTIATION OF ACCESS

Clause 12: Preliminary information to assist proponent to formulate proposal

This clause enables a person who intends to ask a regulated operator to provide a regulated service to obtain information about—

- the extent to which the regulated operator's port facilities subject to the access regime are currently being utilised; and
- technical requirements that have to be complied with by persons for whom the operator provides regulated services; and
- the rules with which the intending proponent would be required to comply; and

· the price of regulated services provided by the operator (being information required to be provided under guidelines issued by the Industry Regulator).

Clause 13: Proposal for access

This clause governs the making of a written proposal for access to a regulated maritime service. It is made clear that the proposal may extend to the modification of port facilities on land occupied by the operator for the purpose of providing the relevant service or the establishment of additional port facilities on land occupied by the operator for the purpose of providing the relevant service.

The operator is required to give notice of such a proposal to the Industry Regulator and any person whose rights would be affected by implementation of the proposal. The operator is also required to give a preliminary response to the proponent within one month.

Clause 14: Duty to negotiate in good faith

The operator and affected third parties who give notice of an interest to the proponent or the operator are required to negotiate in good faith with the proponent.

Clause 15: Existence of dispute

If agreement is not reached within 30 days, a dispute exists and any party may refer the dispute to the Industry Regulator.

DIVISION 4—CONCILIATION

Clause 16: Settlement of dispute by conciliation

The Industry Regulator is required to attempt to resolve a dispute by conciliation unless of the opinion that the subject-matter of the dispute is trivial, misconceived or lacking in substance or the parties have not negotiated in good faith.

Clause 17: Voluntary and compulsory conferences

The Industry Regulator is empowered to call conferences of the parties to explore the possibility of resolving the dispute by agreement.

DIVISION 5—REFERENCE OF DISPUTE TO ARBITRATION

Clause 18: Power to refer dispute to arbitration

The Industry Regulator may refer a dispute to arbitration if conciliation is not successful, but need not do so if of the opinion that the subject-matter of the dispute is trivial, misconceived or lacking in substance or the parties have not negotiated in good faith or for other good reason.

Clause 19: Application of Commercial Arbitration Act 1986

The above Act applies to the extent that it may do so consistently with the measure.

DIVISION 6—PARTIES AND REPRESENTATION

Clause 20: Parties to the arbitration

The arbitrator may join a person as a party if the person's interests may be materially affected by the outcome of the arbitration.

Clause 21: Representation

Representation by a lawyer is allowed and the arbitrator may allow representation by some other person.

Clause 22: Industry Regulator's right to participate

The Industry Regulator may participate in an arbitration, including by calling evidence or making submissions.

DIVISION 7—CONDUCT OF ARBITRATION

Clause 23: Arbitrator's duty to act expeditiously

The arbitrator is required to proceed with the arbitration as quickly as the proper investigation of the dispute, and the proper consideration of all matters relevant to the fair determination of the dispute, allow.

Clause 24: Hearings to be in private

Arbitration proceedings are required to be conducted in private unless all parties agree to have the proceedings conducted in public.

An arbitrator is authorised to give public notice of the outcome of an arbitration if the arbitrator considers it to be in the public interest to do so.

Clause 25: Procedure on arbitration

The method of obtaining information is left to the arbitrator. Written submissions or oral presentations may be required.

Clause 26: Procedural powers of arbitrator

This clause gives the arbitrator various powers of a procedural nature and allows the arbitrator to engage a lawyer to provide advice on the conduct of the arbitration and to assist the arbitrator in drafting the award.

Clause 27: Power to obtain information and documents

The clause provides the arbitrator with powers to require a person to provide a written statement or to appear as a witness.

Clause 28: Confidentiality of information

If a person requests information or the contents of documents to be kept confidential, the arbitrator may impose binding conditions to that end.

Clause 29: Proponent's right to terminate arbitration before an award is made

The proponent may terminate an arbitration before an award is made.

Clause 30: Arbitrator's power to terminate arbitration

The arbitrator may terminate an arbitration (after notifying the Industry Regulator) if satisfied—

· the subject matter of the dispute is trivial, misconceived or lacking in substance; or
· the proponent has not engaged in negotiations in good faith; or
· the terms and conditions on which the maritime service is to be provided should continue to be governed by an existing contract or award.

DIVISION 8—AWARDS

Clause 31: Formal requirements related to awards

The arbitrator is required to give a copy of an award to the Industry Regulator and to the parties. The award must include reasons and specify the period for which it is to remain in force.

Clause 32: Principles to be taken into account by the arbitrator

The arbitrator should take into account the following principles:

· the operator's legitimate business interest and investment in the port or port facilities; and
· the costs to the operator of providing the service (including the costs of any necessary modification to, or extension of, a port facility) but not costs associated with losses arising from increased competition in upstream or downstream markets; and
· the economic value to the operator of any additional investment that the proponent or the operator has agreed to undertake; and
· the interests of all persons holding contracts for use of any relevant port facility; and
· firm and binding contractual obligations of the operator or other persons (or both) already using any relevant port facility; and
· the operational and technical requirements necessary for the safe and reliable provision of the service; and
· the economically efficient operation of any relevant port facility; and
· the benefit to the public from having competitive markets.

Clause 33: Incidental legal effect of awards

An award may vary the rights of other customers of the operator, but only if—

· those customers will continue to be able to meet their reasonably anticipated requirements measured at the time when the dispute was notified to the Industry Regulator; and
· the terms of the award provide appropriate compensation for loss or damage (if any) suffered by those customers as a result of the variation of their rights.

An award may require the operator to extend, or permit the extension of, the port facilities under the operator's control, but only if—

· the extension is technically and economically feasible and consistent with the safe and reliable operation of the facilities; and
· the operator's legitimate business interests in the port facilities are protected; and
· the terms on which the service is to be provided to the proponent take into account the costs and the economic benefits to the parties of the extension.

Clause 34: Consent awards

The arbitrator may make an award in terms proposed by the parties if satisfied that the award is appropriate in the circumstances.

Clause 35: Proponent's option to withdraw from award

A proponent has 7 days (or such longer period as the Industry Regulator allows) to elect not to be bound by an award.

If a proponent elects not to be bound, the proponent is precluded from making another proposal related to the same matter for 2 years unless the operator agrees or the Industry Regulator authorises a further proposal within that period.

Clause 36: Termination or variation of award

An award may be terminated or varied by agreement between all parties to the award. If there has been a material change in circumstances and the parties cannot agree on termination or variation, the dispute may be subject to arbitration under the Part.

DIVISION 9—ENFORCEMENT OF AWARD

Clause 37: Contractual remedies

An award is enforceable as if it were a contract between the parties to the award.

Clause 38: Injunctive remedies

The Supreme Court may, on the application of the Industry Regulator or a person with a proper interest, grant an injunction restraining a person from contravening an award or requiring a person to comply with an award.

Clause 39: Compensation

If a person contravenes an award, the Supreme Court may, on application by the Industry Regulator or an interested person, order compensation of persons who have suffered loss or damage as a result of the contravention.

The order may be made against a person who aided, abetted, counselled or procured the contravention, or induced the contravention through threats or promises or in some other way, or was knowingly concerned in, or a party to, the contravention, or conspired with others to contravene the award.

DIVISION 10—APPEALS AND COSTS

Clause 40: Appeal from award on question of law

An appeal lies to the Supreme Court from an award, or a decision not to make an award, on a question of law. An award may not be challenged in any other way.

Clause 41: Costs

The costs of an arbitration are to be borne by the parties in proportions decided by the arbitrator, and in the absence of a decision by the arbitrator, in equal proportions. However, if a proponent terminates an arbitration or elects not to be bound by an award, the proponent must bear the costs in their entirety.

DIVISION 11—SEGREGATION OF ACCOUNTS

Clause 42: Accounts and records relating to the provision of regulated services

A regulated operator is required to keep separate accounts relating to the provision of regulated services for each port.

DIVISION 12—EXPIRY OF THIS PART

Clause 43: Review and expiry of this Part

This clause requires the application of the Part to be reviewed by the Industry Regulator before the end of 3 years after its commencement. The Part will expire at the end of that period unless the Industry Regulator recommends to the Minister that it should continue in operation for a further three year period and a regulation is made to that effect. While the Part continues in operation, provision is made for further similar review processes.

PART 4

MISCELLANEOUS

Clause 44: Hindering access

This clause makes it an offence to prevent or hinder a person who is entitled to a maritime service from access to that service.

Clause 45: Variation or revocation of proclamations

This clause enables proclamations (other than a commencement proclamation) under the measure to be varied or revoked.

Clause 46: Transitional provision

This clause includes a transitional arrangement in relation to agreements and awards in force under the *South Australian Ports (Bulk Handling Facilities) Act 1996*.

Clause 47: Regulations

This clause provides general regulation making power.

SCHEDULE

Amendment of South Australian Ports (Bulk Handling Facilities) Act 1996

This Schedule makes consequential amendments to the Act providing for the removal of the access regime to this measure.

Ms HURLEY secured the adjournment of the debate.

HARBORS AND NAVIGATION (CONTROL OF HARBORS) AMENDMENT BILL

The Hon. M.H. ARMITAGE (Minister for Government Enterprises) obtained leave and introduced a bill for an act to amend the Harbors and Navigation Act 1993. Read a first time.

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

That this bill be now read a second time.

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

Leave granted.

This is the third of three Bills associated with the divestment of the SA Ports Corporation. The purpose of this Bill is to amend the *Harbors and Navigation Act 1993* to allow the lessee of the Ports Corp assets to operate the divested ports whilst also securing the ongoing safety of South Australia's marine waters.

The Bill proposes a number of changes to the Act which are designed to recognise and give effect to the different operational and regulatory responsibilities of the port lessee and the government. In brief, the lessee has operational responsible for directing vessel activity and securing maritime safety within leased ports, including the maintenance of channel/berth depths and navigational aids. The government will continue to have responsibility for all regulatory functions under the Act, including the monitoring of marine safety in all waters of the State, including within ports, and the issuing of all licences and certificates to vessel owners or operators.

A key element of the Bill is the introduction of Port Operating Agreements (POAs) as the instrument which details the duties and responsibilities of the lessee for securing safety within a port operated by the lessee. A POA will be an agreement under the Harbors and Navigation Act between the Minister for Transport and Urban Planning and the port lessee. A separate POA will exist for each leased port, allowing for the unique characteristics and needs of each port to be accommodated. However, it is envisaged that all POAs will cover matters such as:

- The maintenance of port waters to a navigable standard and the provision of appropriate navigational aids;
- The lessee's responsibility for directing vessel movement and related activities in accordance with agreed port rules;
- A requirement for the lessee to have contingency plans for dealing with emergencies in the port;
- A requirement for the lessee to enter into and maintain agreements with appropriate bodies regarding access to port facilities by commercial fishing and naval vessels;
- Provision of information about the port, for example channel depths and navigational charts;
- Payment of an annual fee to cover the costs of supervising the lessee's operation of the port.

POAs will be tabled in Parliament, in conjunction with the Lease Agreement envisaged by the South Australian Ports (Disposal of Maritime Assets) Bill 2000.

The Bill further secures port safety by enabling the Minister to take action should the lessee fail to fulfil the duties and responsibilities set out in a POA. The Bill allows for the action taken by the Minister to differ according to the significance of the lessee's breach, from a warning through to the termination of the POA. The POA would only be terminated in the event of a major default by the lessee, or a continued failure by the lessee to rectify a problem. In such a circumstance, the Minister can either operate the port at the lessee's cost or appoint another party to operate the port.

The Bill also includes a provision to amend section 20 of the Harbors and Navigation Act to clarify that any subjacent land leased or licensed to the lessee of the port will not be rateable by local councils. Subjacent land is defined in the Act as land underlying navigable waters. In the case of the ports being divested this will include subjacent land associated with channels and wharves/jetties which are over water. The lessee will not have exclusive possession or use of these areas, making it inappropriate for rates to be levied. Land above the high water mark will be rateable in accordance with normal practice.

Although it is intended that the government will continue to be responsible for regulatory functions under the Act, a number of provisions require alteration to recognise the lessee's role in operating certain ports. For example, the issuing of licenses for aquatic activities under section 26 or the creation of restricted areas under section 27 will be amended to ensure that the lessee's concurrence is obtained before action is taken which affects one of the lessee's ports. Similarly, while the Minister's ability to issue directions in the event of a maritime emergency is preserved in section 67, provision is made for the impact on the lessee of any interruption in port operations to be recognised.

I commend this bill to honourable members.

Explanation of Clauses

Clause 1: Short title

Clause 2: Commencement

These clauses are formal.

Clause 3: Amendment of s. 4—Interpretation

New definitions of port, port management officer and port operator are inserted into the principal Act.

Ports are to be constituted by the regulations but must comprise or include the whole or some of the land and waters constituting a harbor.

The port operator is the person authorised by the port operating agreement to operate the port or, if there is no such person, the Minister.

A port management officer is a person appointed as such under the measure or an authorised person.

Clause 4: Amendment of s. 12—Appointment of authorised persons

Section 12 is amended to enable the CEO to appoint, with the agreement of a port operator, an officer or employee of the operator to be an authorised person in relation to the relevant port. This takes the place of a provision relating to appointments made with the concurrence of the Corporation.

Clause 5: Amendment of s. 15—Property of Crown

Section 15(3) of the principal Act excludes certain land from vesting in the Minister under the section.

Paragraph (a) refers to land transferred by the Minister to the Commonwealth, a council or into private ownership. The amendment removes the reference to transfer by the Minister so that the paragraph applies generally to all transfers.

Paragraph (ba) refers to land subsequently vested in the Corporation. The amendment removes this paragraph as it will be otiose after divestiture.

Clause 6: Amendment of s. 18A—By-laws

Section 18A provides for the making of by-laws by councils in relation to harbors or adjacent or subjacent land with the approval of the Minister.

The amendment ensures that the approval of the port operator is required in the case of a port.

Clause 7: Amendment of s. 20—Rateability of land

The amendment ensures that subjacent land in a port is not subject to council rates.

Clause 8: Amendment of s. 21—Liability for damage

The amendment removes a reference to the Corporation that will not be required after divestiture.

Clause 9: Amendment of s. 22—Control of navigational aids

The amendment provides for delegation to a port operator of control over navigational aids within ports.

New subsection (3) creates a statutory easement for existing navigational aids not located on land owned by the Minister.

New subsection (4) creates a statutory easement conferring rights of access where reasonably necessary for the purpose of operating, maintaining, repairing, replacing or removing a navigational aid on adjacent land or waters.

Clause 10: Amendment of s. 25—Clearance of wrecks etc.

New subsection (1a) empowers a port operator to require the owner of a wreck within the port to remove the wreck. New subsection (2a) empowers a port operator to require a person who deposits any substance or thing within a port so as to obstruct navigation, or to pollute waters to remove the substance or thing or to mitigate the consequences of pollution.

Clause 11: Substitution of s. 26—Licences for aquatic activities

The new section provides that the CEO may only grant a licence for aquatic activities within a port with the consent of the port operator (although that consent is not to be unreasonably withheld).

The amendments also introduce an expiation fee for the offence of intruding into waters when a licensee has the exclusive right to use the waters under a licence.

Clause 12: Amendment of s. 27—Restricted areas

The amendment requires the consent of the port operator before a regulation is made under section 27 in relation to waters within a port.

The provision enabling costs to be recovered where a council requests the making of a regulation under section 27 is extended to private port operators.

Clause 13: Substitution of ss. 28 to 32 and headings

The sections are substituted by a new Part as follows:

PART 5
HARBORS AND PORTS
DIVISION 1—CONTROL AND MANAGEMENT OF HARBORS AND PORTS

28. Control and management of harbors

This section provides that subject to this Part, the Minister has the control and management of all harbors in the State.

28A. Power to assign control and management of ports

This section provides for conferral on another (the proprietor) of the right to carry on the business of operating a particular port under a port operating agreement. If the proprietor chooses to have the Minister continue to have the control and management of the port or the proprietor has committed a serious breach of a port operating agreement and the Minister has cancelled or refused to renew the agreement on that ground, the Minister will control and manage the port but at the expense of the proprietor.

28B. Port operating agreements

This clause sets out various matters that may be included in a port operating agreement. The agreement—

- may require the port operator to have appropriate resources (including appropriate contingency plans and trained staff and equipment to carry the plans into action) to deal with emergencies; and
- may require the port operator—
  - to maintain the waters of the port to a specified navigable standard; and
  - to provide or maintain (or provide and maintain) navigational aids; and
  - to direct and control vessel movement in port waters; and
- may require the port operator to enter into and maintain in operation—
  - agreements with bodies representing the fishing industry about access to the port and port facilities by commercial fishing vessels; and
  - an agreement with the Royal Australian Navy about access to the port and port facilities by naval vessels; and
- may require the port operator to maintain and make available navigational charts and other information relating to the port; and
- may regulate the performance of statutory powers by the port operator; and
- may provide for the payment of an annual fee to the Minister (fixed by the Minister having regard to the cost of providing government supervision of the activities conducted under the agreement); and
- may deal with any other matter relevant to the control and management of the port.

28C. General responsibility of port operator

This section places obligations on the port operator relating to the safe operation of the port and the management of the port in a way that avoids unfair discrimination against or in favour of any particular user of the port or port facilities.

28D. Variation of port operating agreement

This clause provides for variation by agreement.

28E. Agreements to be tabled in Parliament

A port operating agreement and any agreement varying a port operating agreement are required to be laid before both Houses of Parliament.

28F. Power to deal with non-compliance

The Minister is empowered to reprimand or fine a port operator or cancel a port operating agreement for non-compliance with the agreement or this Act. The port operator must be given a reasonable opportunity to make written submissions. An appeal is provided to the Court of Marine Enquiry. A port operating agreement may contain provisions governing the exercise of the Minister's disciplinary powers.

28G. Power to appoint manager

28H. Powers of the manager

These sections provide for the appointment and powers of an official manager where a port operator is seriously in breach of its obligations under a port operating agreement or a port operating agreement is cancelled or expires without renewal.

DIVISION 2—OPERATIONAL POWERS

29. Port management officers

A port operator is empowered to appoint port management officers with powers set out in this Division. Authorised officers have the powers set out in this Division and the powers set out in other parts of the principal Act.

29A. Power of direction

A port management officer may give a direction (orally, by signal, radio communication, or in any other appropriate manner) to a person in charge, or apparently in charge, of a vessel in or in the vicinity of a port. Under subsection (2) a direction may, for example—

- require that vessels proceed to load or unload in a particular order; or
- require that a vessel be moored or anchored in a particular position; or
- require that a vessel be secured in a particular way; or
- require that a vessel be moved from a particular area or position; or
- require the production of documents relating to the navigation, operation, pilotage, use or loading of the vessel.

It is an offence not to comply with a direction. (cf section 32 of the current Act)

29B. Power to board vessel

This section gives a port management officer power to board and inspect vessels. (cf section 32 of the current Act)

DIVISION 3—HARBOR IMPROVEMENT WORK

30. Dredging or other similar work

This section provides for dredging and other work carried out by the Minister or port operator. Contributions towards the cost of the work may be recovered from the owners of wharves who benefit from the work. (cf section 29 of the current Act)

30A. Development of harbors and maritime facilities

This section provides for development or other improvements to a harbor or port by the Minister or port operator. (cf section 30 of the current Act)

The section also obliges the port operator to establish and maintain facilities and equipment for the safety of life and property in the port as required under a port operating agreement and to establish and maintain other facilities and equipment for the safety of life and property.

30B. Application of Development Act 1993

This section makes it clear that the Development Act applies to development under this Division.

DIVISION 4—HARBOR CHARGES etc.

31. Power to fix charges

This provision provides for charges to be fixed by the Minister for facilities or services provided by the Minister or for entry of vessels into waters under the Minister's control and management, subject to any relevant law or determination. (cf section 31 of the current Act)

31A. Power to waive or reduce charges

This section enables the Minister to waive or reduce a charge or extend the time for payment of a charge.

31B. Charges in respect of goods

31C. Charges in respect of vessels

31D. Power to prevent use of harbor or port facilities

These sections provide various powers to the Minister relating to the recovery of charges, similar to those currently contained in section 31.

Clause 14: Substitution of heading to Division 5 of Part 5

Division 5 is converted into a new Part dealing with Pilotage.

Clause 15: Amendment of s. 33—Licensing of pilots

Clause 16: Amendment of s. 34—Pilotage exemption certificate

Clause 17: Amendment of s. 35—Compulsory pilotage

These are consequential amendments.

Clause 18: Substitution of s. 67—Minister's power to act in an emergency

The power of the Minister to act in an emergency is replaced to ensure that directions may be given to any person as necessary. The new section contemplates a port operating agreement containing provisions governing the exercise of the Minister's powers in relation to a port.

Clause 19: Amendment of s. 80—Review of administrative decisions

Section 80 is amended to make a decision of the Minister to insist on the inclusion of a particular provision or particular provisions in a port operating agreement, or not to renew a port operating agreement, subject to review.

Clause 20: Amendment of s. 83—Regattas, etc.

The amendment provides that an exemption cannot be granted under section 83 by the CEO in respect of an activity that is to take place within a port unless the port operator agrees.

Clause 21: Amendment of s. 89—Officers' liability

Section 89 is amended to ensure that liability for the actions of officers or employees of a port operator attaches to the port operator.

SCHEDULE

Amendment of Penalties

This Schedule coverts divisional penalties to monetary amounts throughout the principal Act.

Ms HURLEY secured the adjournment of the debate.

ROAD TRAFFIC (RED LIGHT CAMERA OFFENCES) 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.

This Bill proposes amendments to section 79B of the *Road Traffic Act 1961*.

The purpose of the amendments is to introduce demerit points for red light offences detected by camera. This will move South Australia more into line with the national demerit points scheme, which provides that demerit points are incurred for speeding and red light offences, without distinction based on the manner of detection. This measure was agreed nationally by Transport Ministers under the terms of the Light Vehicles Agreement 1992, as part of the National Driver Licensing Scheme. Implementation is therefore required under National Competition Policy.

Demerit points already apply to all camera-detected offences (speeding and red light) in NSW, Victoria, Tasmania, Queensland and Western Australia. The ACT does not use cameras for detection. While the Northern Territory uses cameras it has not yet introduced the demerit points scheme—a matter that has been the subject of comment by the National Competition Council. Meanwhile South Australian drivers incur demerit points for camera detected offences committed interstate.

Imposing demerit points on drivers who run red lights will help modify their driving behaviour, and reinforce with the public the seriousness of the offence. In 1998 there were 7476 road crashes at signalised intersections in metropolitan Adelaide, in which 8 people were killed and 172 suffered serious injuries. Introducing this Bill is part of the Government's commitment to improving road safety—which is of course the true purpose of retaining camera-detected offences.

Section 79B establishes an offence against the registered owner of a vehicle shown by camera to have been involved in one of various offences against the *Road Traffic Act*, mainly speeding and failing to stop for a traffic light. There are a number of defences available to protect a registered owner from liability in the case where the registered owner was not driving the vehicle at the time, and to enable the registered owner to nominate the actual driver.

Specifically, if the registered owner was not driving, he or she must provide the name of the driver by way of statutory declaration. If the identity of the driver is unknown, the registered owner must use reasonable diligence to try to identify the driver, and must provide a statutory declaration setting out the reasons why the driver's identity is unknown and the inquiries made to try to identify the driver.

The intention underlying the section is to find the actual driver and make that person responsible for his or her behaviour on the road through the imposition of a fine or expiation fee.

If the registered owner expiates the offence, the matter is ended. If the registered owner nominates a driver, the expiation notice is reissued to the nominated driver in respect of an offence, not under section 79B, but under the provision creating the offence of speeding, disobeying a red light, etc. If the driver expiates or is convicted of the offence he or she incurs demerit points.

The Bill does not change these features, except where the registered owner is a body corporate and the offence is a red light camera offence.

The Bill proposes the following changes.

Section 79B(8) is to be amended to allow for disqualification arising from the aggregation of demerit points in a case where the offence is a red light offence. In order to apply demerit points to red light offences under section 79B, the offence would be added to the demerit points schedule (attached to the Motor Vehicles Regulations).

If the registered owner fails to nominate the driver of the vehicle, the registered owner will receive the demerit points for this offence (that is, 3 demerit points).

For a registered owner who is an individual, these are the only amendments which are necessary to impose demerit points for a red light camera offence.

Where the registered owner is a body corporate, it is necessary to have a person to whom the demerit points can be attributed. If an expiation notice were sent to a company, the company could pay it and end the matter. In this way the driver would never be made responsible for his or her behaviour. The owners and drivers of non-company vehicles would be at a relative disadvantage.

Further amendments remove the existing requirement that the company be given the opportunity to expiate a red light camera offence, and double the maximum penalty for a red light camera offence where the vehicle is owned by a company (to $2 500).

The company would continue to have an opportunity to nominate the driver or to provide evidence by statutory declaration that the driver is unknown and detailing the inquiries made to try to ascertain the identity of the driver. Failure to nominate or to satisfy the police that the company had used reasonable diligence to try to identify the driver may lead to the police prosecuting the company for the offence.

Other jurisdictions have similar special arrangements to ensure that a company nominates the driver. These apply to both speeding and red light offences. For example:

- Victoria has provisions which require an owner to nominate the driver or show reasonable diligence in the attempt to identify the driver. It has a separate offence, with an expiation fee of $600 for failure to nominate. Suspension of registration of the vehicle for 3 months may also result.
- New South Wales has provisions which require an owner to nominate the driver with a reasonable diligence provision. The penalty for failure to nominate is $1 100 for a company, $550 for an individual.
- In Queensland, the company must either nominate the driver, satisfy a reasonable diligence requirement, or pay an expiation fee five times the expiation fee an individual would have paid (for an individual this is between $130 and $180, depending on the speed).
- Tasmania has a separate provision requiring an owner to nominate the driver. The expiation fee for a company is $600. The maximum penalty is $2 000 for a first offence and $4 000 for a second offence.
- In Western Australia, there are no special provisions to deal with companies which do not nominate the driver. Legislation to require a company to provide the name of the driver has been drafted, but has not yet passed.

On the company providing the name of the driver, an expiation notice would be sent to this person. Demerit points would only be incurred if the driver expiated or was convicted of the offence.

The introduction of the new law would be accompanied by publicity explaining its effects and suggesting to companies that they make the use of log books for the accurate identification of drivers—or adopt some other means of recording who is driving the company vehicle (a practice that should be in place in any event, for CTP and other insurance purposes).

Explanation of Clauses

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

This clause provides for commencement on a day to be fixed by proclamation.

Clause 3: Amendment of s. 79B—Provisions applying where certain offences are detected by photographic detection devices

This clause amends section 79B of the principal Act.

Under section 79B(2) (the "owner" offence), where a vehicle appears from a red light or speed camera photograph to have been involved in the commission of a "prescribed offence" (a red light or speeding offence) the owner of the vehicle is guilty of an offence against this section unless the owner can prove—

(a) that the "prescribed offence" had not in fact been committed; or

(b) that the owner has by statutory declaration named another person as the driver; or

(c) that—

(i) (in the case of a company) the vehicle was not being driven at the relevant time by an officer or employee of the company acting in the ordinary course of his or her duties; and

(ii) the owner does not know and could not by the exercise of reasonable diligence have ascertained the identity of the driver; and

(iii) the owner has provided a statutory declaration stating the reasons why the driver is not known to the owner and the inquiries made by the owner.

The maximum penalty for the offence is a fine of $1 250. However, under subsection (4), the owner cannot be prosecuted for the offence unless the owner has first been given an expiation notice under the *Expiation of Offences Act 1996* and allowed the opportunity to expiate the offence. Under the regulations the expiation fee for this "owner" offence is currently the same as for the "prescribed offence" (the red light or speeding offence) itself.

This amendment inserts a penalty clause into subsection (2) that increases the maximum penalty for the "owner" offence to $2 500 where the owner is a company and the prescribed offence in which the vehicle appears to have been involved is a red light offence. In that situation the amendment also changes the existing requirement that the company cannot be prosecuted until it has been sent an expiation notice into a requirement that the company cannot be prosecuted until it is sent a notice in the prescribed form. (In all cases other than where the owner is a company and the prescribed offence is a red light offence, the existing requirement that an expiation notice first be sent remains in place).

Wherever an expiation notice, expiation reminder notice or summons is sent out in respect of the "owner" offence, a prescribed notice is currently required under subsection (5) to be sent with it. This notice is required to indicate where a copy of the relevant photograph can be seen or obtained and under the regulations the notice sets out the defences available to the owner (e.g. naming the driver in a statutory declaration). Under new subsections (4), (4a) and (5) the requirement that a notice be sent with each expiation notice, reminder notice or summons remains and will now also apply to the new notice that has to be sent to a company before it can be prosecuted for the "owner" offence where the prescribed offence is a red light offence. Information must be provided as to where the photograph can be obtained and, as before, it is intended that under the regulations these notices will set out the defences that are available to the owner.

This clause also repeals subsection (8) of section 79B and inserts a new subsection (8). Subsection (8) currently provides that a person convicted of the "owner" offence cannot by reason of that conviction be disqualified from holding or obtaining a driver's licence. New subsection (8) expands that rule to apply where the owner is convicted of *or expiates* an "owner" offence, but also introduces an exception where the disqualification results from an aggregation of demerit points in a case where the prescribed offence in which the vehicle was involved was a red light offence.

Finally, this clause repeals subsection (9) of section 79B and inserts new subsections (8a) and (9). Subsection (9) is an evidentiary provision that currently provides that in proceedings for an "owner" offence, the police can provide a certificate to the effect that (as required by subsection (4)) the defendant was given an expiation notice and allowed the opportunity to expiate before the prosecution was commenced. The certificate is proof of those facts in the absence of proof to the contrary. New subsection (9) retains this provision and extends it to the notice that is now required to be given to a company before the commencement of a prosecution for the "owner" offence where the prescribed offence is a red light offence. New subsection (8a) is a service provision for the purposes of that new notice.

Mr ATKINSON secured the adjournment of the debate.

BOXING AND MARTIAL ARTS BILL

Adjourned debate on second reading.

(Continued from 6 April. Page 839.)

Mr WRIGHT (Lee): The opposition is pleased to support this bill. The minister introduced and spoke to the bill a couple of weeks ago. From the outset, I would like to acknowledge the minister's allowing the opposition an additional week to consult with a number of organisations. We have now done that, and some areas of general concern were raised with us. However, there have been discussions with a range of groups including the Australian Martial Arts Association, Golden Knights Karate, Boxing SA and various groups, and I think that these groups have been involved in the consultative process. They have had discussions with the opposition and are now assured of the merits of the bill. The government's bill is a good and sensible bill and, in true bipartisan spirit, we are happy to lend our support to it.

The bill covers a number of areas. Over a period, public concern has been expressed about promotional type events where there seems to be a mix of perhaps boxing, martial arts and kick boxing—the various combative forms. In some cases there did not necessarily appear to be rules in place. Events were being held such as a 'Tough man contest' or

'Ultimate fights'. At various venues there was alcohol and people were encouraged to participate and compete in events where there was obviously public attendance as a part of a promotional type event. This is one area the bill picks up.

The bill also picks up those events conducted for profit and events where contestants are participating for a prize other than a trophy. Quite clearly, the bill is directed to professional or public events of that nature. I think that at one stage there was some general concern among some groups (more at a low level than a high level) that this bill may well pick up amateur events but, clearly, it does not do that—unless, of course, they fit those criteria that are well spelt out in the bill.

I think that this is a good and a positive bill. It takes us in a direction whereby we are able to pick up the public concerns that would have existed if these types of events were being held perhaps last year (I have not heard of these types of events being held in more recent times), and I think that is a very important direction in which to go. Some time ago, the shadow minister and I (and also, I think, the minister) were called on for public comment when there was adverse publicity concerning certain types of events that were held in South Australia and interstate. It is my understanding that within this bill we are probably targeting about 10 or 12 events. No matter what the number is, this is an important bill: it is a step in the right direction. Certainly, the opposition is delighted to lend its support and welcomes the government's initiative in introducing a bill of this nature.

It is an important piece of social reform and an important piece of legislation, and it certainly has the support of the opposition. Perhaps it is a little less controversial than the last boxing bill that I introduced in this House some time ago. This bill is of a different nature, and it certainly picks up those critical areas that I have identified. The bill gives the minister the capacity to establish an advisory committee. We do not have a problem with that but we have a couple of questions that the minister may be able to answer today, or at least take on notice for a future time.

Significantly, the bill picks up the licensing of promoters. We see that as an essential and critical part of the bill and we welcome that: it is obviously essential to the workings of this legislation. We think it is essential (as does the government, I am sure, or it would not be in the bill) that promoters be licensed; there needs to be something in place with respect to the licensing of promoters. We cannot have the ad hoc arrangement that previously existed, and it is a welcome sign that the various states around Australia, as I understand it, are moving in this direction. In addition—and also, of course, critically—it registers contests, which is another important element of the bill and which, of course, is needed if this bill is to have any teeth. I see those two areas—the licensing of promoters and the registration of contestants—as being critical areas, which the opposition is delighted to support, and we are pleased that those two elements are a major feature of the bill.

There is also a clause in part 3 with regard to approval of rules. This is an important clause, because if there is a one-off type event (it may be a combination of various types of combative activities) and there is not a structure in place (if it is not clear that we have a set standard of rules; if it is not governed by an Olympic organisation, as is amateur boxing), it gives the minister the capacity to say, 'What is this all about? We had better sit down and have a look at this.' These are the important things, and we will certainly lend our support both here today and also out there in the community with regard to that clause.

Another clause which is a very essential part of the bill, and one which is essential for us to be confident about with respect to what goes on here, is part 5, relating to medical examinations. I note that there is a subclause in clause 14 that requires contestants to be medically tested 24 hours before and after an event. This is obviously essential. I think we would all support this requirement in a bipartisan way, whether it be boxing or any other sport, particularly where it is at an elite level, and especially where contestants are going up against each other in a combative way. With respect to this type of activity, perhaps more so than others, it is absolutely essential and critical that the contestant is in the correct and proper medical condition prior to the event and, of course, the test also needs to be performed after the event for obvious reasons: we are talking about events of a combative nature where there are blows to various parts of the body, and that is also an important element.

As a part of what the minister has brought before us, there are consequential sections to the bill which are obviously important and essential for the bill to be successful and operate as law. There are a number of consequent clauses, because of the earlier passages that I have spoken about, where reviews, appeals and various rules are set in place, giving both promoters and contestants the right of review and appeal should that be necessary.

We say that this is a good bill and it is a positive bill. It is a step in the right direction, and I am sure that all my colleagues are very pleased to support it. I note that some of them are here to lend their support today and make a few comments. Certainly, the member for Elder and the member for Hanson are very keen and active participants, and they have outstanding records in this area. The member for Elder is a little overweight at the moment and cannot fight at his normal weight but he has a good record in that area of boxing, and I am delighted that he is here to show his support. This is a good bill that the minister has brought before the House and, as is often the case, in true bipartisanship, we are delighted to support it.

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): I support the bill. I congratulate the minister for advancing this legislation. I am aware from within the confines of cabinet that he has been a dogged advocate for the advancement of this bill—in fact, he has led the charge in Australia—and he is definitely advancing the legislation along the right path. However, I do not support the bill with the conviction that it is the very best outcome. Rather, I support it because I recognise that colleagues on both sides of the chamber support its thrust but do not want to go any further.

From my personal perspective, I think that is a pity, because it is well known that boxing is one of the only sports where the intent is to inflict bodily harm and possibly brain damage on one's opponent. I do not think anyone can step away from that fact. In the world of boxing, at the moment, Mike Tyson would be the doyen for, I contend, all the wrong reasons. In 1985, without trying to mince words, he said that he aimed for the centre of the nose in order to 'punch the bone into the brain'.

Mike Tyson is a professional athlete who earns more money than do most people who work hard for long periods of time. It is often said that amateur boxers are not affected in the same way as professionals, and I understand that.

However, as Dr Ray Newcombe said in *Think* magazine in 1992:

> The risks of the amateur may be less than those of the professional, but they should not be thought to be negligible, and some amateurs in fact will wish to become professionals. Repeated concussive blows tend to be cumulative in the amount of damage caused and the changes to brain function that may result.

That is often the end result of many of these things. It is not of concern whether people should be able to box in a particular way. From my absolutist position (and I acknowledge that this contribution sees my previous profession coming to the fore), it seems a pity that, often, we may be condemning young men to a future which may not be as progressive and as positive as it might have been.

Many people ask why we should legislate when people have the individual freedom to choose to box if they wish. I suppose that is correct, but in many other cases, particularly health related matters, we restrict individual freedom. For argument's sake, the compulsory wearing of seat belts and motorcycle helmets, and so on, are good examples. Many young children start boxing when perhaps they are not mature, have not learnt decision making processes and are influenced by other features of their current lifestyle.

Many people say that boxing is conducted under strict rules and that people such as I should not be concerned about it. I have a copy of the International Amateur Boxing Association rules. Rule XVIII, which deals with fouls, states that anyone who commits a foul 'can, at the discretion of the referee, be cautioned, warned or disqualified without warning'.

Let us look at some of these fouls, recognising that many boxers go into the ring, as Mike Tyson said, 'to punch the bone into the brain'. It is a foul for which a person can be cautioned, warned or disqualified without warning to hit below the belt, but it is not a foul to try to inflict permanent brain damage on someone. It is a foul to hit with an open glove, but it is not a foul to permanently brain damage someone. It is a foul to lie on someone, but it is not a foul to punch the nose into the brain. It is a foul—and there is what can only be described as a delicious irony in this—if you adopt a completely passive defence by means of a double cover—which I presume means putting both your hands above your head—and intentionally falling to avoid a blow. So, it is a foul for which you can be disqualified to avoid getting brain damage, but to attempt to inflict brain damage on someone is allowed.

I am sure that Tony Liberatore would be interested in this rule. It is a foul to use useless, aggressive or offensive utterances during the round, yet it is not a foul to (in the vernacular) punch someone's lights out. However, it is a foul if you spit out your mouth guard. I think many of these rules need to be changed. I recognise that this bill is a step towards control; hence, I support it.

Some say that boxing is good exercise and that it is okay if you do not get involved in bouts, particularly professional bouts, but that sparring is bad. Surveys have been conducted of people who have been involved in a lot of sparring, and they have suffered long-term damage. What should one do about this? Interestingly, recent studies seem to support a correlation between the presence of a compound which seems to be a marker for either late onset familial or sporadic Alzheimer's disease. Indeed, many punch-drunk older boxers seem to exhibit those symptoms.

Perhaps we should think about doing a test for that particular marker or compound, if people are going to be involved, because it does appear to be associated with an increased risk of chronic traumatic brain injury. This, of course, presents a number of other difficulties. Should we stop people boxing because it may have a permanent effect on their life or because it may affect their superannuation policies, and so on? Again, perhaps it should be regarded as being no different from other genetic markers.

It is interesting to look at what would happen if these acts of violence which occur inside the ring took place outside the ring. Normally, there would be two legal consequences: the aggressor would be regarded as having committed a criminal offence, and the victim could sue for compensation. It is also interesting to look at whom boxing disadvantages. Often it is the downtrodden. I quote from an article that I saw on the internet recently about a fellow called Bradley Stone. It states:

> A couple of years ago, Bradley Stone took part in *Fighters*, Ron Peck's fascinating channel 4 documentary about working-class boxers from the Isle of Dogs. Stone spelled out why he went into the ring: there was nothing else for him to do. Stone's sport was none of the things that middle-class sport is supposed to be. It is not a celebration of fitness and wellbeing. He didn't work out because it was fashionable or healthy or the trendy thing to do. He boxed because it was a way to try to earn a living and make his mark. 'If you haven't got a sport, there's nothin' else to do,' he told Peck: 'There's no jobs around here. I would probably have ended up in prison. Boxing is an individual sport. It's all down to number one—and that's me. Fighting's the main thing. I can't do nothin' else.'

Bradley Stone died of brain damage suffered during a challenge for the British super bantamweight title in East London shortly after he gave that interview.

We do not allow cockfighting, but we allow super trained athletes to go into the ring and possibly kill each other. I suggest that this is a good bill, because it tries to stop a number of the things that might lead to the sorts of consequences on which I have extraordinarily briefly elaborated.

My personal view is that we should ban boxing, because it is a dangerous sport, with intent. I do not believe that it is beyond the wit of an intelligent society to find other ways to involve young men—traditionally, they are young men—in healthy outlets. But, short of that—and I know that I am an idealist in calling for a ban on boxing—I would call on boxing administrators to ban blows to the head. If they can ban blows below the belt, cause people to be disqualified for spitting out their mouth guard, or for avoiding being punched stupid, I think boxing administrators could ban blows to the head. Again I congratulate the minister for being a dogged advocate for this bill, and I stress that, having been in cabinet on a number of occasions. I congratulate him for leading the charge well down the path of what I think is sensible legislation and I look forward to the day when society calls on the parliament to move it further.

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I thank members for their contribution.

Bill read a second time.

In committee.

Clauses 1 to 3 passed.

Clause 4.

Mr WRIGHT: I foreshadowed this question in my second reading contribution. Is it possible for the minister to provide any additional detail on the composition of the committee, for instance, what the potential cost may be? One question which was put to me by some of the groups with whom I have met—and the minister may wish to take this on notice; I do not necessarily expect a commitment or an

answer at this stage—was whether the advisory committee might at least have one person on it who is an amateur from a non-profit organisation and resident in South Australia. In part, one of the concerns amongst some of the groups—although as this debate has progressed people feel less anxious about it and think that this bill is fine—related to amendments or changes that might be made at a subsequent time in respect of amateur organisations.

I might say the member for Adelaide is indeed a character. He comes in here after giving us this big tirade during the debate on the forestry bill last night about he and his party being advocates for choice, that the individual should be able to do his or her own thing, that they should be able to bargain for their thing and that they were not about stopping the individual. This tirade went on yesterday, and then he comes in here today and gives us all the arguments that he has put forward about clearly what is his preference, that is, to knock off boxing altogether. It makes me wonder where he was 12 months ago when a private member's bill was introduced into this parliament regarding banning boxing for under 12s. Where was he then? It has always been put to me and others on this side of the house that members of the Liberal Party can make up their own mind on any individual matter on any individual bill at any time.

The Hon. I.F. EVANS: In fairness to my cabinet colleague, I should clarify that, as the member well knows, cabinet solidarity prevails in relation to bills. In relation to the industry committee, originally we were thinking about having a board, but the reason for choosing the concept in the bill that is before the house was to reduce the cost. We started out with the Victorian model, but they have far more events than we have here, and so we decided to go to a far cheaper option. We estimate staffing resources in the office to be somewhere around about half a full-time equivalent.

In relation to the involvement of community groups on the advisory committee, we have not finished formalising exactly the make-up of that committee. In principle, I do not have a problem with that. I think that there is some sense in broadening the viewpoints around the table. Certainly, we will be putting people on who need to have a mixture of some strong industry experience and, one would think, some medical knowledge. So we would have some boxing representation and martial arts representation. In principle, I do not have a problem with having a community person on the committee.

Clause passed.

Clause 5 passed.

Clause 6.

Mr WRIGHT: As I foreshadowed, we are delighted to support the licensing of promoters: that is critical. The bill would not have any substance or teeth without that, and therefore we have no problems with that. Whether or not my question directly fits the right clause, I am happy to take advice from the minister, but where or how does public liability fit into all this? It is my understanding from a general perspective and some of the briefings that I have received that with amateur type events there is some indemnity insurance. Where and how will that fit into this area?

The Hon. I.F. EVANS: I assume the member is talking about the liability in relation to the public attending the event; or is he talking about the liability of the boxer?

Mr Wright interjecting:

The Hon. I.F. EVANS: By licensing the promoter, obviously we can put on whatever licence conditions seem appropriate for the event. One of the checks would be that appropriate insurances are in place, in particular for the public attending. There would already be some insurance scheme for the professional boxing regime. I have not checked that but, whatever the current position is in relation to the boxer, we are not changing that through the legislation, although, if we wanted to, we could increase the insurance provisions because by licensing the promoter essentially we can indicate what conditions we wish to apply. As far as public safety is concerned that is simply not an issue: they will certainly have to have proper public liability.

Clause passed.

Clauses 7 to 9 passed.

Clause 10.

Mr WRIGHT: Once again, as I foreshadowed, we support clause 10. Although it is pretty well set out, in respect of the approval of rules primarily we are looking at those events which may be of a one-off nature. If, say, Boxing SA put forward an event, and it fell within the three characteristics set out at the front of the bill, in all probability the rules governed by the IOC would stay in place. Therefore, would it be the other area that the minister—and rightly so—would have a closer look at?

The Hon. I.F. EVANS: The opposition spokesman accurately describes it. We are really trying to tidy up the professional combat boxing/martial art area. The amateur organisations of which he speaks, the various boxing leagues and so on, already have a fairly well structured safety regime and rules. We are not looking necessarily to change those to any great degree at all. We are really referring to the one-off professional event or the events of which the member is aware that happen occasionally in nightclubs, such as the tough man event. We are really trying to tidy up that area.

Clause passed.

Clauses 11 to 13 passed.

Clause 14.

Mr WRIGHT: Again, we fully support this area, which is critical to the bill. The medical examination is obviously conducted 24 hours beforehand primarily to ensure that the contestant is healthy, fit and able to compete, but I presume that that testing would also pick up any alcohol or drugs in the system?

The Hon. I.F. EVANS: On the amateur side in boxing there is a national registration system which sets out rules, so that side is well taken care of. In relation to the professional side of the agenda, testing will be done according to the rules of the event. So, the minister in licensing the promoter sets out the rules and can set out, based on advice, which tests are required. The medical officer will have to make a judgment, if alcohol or drugs are involved, as to whether that person is medically fit. There are two safety checks: the medical officer making a professional judgment about medical fitness; and ensuring that the tests, according to the rules set out by the minister, are conducted.

Mr WRIGHT: That is important and good. That full area needs to be covered and, from the way the minister explained it, I am sure it will be picked up. Obviously all the different areas, particularly with an event with the potential of this nature—the health, the fitness, the alcohol and drugs—all need to be covered. I am confident from the minister's answer that the way it has been established means that the various areas will be covered.

Clause passed.

Remaining clauses (15 to 22), schedule and title passed.

Bill read a third time and passed.

MINING (ROYALTY) AMENDMENT BILL

Consideration in committee of the Legislative Council's amendment.

The Hon. W.A. MATTHEW: I move:

That the Legislative Council's amendment be agreed to.

After examining the amendment suggested by the other place I am pleased to advise the House that the government sees a transparency benefit resulting from that amendment, which is essentially to publish by notice in the *Gazette* the identity of recipients of royalty concessions. There is significant benefit in making that information available transparently and publicly.

Mr LEWIS: Will the minister explain the effect of the amendment on private mine owners?

The Hon. W.A. MATTHEW: I draw the member's attention to the amendment, new subclause (4d)(b), which reads:

(b) to identify the relevant mining tenement or private mine, and the relevant minerals;

Essentially the amendment provides that through notice in the *Gazette* we are required to identify a mining tenement or a private mine and the relevant minerals, state the rate of royalty that applies in a particular case and set out the name of the person to whom the reduction of rate of royalty applies. Essentially any royalty payments made in relation to a private mine will simply be gazetted. That information was publicly available anyway, except that the information has to be asked for rather than be published in the *Gazette*. It is information available publicly and this makes the whole process a little more transparent. It is a worthwhile amendment.

Mr LEWIS: I understand that the minister is saying that the instances in which such reductions below the normal rate of royalty are determined by the minister will be gazetted now rather than simply held on file in the mines department, which in that form would make them subject to a freedom of information inquiry rather than straight-out public knowledge, as the *Gazette* process requires. What I was getting at was the circumstances in which this kind of reduction would occur. I understand, even if other members do not, why there should be a variation in the royalty payable.

The Hon. W.A. MATTHEW: The reasons surrounding this were debated at length during the passage of the original bill in this place, and the honourable member concerned was in this chamber at that time. It simply provides the minister with the appropriate power to make a determination based on whether a royalty rate effectively will be prohibitive to a mining enterprise occurring. It gives the minister the power to make a variation of 1 per cent on the royalty rate that would otherwise be payable, effectively as an incentive.

Mr Lewis interjecting:

The Hon. W.A. MATTHEW: It is there as an incentive, so the mines to which the honourable member refers—and I know that he is a strong supporter and advocate of the mining industry, particularly in his electorate—may be able to take advantage of these changes to further encourage that activity.

Motion carried.

STANDING ORDERS SUSPENSION

Mr MEIER (Goyder): I move:

That standing orders be so far suspended as to enable standing committee reports set down for Wednesday 24 May to be taken into consideration forthwith.

The SPEAKER: A quorum is not present; ring the bells.

A quorum having been formed:

Motion carried.

PUBLIC WORKS COMMITTEE: REGENCY HOTEL SCHOOL

Mr LEWIS (Hammond): I move:

That the 116th report of the committee, on the Regency Hotel School—stages two and three, Regency Campus Redevelopment, be noted.

The Public Works Committee has considered a proposal to redevelop the Regency campus of the Regency Institute of TAFE to support initiatives emerging in the vocational, educational and training sector. The redevelopment will comprise the construction of approximately 15 000 square metres of new facilities for the Regency Hotel School and will provide extensive commercial kitchens, laboratories and associated spaces for programs in cookery, hotel management and in food and beverage processing. Multipurpose restaurants and function rooms will be included, together with retail outlets to enable the sale of food products generated by that educational program.

The committee understands that the school's current facilities are struggling to satisfy the rapidly increasing demand from the food and beverage processing industry for training. The bakery area is also insufficient to meet growing industry training needs. Furthermore, the school has insufficient laboratory facilities to cope with the changing course requirements. The state food plan requires a doubling of the training effort within 10 years (2010). The impact of the new food safety regulations and the need to reskill industry employees will further exacerbate pressure to deliver training.

The committee understands that the targets for overseas students within the international college and the Regency campus are unachievable with the existing practices that are themselves limited by the inadequacy of the general classroom facilities. The committee inspected the Regency Park Hotel School on 1 December last year and noted that the demonstration kitchen cannot be used for industry workshops and seminars because of the school's need to use it for students' requirements as a classroom. The kitchen is used to hold three classes concurrently, and its open design creates a high noise level that makes teaching very difficult.

We noted that work stations are in fixed positions, and this restricts flexible use of the area. We noted also that the facility lacks that flexibility to cope with ideal class sizes and that teaching areas are otherwise small and cannot achieve optimum economies of scale outside the space for the kitchen where they are used.

The key aims of the project are to increase the productivity of teaching and learning activities at the Regency Hotel School. The redevelopment of the hotel school will provide up to 20 per cent more efficient delivery of practical cookery and practical food processing programs. It will provide new facilities to enable self-paced, computer based and other managed learning modes to be used. It will provide more flexible facilities and services which allow the conduct of programs outside normal campus hours. It will provide a new building, which will be integrated into the existing campus whilst ensuring that all components can operate independently of each other. It will take the maximum advantage of new building technology and energy management systems and address the accumulated maintenance and corrective works needing to be otherwise undertaken at that institute which

have been identified by external consultants by making them either redundant or doing them.

The corrective action is to be included within the scope of the work and will ensure that the upgrades of lighting and surveillance systems, as well as fire protection, water supply and stormwater management are dealt with. Furthermore, some soil contamination will be remediated. The total budget for the proposed scope of the work is $33.86 million. Of this amount, $31 million will be funded from the Australian National Training Authority and $2.86 million from the state government. State funding comprises $2.5 million to support the equipment component of the new facilities and another $360 000 to remediate the soil on the site where contamination has occurred at an earlier time.

The committee has been told that the Regency campus redevelopment is a key part of the strategic and economic goals for the South Australian government and is the highest priority in the vocational education and training capital development strategy plan. These new facilities created by this project will provide additional and suitable teaching facilities and enable the institute to maintain its ability to continue a high performance in the local, national and international training markets for which it has an outstanding reputation at present. They will include advancements allowing the institute to improve its competitive edge even further; provide a reduction in the average direct cost of program delivery at that campus of approximately 20 per cent; and enable an increase in the conduct of and revenue from customised workshops for local and international industry groups. Finally, it will assist to deliver training that is heavily underpinned by government policy, particularly that training that is necessary and associated with the development of our South Australian food industry.

The net cost to the government in redeveloping these facilities at Regency Park could be of the order of $61 million to $75 million in net present value terms. However, the committee understands that these are outweighed by the benefits to the community through increased productivity and revenue from the international students. Taking into account where possible the benefits resulting from the proposed final stage of the redevelopment, the net present value benefits are: using a discount rate of 4 per cent, $128 million; a discount rate of 7 per cent, $92.834 million; and a discount rate of 10 per cent, $65.898 million, near enough to $66 million. This will give us an internal rate of return—a real return—of 25.34 per cent per annum. That is a pretty good investment. There are not many private sector investments which will yield over 20 per cent without risk, yet this one is comparatively risk free. We have the market for the courses and the demand for the qualifications in the industry, so that market will stand up; and it is not just local or even national demand but international demand that underpins that investment. So, I am pleased to report to the House that the internal rate of real return is 25.34 per cent per annum on the project.

In its consideration of this proposal the Public Works Committee was once again confronted by a government project that will seal a significant area of the ground. The committee is concerned at the enormous amount of rainfall that runs off paved areas in urban developments and creates costs and environmental problems where large volumes of water are discharged in short time frames, that is, at high rates of discharge, into Gulf St Vincent. The committee questions why agencies right across government are consistently receiving advice that technology to address this problem is unsuitable for use in government projects, when it can be used in private projects and indeed is being used elsewhere in the world.

The Public Works Committee considers it imperative that further investigation be undertaken of the technologies that provide the opportunity to reduce or avoid the discharge of urban run-off into the sea in such large volumes, and accordingly the committee recommends that this issue should referred to the Environment, Resources and Development Committee and that the ERD Committee should provide a preliminary report to the parliament by September 2000. It is rather sad that no members of the ERD Committee are present at the moment. However, given the foregoing information and pursuant to section 12(c) of the Parliamentary Committees Act, we recommend the proposed public work.

Ms THOMPSON (Reynell): I am pleased to speak in support of the recommendations of the Public Works Committee on this report. The Regency hotel school is indeed an important contributor to the economic and social life of this state. It brings us money, enables skills to be developed, gives us a wider range of skills and careers to which our young people and older people who are retraining can aspire, and it certainly improves the qualify of life for all of us. In discussing this school it is important to recognise the contribution made by the Dunstan Labor government, which established the school. Many years ago during the debate about 6 o'clock closing most of us did not realise that that change in attitude in our state would lead to such a vigorous industry and bring so much entertainment and enjoyment to so many of us, as well as contributing greatly to the economy.

In this redevelopment of the hotel school a couple of issues need particular attention. One is the contribution made by the learning centre, which assists international students from many countries to be able to participate effectively in the programs that are being offered. The students come with basic English, but students from many of our neighbours need quite careful management and support to enable them to participate in these courses, and they are major export earners. We must also note that the staff of the school will be more effective and efficient as a result of this redevelopment, and compliment them on their willingness to get involved in changing their physical environment so they can take larger numbers of students in any one class. This is something that makes considerable demands on staff.

The layout certainly helps, but the staff have to put themselves out in order to attend to the needs of the two or three extra students in each class that will be possible as a result of this redevelopment. The health and safety environment for students and staff will also be improved. The current conditions in the kitchen are very noisy, which means that it is difficult to instruct effectively, and they can be very much beset by fumes when there are many groups cooking at the same time, as the ventilation is not adequate. These issues will be addressed in the redevelopment.

It is also important to note one of the different ways in which the school is contributing to our community, and that is through its role in the implementation of the new food safety regulations. The school is gearing up to provide much training to industry in many different ways to implement these regulations, and the way in which it is serving Pizza Haven is important. Mr Casey, one of the witnesses before the committee, stated:

> . . . we do all the training for Pizza Haven right across Australia. They have almost 4 000 employees in nearly every state and territory

in Australia. We have set up on-job training programs for every Pizza Haven outlet in the country. We developed them with their food safety plans; we actively train their supervisors and expert workers in the shops to deliver the on-job training to their peers; then we provide a quality assurance function to support that training. Much of the training we will do in the future will be delivered in that manner.

The House should commend the Regency hotel school on its initiatives in working in this way.

The member for Hammond mentioned the issue of pavement. It seems that we are often talking about the issue of permeable pavement in this House, but the message does not seem to have got across properly to those within the bureaucracy and possibly within the cabinet about the importance of addressing the issue of water run-off from pavement.

Nearly every development contributes to the amount of pavement around the place. This, in turn, stops water penetration; it is a fairly basic equation. It sometimes leads to the water being channelled to the very small areas where they plant trees. However, the small area through which a tree is watered often contributes to root growth, which is destabilising to the pavement; so we face ongoing costs in repairing the pavement. There is also the risk of people tripping over the buckled pavement and injuring themselves. This all sounds very mundane, but it is something basic that should be fixed up. As the member for Hammond pointed out, there are many different ways of developing pavements to allow more even water penetration. These ways may be a little more expensive initially, but the more we do adopt them, the cheaper they will be and our maintenance costs will be less. More importantly, we will be flushing less water down our drains, creeks and rivers and out to sea.

In order to deal with the water that is running out to sea we will have to look at projects that will cost tens of thousands of dollars. That should not be, and we are not addressing the issue at its source. I strongly urge members to support the recommendation of the committee in regard to having this matter addressed by the Environment, Resources and Development Committee. I believe that the Public Works Committee has probably explored it as far as we can. We have had expert witnesses talking to us about some of the different pavement methodologies now available. We will be looking at them as part of our long-term reference of sustainable building. However, with the number of projects we are addressing and the thoroughness with which we are addressing these projects, that reference will go slowly. The matter of water run-off needs more urgent attention, and we believe that it is properly within the expertise of the Environment, Resources and Development Committee. I urge the House to support the motion, and I commend the report to the House.

Motion carried.

PUBLIC WORKS COMMITTEE: PELICAN POINT POWER STATION

Mr LEWIS (Hammond): I move:

That the 117th report of the committee, on the Pelican Point Power Station transmission connection corridor, be noted.

The reason why this project was the subject of a report by the committee to the House, which appeared on the *Notice Paper* yesterday and which again appears there today, is that, subsequent to notice having been given of the interim report outlining the committee's concerns late last year, members will recall that the House rose in the middle of November and did not sit again for 4½ months; it sat again on the very last Tuesday in March. During that 4½ month period, further information was provided to the committee by the proponents detailing their responses to the concerns contained in our report delivered to you, Mr Speaker, before Christmas. In consequence, the committee feels compelled to draw the House's attention to the substance of those responses.

To enable members to recollect, I point out that in April 1999 ElectraNet referred a proposal to the committee to establish a new 275 000 volt transmission connection point for the Pelican Point Power Station. In that proposal, ElectraNet advised the committee:

The total cost of providing connection facilities to the Pelican Point development using a modified corridor B is $14 million.

The proposal then went on to explain:

This comprises $9 million for additional or new switch yard work, and $5 million for transmission line construction.

The committee took the proposal and proponents of it coming from ERSU at its word. The proposal further states:

A further expenditure of $4 million was included in the proposal to improve system security and achieve savings of $1 million by bringing forward the $4 million of previously planned works at the LeFevre substation extension. Approximately $5 million of the cost of the switch yard was to be recovered directly from National Power through connection charges. The remaining cost of the proposal was to be recovered through transmission use of services charges, which are going to be levied on all transmission systems users in the state.

They will finally be passed on to the consumers—you and me, businesses in South Australia and the like. I know that the member for Price has probably been following this project and the machinations of the proponents with some interest over the period of its vexed existence. I share his amusement.

In June 1999 the committee reported in parliamentary paper 212 that it was not satisfied that the decision to locate the power station on the northern end of Pelican Point was soundly taken. The committee was disturbed to learn that a site immediately adjacent to Torrens Island Power Station was not even considered. This option would have obviated the need for the proposal to construct the transmission line, and it would have achieved a saving of at least $3.7 million.

The evidence given by the Electricity Reform and Sales Unit (ERSU) stated that the decision to accept this increased cost was based upon the understanding that the Torrens Island site would involve other greater costs associated with cooling tower technology, yet this was contrary to expert opinion given to the committee from established internationally recognised power station operators and constructors that this technology could be at least as efficient as, if not more efficient and therefore cheaper than, the direct thermal discharge cooling technology to be used at Pelican Point. Indeed, I personally believe that, given the fact that the body of water to which direct thermal discharge is to be undertaken now is a confined body of water identical to that same body of water into which Torrens Island already discharges its heat, it is more likely than not that the direct thermal discharge technology will, indeed, be less efficient across the board when it is averaged from season to season, from year to year, with that of cooling tower technology.

The same body of water, that is, the water in the Port River, coming through from the West Lakes valve and flow will have passed Torrens Island before it reaches Pelican Point when the tide is going out, because it will have come in through West Lakes as the tide is rising and then move northwards along Delfin Island's shores and out through the Port River as the tide goes out. It will carry the heat from

Torrens Island with it. In the reverse flow, at the time when the tide first comes in and there is some run-back around Pelican Point into the Port River, the Pelican Point Power Station heat will be carried upstream towards Torrens Island discharge so that the hot water from Pelican Point will reach Torrens Island. Altogether that is not a good scenario, especially in very hot weather and in periods of new moon when there are very low tide movements, with little volume exchange occurring.

ElectraNet has now told the Public Works Committee that the estimated cost of the transmission connection of the Pelican Point Power Station has increased by $5.5 million. That is to say—cop this, Mr Speaker—that the original estimate was understated by 32 per cent. It is of even greater concern to the committee that the other estimates available to ElectraNet SA suggest that the increased cost may be greater than $5.8 million—the extra $5.8 million to be recouped through the additional payment of $1.67 million by National Power and $4.13 million through the transmission use of services (that is you and me) levied on all transmission users and the downstream customers, as I explained.

The Public Works Committee's serious concerns about the Pelican Point transmission corridor are heightened by the nature of the additional evidence received. This additional evidence also reveals that the additional cost of the transmission line (this is over and above the additionals I have spoken to; this is 'additional additional') is $2.05 million. This cost must be considered in conjunction with the evidence given by ERSU—(this is the oxymoron)—the Electricity Reform and Sales Unit. The committee was informed that a site immediately adjacent to the Torrens Island Power Station would achieve savings of $3.7 million in the cost of the transmission line. So, the total unwarranted expenditure involved in this construction has increased by something in excess of $5.7 million. Where it will end up, I do not know. The committee is told that $2.8 million of those additional costs were not identified earlier because, they said, $30 000 of geotechnical work was not undertaken prior to the proposal being submitted for consideration.

The agency then stated that this, and other significant design and investigation costs, could not be performed prior to consideration of the Public Works Committee. This explanation given by the agency reveals a serious misunderstanding by that agency of the constraints imposed upon public works by the requirements of the Parliamentary Committees Act. The act's definitions of 'public works' and 'construction' do not prevent appropriate work being undertaken to accurately establish the structural challenges and the costs of the proposal: they explicitly do not contain that. Yet the agency was trying to blame the committee and the act for having caused the blow-out because it could not do the $32 000 geotechnical work and the other bits that depended upon it. Indeed, not to perform work of this kind would make a nonsense of agency cost estimates and would directly impede the committee's capacity to perform the functions which section 12C of the act impose on us.

Notwithstanding that, the Public Works Committee, pursuant to section 12C of the Parliamentary Committees Act, reports to parliament that it notes the evidence received in relation to this public work and the explanations, however you wish to subjectively judge them, for it.

Mr De LAINE secured the adjournment of the debate.

The Hon. M.K. BRINDAL (Minister for Water Resources): I move:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

PUBLIC WORKS COMMITTEE: FORENSIC SCIENCE CENTRE

Mr LEWIS (Hammond): I move:

That the 118th report of the committee, on the forensic science centre refurbishment, be noted.

The forensic science services in this state provide a comprehensive coordinated range of services to other agencies associated with the justice system. When the Forensic Science Centre was designed in the early 1970s, forensic science services were provided by a number of agencies. From the outset, the space available to forensic science in the building was based on the space not required by the other occupying agencies. The ability of forensic science to adapt to changing requirements and to new technologies was severely limited by this constraint inherent in the old accommodation design.

By 1997, forensic science was the sole tenant, and this provided the opportunity to reconsider its accommodation needs and plan the long-term future of the building. The base building and operational code compliance deficiencies identified included: fire protection services; safety showers design and their location; the electrical services throughout the building; emergency shut-down for hazardous areas; the fume hoods, which do not comply with current codes, either electrically or in terms of face velocity and smoke containment; removal of asbestos; the need to upgrade specially treated water services for laboratories to meet back flow protection requirements; and Radiation Protection and Control Act requirements. The Public Works Committee is told that accreditation by the National Association of Testing Authorities is jeopardised by the current building. Such accreditation is fundamentally important to the scientific and legal credibility of the forensic science research undertaken.

The reception areas are poor, the public interface is extremely inhospitable and it inhibits interaction with the public. Moreover, the reception areas are unable to cope with the heavy client traffic and evidence transfer, and do not provide confidentiality and privacy for distressed relatives of deceased and/or, indeed, other members of the public.

With respect to planning relationships, functional area locations and layouts have been developed to maximise the incorporation and reuse of existing facilities and infrastructure within the new configuration; to locate functional areas and facilities to maximise operational efficiency and to reflect work flow requirements; to create effective security zones; to comply with occupational health and safety work requirements; to minimise the risk of contamination of evidence; to isolate biologically hazardous areas; to consolidate functions into defined areas; and to allow for separate occupation of the top three floors of the building by another compatible organisation.

The proposal has been developed to maximise the use of existing space, services and fittings to meet functional and operational needs. It also takes account of the need for major building service upgrades required to meet the statutory requirements and to reduce the very high operating costs within the building. Forensic science will be consolidated on

the ground to fourth floors and the basement of the present building and will occupy approximately 4 340 square metres. Only minimal base building works will be undertaken on the three remaining floors until a tenant has been identified.

The works will be staged to maintain operations during the construction period. It is anticipated that the staged completion of the forensic science floors will take approximately eight months and that the mortuary will have to close down for approximately 20 weeks to be relocated to the Royal Adelaide Hospital—so, we hope that there are not too many deaths by misadventure during that period. The laboratory areas will be temporarily relocated to floors five, six and seven.

The committee inspected the Forensic Science Centre on 15 December last and confirmed the present building's inability to support modern forensic science requirements. We noted the logistical problems caused by functions being scattered between the floors. We also noted that laboratories have not been designed to accommodate the type of equipment now being used. Furthermore, there is only a single level of security in place for the drug laboratory.

Members also noted obvious examples of compromised use of the building, which is brought about by its not having been designed for its current purpose. Let me cite some examples. There is an inadequate reception and delivery area on the third floor. There is insufficient storage available for evidence, and the need to store evidence requiring refrigeration in a different area. So, evidence that does not require refrigeration is stacked up in one place and, for the same matters that might come before the courts, evidence that has to be refrigerated to preserve it is being stored in another place in the building. That does not make it easy to keep track of it for retrieval purposes.

Also, police access for viewing is inadequate. The mortuary has no facility for a delineation area in which to clean up before moving into the general access areas—in other words, one has to go through the general access areas covered in maw before one can get to a bathroom to clean up. Vehicular access to the mortuary is not ideal. The committee also noted that the airconditioning was inadequate for the building.

The Public Works Committee has been advised that there have been no significant internal upgrades or replacement of plant and equipment since construction. This relates, in particular, to the airconditioning. It is nearly as good as a water bag, but not quite. There were other elements that needed upgrading. The fume hoods do not comply with current electrical or fire codes and compromise protection of staff handling toxic and flammable volatile solvents and carcinogens. The airconditioning system is inadequate for temperature control and the containment and removal of noxious odours. The issue of noxious odours is of particular concern when the dissection of decomposed bodies is carried out and samples are submitted to toxicology for analysis.

The design of the mortuary area precludes the installation of equipment to enable safe body handling and movement—and that is no fun! There is no systemic delineation of biologically hazardous areas from general circulation areas and there is the present risk of inadvertent contamination with the possibility of infection of staff or visitors moving through without a protection barrier in place.

The original layout of forensic science facilities reflected the work functions and the scientific techniques employed by the resident organisations at that time, 30-odd years ago. The layout is unsuitable for current operations. Past expansion has been based on space not occupied by these other organisations as they left, and that was designed for other purposes. Consequently, the separation of some related laboratory functions and the resultant excessive movement of people, case files, exhibits and individual evidence has led to work flow inefficiencies, increased costs and increased risk of loss or contamination of evidence.

A review of forensic science security conducted in August 1998 by the Police Security Services Division was extremely critical of the physical and electronic security systems at the site. The potential for premeditated—dare I use the word—'professional' infiltration of the building exists due to various physical and electronic limitations. If you wanted to destroy the evidence to make sure that you would not be prosecuted for a murder, one of the places where you could easily do this if you were willing to take such a step would be in this current building. The motive for building infiltration could be the contamination of evidence to pervert the course of justice or the acquisition or theft of drugs of high monetary value stored there whilst it is being examined. This refurbishment is critical to ensure that evidence is handled, examined and stored in surroundings which comply with accreditation requirements and can be defended in the courts to ensure that the integrity of the evidence is acceptable.

The committee accepts that the project will deliver a suitable and practical working environment which meets the operational needs of forensic science and the legislative requirements for the ongoing delivery of forensic services in South Australia. The capital cost is approximately $8.6 million. It will eliminate the ongoing disruption of the delivery of forensic science services. It will achieve an estimated 30 per cent reduction in the use of energy alone.

The committee was told that there were no other government owned or committed properties identified as suitable to meet the specialised requirements of forensic science. The Public Works Committee accepts that this proposal serves the public interest. Nevertheless, the committee was concerned to learn that the agency has not developed an analysis of the opportunities or benefits that may be available through offering consultancy packages to other markets outside South Australia. The committee sees a need for the proper examination of ways to fully utilise the considerable investment of public money in providing extremely valuable forensic science skills and the facilities in which those skills are exercised.

Consequently, the committee strongly recommends to the minister that a task force with a majority membership drawn from qualified people outside the agency should investigate how income streams that could arise from the investment can be maximised. When we questioned them on whether or not they have considered how they might market their services to a wider range of clients (interstate or overseas clients in whole or in part), it was amazing that no such consideration had been given. Yet, clearly, they claim that the level of expertise (there present and needed on a continuing basis) would be at least world's best practice and would have a considerable market.

Moreover, the agency had not considered what it would cost as a trade-off to outsource its services as an annually recurrent expense to see whether that would be more efficient than investing the $8.6 million on this refurbishment and otherwise eliminating the recurrent cost currently met from the budget by outsourcing those services altogether to provide, perhaps in some detail, a cost comparison between the outsourced services and what we can provide here.

Notwithstanding that, the Public Works Committee reports to the parliament that pursuant to section 12C of the Parliamentary Committees Act it recommends the proposed public work.

Ms THOMPSON (Reynell): When we visited the Forensic Science Centre, it was clear that, if anyone in this state had any notions that it would be anything like the forensic science centres we see on television, they had—

Mr Lewis: Another think coming.

Ms THOMPSON: —another think coming. It resembled nothing like the scenes that I have seen on television on the few occasions when I can watch any of these programs, and it was certainly nothing like what you read about in detective novels. I am pleased to say that on the day we visited the centre we did not see anything being reduced to bones, as we read about at times.

It is clear that much needs to be done in our Forensic Science Centre to enable the clever people who work there to develop and market their expertise. Clearly, the building contributes to operational inefficiencies. It is an unpleasant place in which to work, and I think we are lucky that we have had no problems there. There are many opportunities for failure, for evidence not to be properly stored or protected, for substances to be confused which could result in explosions or other nasty chemical reactions, and for people to be exposed to some of the biological matter that is examined in these laboratories.

On television programs we see people observing autopsies. That was pretty well impossible in the facilities that we saw, but it will be possible as a result of the development.

The Hon. M.K. Brindal: I don't think they would be very popular venues.

Ms THOMPSON: I don't think we will sell tickets as a fundraiser for Unley or Reynell, as the minister says. The airconditioning was appalling. Having previously worked with other people who have worked in this building, I am aware that they used to race in evaporative coolers when the temperature got above about 30 degrees. There were fans working all over the place even on the fairly mild day when we visited.

We need to address the comfort of staff and the protection of evidence and improve the work flow. Another matter that will be addressed in the redevelopment is energy savings. It is estimated that there will be about a 30 per cent saving in the cost of energy for the building—and that is welcomed on more than one account. However, one of the things that concerned all members of the committee was—and perhaps it has been the building and the difficult circumstances in which people have been working—that there clearly seemed to be a lack of vigour about the place concerning the way in which the expertise of the people can be shared and can be marketed. The work that is undertaken involves DNA testing, drug testing and a range of emerging areas in the forensic sciences. While our investigations indicated that it is not feasible at this stage to have some work performed in other centres, it does seem that there is some capacity for sharing of expertise around Australia, and perhaps with some of our neighbours, in terms of developing forensic science expertise.

Indeed, I am aware that Dr Bill Tilstone, who was previously the head of State Forensic Science, has taken up a post in the United States, where he heads a large forensic laboratory (I think in Texas), which serves a number of states in that region in the United States. It provides services and expertise to many districts and many courts and is developing a facility that is vigorous, prosperous and revenue earning. It is really important that this state look at ways in which we can utilise the considerable brain capacity that we have, and particularly the ability we have to bring different disciplines together to work on a problem. Our forensic science is one area where the state can facilitate the development of expertise which combines many disciplines and something which is required in a modern society in Australia and in neighbouring countries.

For that reason, the committee has recommended to the minister that he consider ways of developing the expertise, particularly with the opportunities offered by a much more efficient building, so that the state can develop yet another export opportunity and really develop the skills of people within this state. I urge the House to support the motion, and I urge the minister to reply fairly quickly in terms of the action that he will take to further the expertise of our forensic science specialists.

Motion carried.

STATUTES AMENDMENT (BHP INDENTURES) BILL

Returned from the Legislative Council without any amendment.

STATUTES AMENDMENT (EXTENSION OF NATIVE TITLE SUNSET CLAUSES) BILL

Received from the Legislative Council and read a first time.

CORPORATIONS (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Received from the Legislative Council and read a first time.

ADJOURNMENT

At 5.15 p.m. the House adjourned until Tuesday 23 May at 2 p.m.

Corrigendum:

Page 962, column 2, lines 48 to 66—Replace amendment shown with following amendment:

11. Section 138 of the principal Act is amended by striking out paragraph (b) of subsection (5) and substituting the following paragraphs:

(b) if two or more pieces of contiguous rateable land (that are within the area of the same council) are owned or occupied by the same person, only one levy may be imposed against the whole of that land; and

(c) if two or more pieces of rateable land or aggregations of contiguous rateable land (that are within the area of the same council) are not contiguous with each other but are—

(i) owned or occupied by the same person; and

(ii) used to carry on the business of primary production and are managed as a single unit for that purpose,

only one levy may be imposed against the whole of that land (this paragraph applies in relation to the 2001-2002 financial year and succeeding financial years).

HOUSE OF ASSEMBLY

Tuesday 2 May 2000

QUESTIONS ON NOTICE

DISABILITY SERVICES

44. **Ms RANKINE:**

1. How many people are currently on the IDSC waiting list for equipment and of these, how many are classified as urgent, priority 1 and priority 2, respectively?

2. What would be the total cost to provide all the required equipment in these 3 classifications?

The Hon. DEAN BROWN: The Independent Living Equipment Program (ILEP) commenced operations on 1 October 1996 as a statewide equipment service to replace the management and operation of both the state funded Disabled Persons Equipment Scheme (DPES) and the Commonwealth funded HACC equipment program. The DPES and HACC equipment program were previously administered by the four metropolitan domiciliary care services for customised and modified equipment.

ILEP now provides one funding source for the purchase of specific mobility and other forms of non-standard equipment for people with disabilities, supported by options coordination agencies, and older, frail people supported by Domiciliary Care Services. Equipment supplied through ILEP is typically described as expensive and/or modified and is differentiated on the basis that it is not standard equipment (for example shower chairs) as this equipment is supplied by the health system and administered by the Domiciliary Care Services.

Options coordination agencies have prioritised their clients according to greatest need. As a result, some of those clients whose needs have been assessed as having a lower priority are placed on a waiting list. Equipment requests that are assessed as required for life-threatening situations are met immediately and paid for from regional budgets.

Under the current structure there is a separation of assessment for equipment from the allocation and supply of equipment. It is not possible to predict the amount of time clients may have to wait for assistance through ILEP. Waiting times are subject to a number of factors including assessment and priority setting.

In November 1999, the Minister for Disability Services announced that new funds of $1 million has been allocated to ILEP to provide additional equipment and home modifications for people with disabilities.

RECREATION AND SPORT, CONSULTANTS

52. **Mr WRIGHT:** How many consultancies have been given by either the Department or Office of Recreation and Sport since December 1993, and in each case who were the consultants and how much were they paid?

The Hon. I.F. EVANS: In response to the question I attach the following information:

1998-99	Amount $
Adelaide Engineering Surveys	1 950
Arthur Anderson	60 000
Arthur Anderson	36 220
Arthur Anderson	4 500
Connell Wagner Pty Ltd	6 506
Dr John Daly	12 700
Howard Holme & Associates	18 000
IQCA	24 950
JWPM Marketing Managem't Consulting	33 779
Mack Management Consulting	9 600
Marketing Formulas Pty Ltd	137 858
Mercer Cullen Egan Dell	750
Outlook Management	500
Outlook Management	14 000
Phillip Gray & Associates	26 250
Rob Marshall	720
South Australian Cricket Association	5 000
Swanbury Penglase	830
The City of Port Lincoln	5 000
University of SA	4 657
Total	403 770
1997-98	
Anderson-Collins	20 000
Arthur Anderson	5 000
Bruce raymond	53 000
CMPS&F	23 000
Hassell P/L	21 500
KPMG	5 000
Marketing Formulas	196 735
Philip Gray	20 000
Philip Gray	7 000
Sothertons	5 000
Video Artworks	5 000
Woods Bagot	19 000
Total	380 235
1996-97	
Ausproject International	1 460
Ausproject International	1 200
Cheesman Architects	5 800
Chris Reeves Creative Services	2 700
Commissioner for Public Employment	2 640
Corporation of City of Adelaide	11 000
Department for Industrial Affairs	40 000
Department of Housing & Urban Development	4 385
Digital Kinetics	2 275
Emcorp P/L	2 000
Ernst & Young	10 100
Ernst & Young	13 750
Gavin Schwartz	875
Hamra Management	40 560
Hassell	9 881
Hypervision	4 002
Janine Phillips	2 000
Jess Jarver	7 290
John Bowley Consulting	1 400
JWPM Consulting	8 500
Kerry Harrison	1 000
Kinhill	11 000
KPMG	9 850
Lang Dames Wilson Consulting	350
Lee Green	11 294
LRM Australia	650
LRM Australia	26 500
Mack Consulting Group	5 000
Major Look Graphic Design	11 456
Mangement Consulting	9 500
Marion Liesure & Fitness Centre	2 000
Marketing Formulas	50 820
Media Motion	6 073
National Portfolio Strategies	22 158
Ocar Services	1 530
Office for the Comm of Public Employment	750
O'Loughlins	4 797
Opal Information Systems	1 283
Peter Catcheside	980
Philip Freeman Planning	4 375
Philip Gray & Associates	4 150
Philip Rowland Consulting	7 615
Richard Ellis	2 750
Rider Hunt	17 405
SA Centre for Economic Studies	9 550
Services SA	9 430
Services SA	18 160
Services SA Building Management	7 707
Services SA Building Management	13 750
Services SA Building Management	27 090
Services SA Resource Management	1 000
Sheppard Consulting Group	3 100
Speakman Stillwell & Associates	23 890
Sport Link Australia	6 159
Sundry Consultancies	1 916
TMB Australia	1 875
University of SA Finance Unit	750
Woods Bagot	15 818
Total	525 299

The following information is provided in an abridged form. Source data has not been maintained in a form to provide a response in a cost-effective manner. The Department of Industry and Trade

is not able to supply the information without incurring significant costs and I have determined that the costs far outweigh the benefits which might accrue.

1995-96 231 000
Consultancies between $10 000 and $50 000
(Source: annual report 1995-96)
Australian Bureau of Statistics
Australian Management Development
Bruce Raymond Marketing
Coopers & Lybrand
Media Motion Australia
Number of consultancies below $10 000—49,
Number of consultancies above $50 000—Nil
1994-95 113 000
Source: Auditor General's Report 1994-95
1993-94 145 000
Source: Auditor General's Report 1994-95
Represents full financial year

ITALIAN LANGUAGE COURSE

94. **Mr ATKINSON:** Why was the Diploma of Interpreting course for Italian language not advertised in 1999 by Adelaide Institute of TAFE before being discontinued for lack of demand this year?

The Hon. M.R. BUCKBY: The TAFE Diploma of Interpreting Program for Italian has operated since 1979 however, enrolments since 1995 have fallen to the point where the course is no longer viable. Despite extensive advertising there were only 5 graduates in 1999 compared to 12 in 1995.

Employment outcomes were also taken into account in this decision.

There is only one full time Interpreter in Italian currently employed in South Australia, and many graduates are seeking part time work in this field without success.

Adelaide Institute of TAFE has made a substantial commitment to language courses and Italian is being taught in 2000, maintaining the commitment to this important area. It is in the specialist interpreting courses that the demand has fallen off.

To ensure its resources are allocated to meet community and industry needs, Adelaide Institute of TAFE undertakes a semester by semester review of courses and the demand for them.

BICYCLE COURIERS

95. **Mr ATKINSON:** Will the government require bicycle couriers to wear vests with the name of their employer and a telephone number legible to passing motorists and, if not, why not?

The Hon. DEAN BROWN: Since 1996, the State Government, through Transport SA, has been working with the courier industry, Police and the City of Adelaide to improve the behaviour of bicycle couriers.

Strategies implemented to date have included

- a self-regulating Code of Conduct for employers and couriers;
- the development of company uniforms for identification;
- provision of information on safe cycling practice; and
- Police enforcement of the relevant road rules.

Transport SA is currently reviewing the effectiveness of these strategies and those being pursued in Sydney and Melbourne. In Sydney, a previous trial which required bicycle couriers to wear numbers was not successful, however this approach has recently been pursued in Melbourne. Transport SA has concerns regarding the likely success that a passing motorist would have in reading a company name and telephone number on the back of a bicycle courier, and the potential safety issues associated with such a practice. The review will consider these aspects and the issue of industry versus Government regulation.

The Minister for Transport and Urban Planning expects to receive a report on this matter by mid May.