

**HOUSE OF ASSEMBLY****Tuesday 22 March 2011**

**The SPEAKER (Hon. L.R. Breuer)** took the chair at 11:01 and read prayers.

**The SPEAKER:** Honourable members, I respectfully acknowledge the traditional owners of this land upon which this parliament is assembled and the custodians of the sacred lands of our state.

**ADELAIDE DRY ZONE**

**The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (11:02):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. G. PORTOLESI:** In question time on Wednesday 9 March 2011 the member for Bragg asked me a question, as Minister Assisting the Premier in Social Inclusion, about Adelaide city's dry zones. In her question, the member for Bragg asked me if I agreed with the Commissioner for Social Inclusion's position in relation to this matter. I misheard the member's question and thought she was referring to the other commissioner, the Commissioner for Aboriginal Engagement, not social inclusion.

At the conclusion of question time it occurred to me that I misheard the question and checked with the member for Bragg, who did confirm that it was Monsignor Cappo and not Commissioner Klynton Wanganeen to whom she was referring. Although I made arrangements with the Government Whip to give a personal explanation that same afternoon, the house rose just as I was about to do so. Nor was I able to do it the following day, as I was paired to attend the funeral of Ngarrindjeri elder Mr George Trevorrow.

In relation to the Commissioner for Social Inclusion, Monsignor David Cappo, I am aware that he made public comments regarding the Adelaide dry zone, as he is perfectly entitled to do. I believe that the commissioner raises a number of important points—

**Mr WILLIAMS:** Point of order, Madam Speaker. I think the minister has made her personal explanation. She now is saying what she believes. She is entering into debate, and I think it is out of order.

**The SPEAKER:** I will just listen very carefully. Have you finished, minister?

**The Hon. G. PORTOLESI:** I am just clarifying the answer to the question that the member for Bragg sought, but I am happy to leave it as it is.

**The SPEAKER:** If you want to continue to clarify—

**The Hon. G. PORTOLESI:** I will just finish the sentence. I believe that the commissioner raised a number of important points, and I acknowledge the impact of dry zones on Aboriginal people.

**The SPEAKER:** I thank the minister also for notifying me promptly of that issue after it occurred.

*The Hon. P.F. Conlon interjecting:*

**The SPEAKER:** Order, Minister for Transport!

*Mr Williams interjecting:*

**The SPEAKER:** Order, the member for MacKillop!

**RAIL SAFETY (SAFETY COORDINATION) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 9 February 2011.)

**Mr GRIFFITHS (Goyder) (11:05):** I indicate that I will be the lead speaker for the opposition on this bill and that the opposition will be supporting it without the need for amendment. I

do indicate that there will be some questions in relation to clause 7 and the various clauses that are proposed as part of that, but we will not be making a challenge to any of this.

The opposition recognises that this is quite an important issue. In his second reading explanation, the minister referred to the number of accidents that occur around Australia and South Australia. It averages something like 100 per year around the nation and approximately 10 per year in South Australia where it is accidents between vehicles of some kind and trains.

For a long time I have been one of those people who seemingly blindly drives around, going over the rail crossing without respecting the security and the need to ensure that there are operational managements in place that ensure that there is the lowest possible risk of an accident occurring. When it does, it is normally the train that comes off fairly safe and it is the vehicle involved that suffers in the main. I know that in the minister's second reading, he referred to an accident in Kerang in Victoria where there was 11 fatalities.

Rail has been part of the opening up of Australia; there is no doubt about that. Thank goodness rail investment has occurred—initially through government enterprise, now a lot through private enterprise—which has allowed freight and people to be transported around our nation. But where the different options of transport intermix, you have to have an agreement in place to ensure that safety is maintained.

I must admit it really bore home to me when the member for Taylor and I had some discussions with the District Council of Mallala, property owners in that area and the Department for Transport, Energy and Infrastructure where there are, I believe, four rail crossings within that council area. There are some concerns about the intermix of trucks and vehicles going over rail crossings, how that impacts upon sight distances, how that impacts between the road line alignment and the rail alignment. Sometimes they are actually quite close. But with larger vehicles that are operating these days, it is a bit of a risk for farmers to move machinery around, for trucks to drive over it and, indeed, vehicles.

I was with one property owner in that area in a four-wheel drive vehicle. We went over the crown that is the rail line, approached an intersection with a bitumen road which is a DTEI road. We tried to look both ways but vegetation that had been planted there probably within the last 20 years created a situation where, even with a smaller vehicle with a sufficient bit of power, if you were to go out and suddenly find yourself with a vehicle approaching you from what had been a blind side because of vegetation, you could be put in a very dangerous situation.

The member for Taylor and I have spoken to property owners separately. There has been some joint discussion with the council on this. I believe that the bill actually assists in the agreements that need to be reached to ensure that there is an opportunity for the review to take place, for risks to be identified and for the outcome to be a positive one.

The intention of this bill is to bring legislation in line with the national model and to implement the effective joint management of level crossings by rail infrastructure managers and road authorities. As I understand it, the bill will ensure that if they are private roads, state government roads or local government roads, the agreement will be reached. It allows for the appointment of a rail safety regulator who will have some form of neutral umpire position and to be able to ensure that agreements are reached. It certainly puts fines in place when agreements are not reached and it ensures that we get some positive outcomes.

I have consulted with the Local Government Association on this. They tell me that they have been involved in discussions on the bill. The minister's second reading explanation referred to the consultations that have taken place. We want to ensure, as I understand it from the LGA's position, that there is some form of template that is developed for the interface agreements to ensure that there is some commonality. It would certainly assist in the process. During the committee stage I will ask the minister some broad questions on that to ensure that we get an outcome that will allow the positives to come from it.

No-one wants to see accidents. There was an accident at Virginia in 2007, I believe; thankfully I do not think a fatality was involved, but accidents occur far too often. You would say that the train is a very obvious thing to see, and a driver on a road should ensure safety at all times when crossing a rail line but, for whatever reason, there are actually risks involved.

I know there has been some federal government financial support—in the vicinity of some \$12 million, I think—which, I believe, has been made available to DTEI to assist with rail crossing upgrades. It came through probably a bit over a year ago. I hope that, as the interface agreements

are prepared, there will be an acknowledgement of the need for some level of financial support. To use the example that the member for Taylor and I have been involved with, I think the community there has come to the understanding that, because some roads are local government controlled and some are DTEI or state government-controlled, there may need to be a consolidation of those crossings to reduce risk.

In some instances that will create a far greater challenge to farm operators when moving equipment around because if they cannot use the rail crossing they have traditionally used over generations of operations they will have to find an alternative route to get their machinery to where they need it for the next operation. So there will be some challenges involved, but I know that each of the farmers the member for Taylor and I spoke to was focused on safety.

That is the key thing, and that is what the bill is enforcing. Whereas historically the majority of rail operators were government enterprises, now there are different players in the game, and there is a need for an upgrade for the informal agreements that existed previously. That is why this legislation has been introduced into this chamber and will be passed quite swiftly to ensure that agreements are in place. I know (from what he provided to me in a briefing) that the minister wants to ensure that the direction goes out there quickly and that the interface agreements are in place as soon as possible so that there is no risk attached to us.

My contribution on this will be quite brief. I intend to ask some questions in the committee stage, but I can assure the minister that those questions are not designed to be mischievous but to put something on the record so that we have knowledge that can be provided to the different levels of road operators, primarily. I am probably looking at local government and, in minority instances, private road operators, to ensure that they can be provided with some details to understand what their expectations will be, how long it might take for the agreements to be reached, if indeed there are any resources available to assist not just the agreements but also any modifications that may be required to the road alignment.

I pose a question to the minister now to give him and his advisers some consideration. The reserve attached to the rail line is often quite wide (as it should be); where does the responsibility for the road operator start and finish? The travelling public would assume that, no matter who has provided the road, the road allows them to travel in a safe manner, and when the road goes over the line and back over the other side drivers might assume that the council or a private operator or the state government does it.

I am looking for some clarification on that grey area. Does the responsibility for the road interface with the rail line commence immediately at the boundary of where the reserve for the rail line would be, or will the interface agreement outline—and the advisers are nodding their head, so they understand my confusion—where that responsibility will start and finish?

**The Hon. P.F. Conlon:** It has to start further back because of line of sight.

**Mr GRIFFITHS:** Line of sight is a very important issue; indeed, I hope that is where the interface agreements will refer to vegetation that might be in its natural state along these interface areas or to stuff that has been planted, over whatever period of time, which is now creating sight distances. If it has been planted, what will the impact be when it comes to native vegetation clearances that might be required? What is the process? Who will have financial responsibility for that, because we do not want to forget safety? With that brief contribution on the second reading, I look forward to the swift passage of the bill.

**Mr VAN HOLST PELLEKAAN (Stuart) (11:14):** I support the comments made by the member for Goyder regarding this rail safety amendment bill. Certainly, everyone on this side supports the intent of moving towards joining a national model, with the real intent being an effective joint management of these crossings. That is certainly important, and I think we would all agree with it.

The member for Goyder made one of the most important points about this whole issue: while this tries to protect all rail and road users, obviously it protects road users a lot more than it protects rail users. They are always going to be the more vulnerable, even if they are in a very large semitrailer or, potentially, a triple road train. That is likely to be the vulnerable user compared with the train. It is important to understand that this is about people's lives, safety and health and also very much about stock and freight, but in terms of the things that get carried on all the different vehicles it is about people and protecting them, so that is important.

I also note, interestingly, that sometimes the tragedies we have had in rail crossings have been in really built-up urban areas where traffic flow is quite slow. We all imagine the country road crossing the railway line with a lower tier of bells and whistles, lights and gates, but there are certainly times we all know of when somebody has just been parked on a railway crossing and a tragedy has occurred. This is potentially inner metro all the way out to country and remote outback areas and is quite an important issue.

Rail in the electorate of Stuart is obviously very important. It has a strong history all the way back to the old Ghan railway line, which no longer exists, to the current Ghan railway line, a myriad of other working railway lines and, importantly, currently disused rail corridors. I understand that is not an issue with regard to this bill, but I highlight that management of those corridors is an issue, too, that I hope the government will get onto at some stage as there is very valuable public land which could be accessed and used better than it is currently. I understand that it is not part of this debate.

The main point that I would like to make quickly on behalf of the people for Stuart is that, while I understand that all road/rail crossings are included, I hope the very remote ones are given a great deal of focus too, because I can think of places in my electorate and other parts of outback South Australia where there is next to nothing indicating where a dirt road crosses a railway line, and that is very important.

A tragedy can happen in inner city Adelaide where somebody may get stuck in traffic on a railway line, or it could happen in a very remote place. I do not want for a second to take away people's personal responsibility. If you are driving on a remote outback road and you cross a railway line, you need to take responsibility for yourself, whether it is having quality tyres and a quality vehicle and carrying enough food and water, or being wide awake when you cross a railway line. It is important that people take their own responsibility. I am not in favour of systems that dumb people down.

Having said that, I hope the remote outback areas get attention in this, as do the country areas. Every day when I drive from home to my office in Port Augusta I cross over a railway line. I do not mind saying that I have driven down a long, long straight near Winninowie, heading from Wilmington to Port Augusta, as I have done thousands of times, and every now and again I am getting close, and I tell myself, 'Hang on, wait, there's a railway crossing here,' there are no lights flashing and no train coming and it is all quite safe, but it is important that drivers take responsibility and know where they are and what they are doing. I understand this issue very closely.

From a personal perspective, I lived at Pimba for several years, where there is a very important railway crossing, with seven or eight major trains a day going through the area. It is an issue that I understand well and feel strongly about. I greatly appreciate that the government is focusing on this to come up with effective joint management plans, and I hope they will give the same attention to minor crossings in remote places as they would in the middle of Adelaide.

**Mr PISONI (Unley) (11:19):** In speaking to the bill, I use the opportunity to support it. Anything we can do to improve safety at the junction of road and rail is something that I would certainly support. It also gives me a segue into the issues that we have at the Cross Road intersection near the Unley Park Railway Station, where we will often see close scrapes, if you like, with those using Cross Road and the trains. It is a freight line as well as a metropolitan line and, because of the very long waits that can happen at that intersection, as the boom gates start to come down we see cars taking a risk and going across well after the flashing lights have indicated that there is a train coming.

Impatience, of course, can cause road accidents and we see that happen time and time again when it comes to people running red lights or, alternatively, people not giving themselves enough time to cross in front of the path of an oncoming car if they are turning right, for example, and train crossings are no different. People do tend to take a risk. I have even witnessed people doglegging around the boom gates when a train is not seen and taking an outrageous risk like that. So, I would certainly support any moves to improve that, but I think we also need to look at situations where traffic is built up for long periods of time.

I think it is fair to say that the Cross Road intersection is probably one of the worst intersections that we have in South Australia. Growing up in Salisbury, I can also say that the intersection at the end of John Street, near the Salisbury Railway Station, is another one. A number of years ago we saw a crash at that intersection which involved a train and a bus, and with people queuing across the intersection.

It is not something that is just an issue for isolated country roads. It is more of a traffic management and infrastructure issue in our suburbs which needs both short-term and longer-term planning so that we can enable the safe and continued free flow of traffic in the suburbs in Adelaide, particularly as we know that Cross Road is part of the government's major arterial road plan that will eventually funnel traffic from the South Eastern Freeway to the north-south corridor, so we know that we will be seeing more traffic in that vicinity.

We know that freight trains are getting longer and we know that they will often wait at a crossing point in Goodwood while they are waiting for clearance. They are so long these days that they block Cross Road for 10 to 15 minutes at a time, and you quite often see that in the early hours of the morning or on a weekend. You also see it at peak times when they are waiting for a suburban train to come past so that they can cross the path of the suburban train safely—usually trains going down the Brighton line—and we will see that happening on Cross Road more often than we would like to see.

I support the bill. While the transport minister is participating in the debate, I would like some consideration given to what can be done to make that part of Cross Road and that intersection safer, with a better flow of traffic, and managing the conflict that we have with rail traffic and road traffic on Cross Road. I am not saying it is going to be an easy task but it is certainly something that I ask the transport minister to consider when he is looking at allocating funding for projects around the state.

### VISITORS

**The SPEAKER:** I advise members of the presence in the gallery today of year 11 students from Loreto College, who are guests of the member for Bragg. We hope you enjoy your time here this morning.

### RAIL SAFETY (SAFETY COORDINATION) AMENDMENT BILL

Second reading debate resumed.

**Mr GOLDSWORTHY (Kavel) (11:25):** I will spend a few minutes speaking in support of the bill, but the member for Goyder on this side of the house has articulated our position quite well, I think. This is, obviously, a step in the right direction. It is an important aspect of road safety issues within the state and, being the shadow minister for road safety, I feel compelled to say a few words in relation to these matters.

I will focus my comments on the section of rail that runs through the electorate that I represent here, that is, the main Adelaide to Melbourne line that runs up through the Hills and, basically, through the middle of my electorate. It cuts underneath the freeway between Aldgate and Verdun and runs around the back of Verdun and through Balhannah, up into Nairne and out to Callington, Monarto and Murray Bridge, and then further into the rural areas. So, I imagine there would be at least 100 kilometres of that railway in my electorate and, obviously, some major roads and transport corridors criss-cross that line at quite a number of points. Also, some local roads cross that line, of course.

I have been pleased to see over the last year or so that there have been some significant improvements in signalling at some of the level crossings on the local council-operated and maintained roads throughout the district. Previously, there was just a stop sign at the level crossings, but electric flashing lights have been put in at a number of those level crossings and that is, clearly, an improvement to road safety.

There has been some controversy within the neighbouring state seat of Heysen and the federal seat of Mayo in relation to quite a large loop being placed on the Adelaide-Melbourne line around the back of the township of Verdun. Verdun used to be in my electorate but it has been moved into the electorate of Heysen, and there has been some strong representation by the local community and the local members—the member for Heysen (the Leader of the Opposition), and the federal member for Mayo (Jamie Briggs)—in relation to concerns about the loop and the impact it will have on the local community.

From a distance, I have observed that there are other places that that loop could be put in, because there is a loop at what is called the Balhannah junction at the old Balhannah railway station. I think there is ample length of rail corridor there to extend the loop. However, ARTC, the company that operates on that line, has made the decision to put in this new loop, and I think federal funds have been provided as part of the nation building projects that were rolled out a number of years ago. I understand it is being built to cater for the longer freight trains that will be

run from all over the country but particularly on the Adelaide to Melbourne line, and there is some discussion and concern about that matter.

I also want to touch on road safety, because motorists continually need to take care and be aware, obviously, when they approach and cross over a level crossing. If you drive out through the country you will see some railway lines that are not used at all by trains. The tracks are still there, the crossing is still there and the signage might be taken down, but I know that when I approach those particular level crossings, I think, 'Well, do trains run along here or don't they?'

You do take care, but I think that some motorists may not. They might become used to approaching level crossings that, obviously, do have active train movements along those lines but they are not aware of it, and that is a cause for concern in relation to a potential for serious road crash and/or fatality. As the shadow minister for road safety, I want, really, to call on motorists to be aware of that.

The old line that runs off the Adelaide-Melbourne line at Mount Barker is a different gauge. It runs into Mount Barker station and down to Strathalbyn and Goolwa, and then on to Victor Harbor. That is a different gauge. I remember when I was first campaigning to win the seat of Kavel (running up to the 2002 election), I was not aware that that particular part of the line was not part of the Melbourne line, but just actually a spur off the Melbourne line. I would stop at that level crossing or slow right down to check whether trains were coming. However, some of the people said, 'No; the actual Melbourne line is further away.' However, more recently signs have been put up on the level crossing indicating that this line is not used by trains.

I am just using that as an example to highlight the fact that motorists are not necessarily aware that particular rail corridors are used by trains—some are and some are not. I think it is important that, particularly if they do not travel in the country on a regular basis, people are aware of these factors in relation to safety at level crossings.

In my closing comments, I just want to say that we all know that the railroads have been a major factor over the history of European settlement, both here in South Australia and right across the country, in building the nation to what it is. The railway and the railroads pushed out into the frontiers of the country and were a major contributing factor to the development of the country as we know it today. I am pleased to support the bill, but I felt that I wanted to make those several comments in relation to road safety.

**Mr VENNING (Schubert) (11:33):** I rise to support the bill and commend the member for Goyder for raising and carrying it today. Yes, we do support this bill. My ongoing interest in rail ever since I have been in this place makes this issue also important to me. Crossings are the single area of concern because that is where most of the accidents happen.

I am pleased, though, that many of the dangerous level crossings now have warning flashing lights on them—not all of them but many have. Some of the worst are in the Barossa. We had two notorious crossings and now both have flashing lights on them, so I am very pleased about that. However, there are isolated country crossings that are still unprotected, and this is a great concern to me.

Safety is a big issue for rail, and where the road and rail crosses over is obviously the point of high risk. We do rely, though, very much on the fact that the crossing warning sites are working. Every time I come up to one I just make sure. I still visually look (not always but most of the time) because if it does not happen to be working, well, a tragedy is likely to happen. I understand that the reliability of those systems is pretty good—and I note that the minister is here.

*The Hon. P.F. Conlon interjecting:*

**Mr VENNING:** I am pleased that they are. I also welcome the fact that, after many years of debate, most of the trains now use reflective tape, etc., on the side of the railway carriages and wagons so that people can see them in the night, especially now that we have these huge freight trains two to three kilometres long.

You do not see the engine or the guard van that we used to have, and it is easy to drive straight into the side of these trains travelling over a crossing in an isolated country area. So I am pleased now that they have these reflective tapes on them. I know at the time there was always the argument that they would not put them on there because that meant they would have to keep them clean, and there was always this debate as to whether this reflector was kept in a clean condition. From my experience, you can see them, and I am pleased that they are there.

We now see the operation of our trains largely in private hands, and I think it is rather sad, because I think we got pretty good service from the old SA Rail. I know there was always the argument that it was expensive, but I do think essential services like this should mostly be in the hands of government. I do believe that. I am old enough to have enjoyed coming from Crystal Brook to Adelaide on the train in my schooldays. It was a ritual, coming home on the train. All sorts of pranks went on, I can tell you.

**An honourable member:** Smoking cigarettes?

**Mr VENNING:** Yes, we did, and then we would get to Bowmans and we would go into the change rooms to try to get rid of the horrible smell so that our parents would not smell that we had been smoking. How naive were we! Just as well, because I am now a committed non-smoker. Those were the days when we had the option of catching the passenger train to Adelaide, and it was great.

Genesee & Wyoming is one of the companies that operates these lines, particularly the one from Dry Creek to the Barossa, and it is sad to see the demise of the railway station at Nuriootpa—the minister would be aware of that. I am a little bit concerned, because I believed Genesee & Wyoming's contract stated that they had to maintain all the assets that they were leasing, including, I thought, the railway station. Today it is in a sad state, covered in graffiti and pretty rickety. I believe it is still basically sound, but it certainly is a bad eyesore and it is up for demolition. That is very sad, particularly in the Barossa, where a heritage building ought to be saved. Today it is fenced off while we have this continuing public debate. That is sad indeed.

It is also very sad, on the subject of railway lines, to realise that the Barossa Wine Train is being offered for sale. I think this is appalling after what we have had here. The current owner has had all sorts of impediments put in his way, and after many years and a huge amount of money restoring the Bluebirds down at Port Adelaide, he thinks enough is enough and he is moving on. The main problem was getting the accreditation, particularly from Genesee & Wyoming. I thought they had agreed to allow the company to run on their accreditation and then they said no, and it went on and on and around and around.

That is sad indeed, and the indemnity insurance was also a problem. I thought that we had all these problems solved, but the goalposts were continually moved. The owner is in Switzerland today, trying diligently to sell the train as a wine train, to a tourism operator but, if that fails, the famous Bluebirds will be sold, stripped and used as crew vans on freight trains. That is not just a threat, because if you have a look at the crew vans, that is what most of them were; they were the old Bluebird railcars that we used to use back in the 1950s and 1960s.

So it is very sad that this has happened, but I have not given up. I would like to convene a meeting, particularly with the minister's approval, of those stakeholders: himself, Mr Geber, the owner, and also with—

*An honourable member interjecting:*

**Mr VENNING:** I know—he's a professional man; I know you have met him before. I think there ought to be a last-ditch one, and with Genesee & Wyoming, of course, and see what the situation is. The other problem we have is that the rail line is going to close temporarily for upgrades. Some are actually saying in the Barossa that it might never reopen. I hope that is not true, but that is a rumour running. It is going to be closed, apparently, for six months for upgrades, and that means all that rock from the quarry is going to come down the road. That is another concern for the minister; there is going to be a big kick-up about that. This is all going round and round, so I would appreciate a meeting, minister, where we can just sit down and thrash it out. If it is going to go, I do not want to let it go without a last-ditch effort.

I want to commend Mr John Geber on all he has done. He has outlaid a huge amount of time, effort and money in relation to this. It is sad that we have a tourism destination like the Barossa and we have these ships carrying tourists who want to go to the Barossa and we cannot make this connect. I cannot believe that is the case.

In relation to the railway crossings, we do support this. Wherever possible, it would be great if we could do away with rail crossings altogether by putting unders and overs, putting the road underneath. I think that is the long-term plan, because I believe—and the minister would agree with me—that rail is the future. It is the way ahead for freight and it is the way ahead to move our grain. We now have a deep-sea port at Port Adelaide, and I thank the minister for that on the record.

**The Hon. P.F. Conlon:** What about that lovely new road?

**Mr VENNING:** Gomersal? You are right—the new road—exactly right. The whole system is good. So, the government can, if it puts its mind to it, get something right, but not often. I am happy to give the minister that accolade. He has to admit that I have done it regularly in relation to that. For years I have battled for that port site and every time the minister was going to put it in the wrong place, and you, minister—maybe you are the last cab on the rank—put it in the right place, and that is good. The next thing we will see is the continuing push to bypass Adelaide, with the railways behind the Adelaide Hills. This, of course, will then alleviate the problems of rail crossings on our major roads.

When we talked about putting a port down at Port Stanvac, the main issue was crossing main roads like Anzac Highway and Brighton Road. You can imagine what the railway crossings would be like. That was one of the chief things against having the port down there. Imagine how long those roads would be cut as those huge grain trains went across. I think in future, if we are going to put up projects like that, we must design out level crossings. We cannot have them there; we have got to have something else in its place. I think the future is rail and I look forward to what happens in the future, certainly with our rail crossings. I just hope that we can have all our rail crossings protected by flashing lights.

**Mr PEDERICK (Hammond) (11:42):** I, too, rise to support the Rail Safety (Safety Coordination) Amendment Bill 2011. I think this bill comes before us not before time in regard to rail and road safety throughout this state. Over many years, there have been far too many accidents on rail crossings, whether they be in the urban environment, around the City of Adelaide, or out in the rural areas.

The member for Schubert mentioned how, after many years of discussions, finally some reflectors have been put on freight cars that go through our country regions. I remember as a member of Rural Youth many years ago that motions were put through to our state body about putting reflectors on freight cars because far too many people, for a range of reasons, do not look, hear or see and, all of a sudden, sadly, you have fatalities, sometimes multiple fatalities, at railway crossings right throughout the state.

We also have the lunacy of some people in cars or trucks who think they can outrun a train to a railway crossing and, too often, because of their impatience, it has become a major, fatal mistake which has brought premature death to many people, and it could have easily been avoided. Sometimes, you look at how these accidents happen and you wonder why they happened and how they should not have happened. You hear reports of even local truck drivers who cross certain crossings all the time in their work life who all of a sudden think they can dodge a train and, sadly, they do not, and there are more injuries and fatalities.

I note that the Australian Rail Track Corporation is running a lot of the lines now throughout the state, and some of these are operated by Genesee & Wyoming. Through my electorate of Hammond, the main lines are the south-eastern line heading through to Melbourne, the Mallee line out to Pinnaroo and also the line through to Karoonda and Loxton.

The main line is obviously the Melbourne line and there have recently been upgrades right along it for sidings to cope with trains two kilometres long so that they can pull off for trains coming from the other direction. On the Mallee line, there are quite a few train crossings and there are different theories as to why that is because anyone who has travelled out to Pinnaroo will realise how many times the road bends. There is a theory that, when they built the Mallee Highway, they were paid to build corners. I have not confirmed that; I need to have a look at that, but there are certainly several theories. If you drive down there, you certainly realise how many S-bends and rail crossings there are.

Thankfully, in recent years, flashing lights have been put on some of those crossings out towards Wilkawatt and Jabuk, which takes into consideration the safety aspects of crossing that line. Certainly on the Karoonda-Loxton line, there has been an increase in rail traffic in recent times with the Australian Zircon mine. That is currently not operating; we are waiting to see if that kicks into gear again. They have some rehabilitation issues that they need to clean up but they were using the rail (which I thought was a good use of the rail out there) to transport their sands through to port, put it in containers and run it through to Adelaide. They were obviously under speed restraints on that line because of the state of the line and the sleepers, but it is a very good use of rail and it certainly keeps many more trucks off the road.



Also in my electorate, we have the famous Cockle Train. I think the new word for cockles—pipis—does not quite work: 'Pipi Train' does not quite sound the same. However, the Cockle Train goes from Strathalbyn to Victor Harbor. There are quite a few crossings all the way through the Fleurieu and a lot of these do not have flashing lights. They just have rail crossing signs and, because of the infrequency of that train, sometimes people do not take enough care in crossing that line. People need to take care wherever there are lines and wherever they cross them.

I also note, with regard to the main south-eastern line through to Melbourne, that in my electorate it goes on either side of the road, but there is a road bridge that goes over the line at Taillem Bend, so there is no issue there. However, there are a lot of little side roads for farmers and businesspeople to access properties and they need to take extra care when crossing these lines because the trains do not back off for towns like they used to. A lot of them trundle through at 100 km/h, and generally they can do that very safely because people are aware of how they run, but I remember through Taillem Bend years ago they did use to slow down, but now a lot of them go through at a reasonable speed.

The member for Schubert mentioned trains going around the city and bringing the freight back in from the north, and I commend Regional Development Australia and the Rural City of Murray Bridge. They certainly have my support with the intermodal project that has been going along for several years out at Monarto where in the future, hopefully, we will have road, rail and air connect. We have quite an industrial hub at Monarto: we have mining accommodation, Adelaide Mushrooms, Scott's Transport and Big W's distribution centre. Apart from that, it is only a few kilometres from the growing metropolis of Murray Bridge.

I think it would bring many gains for city dwellers, and especially for Hills dwellers, if the rail did take our freight around to the north of Adelaide, perhaps coming in at Roseworthy. Then, any freight that had to come into Adelaide would come back in from the north and any that did not need to go into Adelaide would just bypass and go on, whether it was heading north or west. It would save a lot of the angst for trains, which are sometimes up to two kilometres long, coming through the Hills, and it is a struggle getting through the Hills.

People talk about having a fast train to Adelaide from Murray Bridge but I can tell you that it is not going to happen at the moment. I think the only way it could happen would be to build another line with the freeway and run a connector down Cross Road, for example. It would be quite a major job because Murray Bridge is two hours by rail from Adelaide, and it is just too far at the moment, and because of the logistics of running through the Adelaide Hills.

I support the future of our freight, and some of our passenger rail could divert around Adelaide and so lessen by quite a number the trains that have to come through the Adelaide Hills into Adelaide. I certainly support the direction of the bill, that is, getting rail operators, private operators, government operators and road operators together to work out safety procedures at crossings. It is vitally important, it has the potential to save many hundreds of lives in the future, and it would be of great benefit to the state.

**Mr TRELOAR (Flinders) (11:51):** I, too, rise to support this bill, and I am very pleased to see it come before the house. It is a subject that is dear to my heart. I must declare an interest in that I am something of a train buff and have been for many years.

**The DEPUTY SPEAKER:** You have 20 minutes!

**Mr TRELOAR:** I have 20 minutes. It takes a lifetime, Madam Deputy Speaker—it can take a lifetime. I have gained much pleasure and enjoyment from watching trains over many years, particularly those on Eyre Peninsula. At this point, I would like to mention the Eyre Peninsula Rail Preservation Society, of which I am a member. I am not such an active member these days, but the society does a wonderful job preserving more than 100 years of rail history on Eyre Peninsula.

In the very early days, as has already been mentioned by members on this side, rail was very much a part of opening up the country and the land to settlers and farming operations in South Australia. Particularly on Eyre Peninsula, in conjunction with early settlement, it provided transport for freight and passengers—tea and sugar, if you like—and was very important. It is not so important these days because the freight is grain only. However, by my calculations, in some years, particularly on the southern end of the rail on Eyre Peninsula, it can carry up to 10 per cent of Australia's entire wheat crop, so it is quite a commendable effort for a railway that was—

*The Hon. P.F. Conlon interjecting:*

**Mr TRELOAR:** Yes, it did. It has recently been upgraded. To the member for Hammond, I say that the trains may travel at 100 km/h in his neck of the woods but they certainly do not on Eyre Peninsula. It is only a narrow light gauge but it does provide a wonderful service. The intention of this bill is to implement the effective joint management of level crossings. This issue has been highlighted to me by constituents. The railway on Eyre Peninsula travels mostly along the highway on public lands, but sometimes it also bisects property and a landowner may have portions of his farm on either side of the railway.

One particular landowner came to me some time ago and asked who was responsible for the rail crossings. I said that I would get back to him, and I am pleased that I am now able to say that it will be a joint effort to discuss and accept responsibility for these crossings. The constituent approached me because he had had an accident on a crossing on his property, travelling from one side of the farm to the other. It was a serious accident and he was lucky to survive. He is well now and back farming, and I am pleased about that.

The minister is also aware of the discussions that I have been involved with around road train access on Eyre Peninsula. Given that the railway on EP travels adjacent to the highway, what we are finding is that often there is not enough room for road trains and B-doubles to turn off the highway, stop at the railway line and not have the back part of their vehicle hanging out over the—

*The Hon. P.F. Conlon interjecting:*

**Mr TRELOAR:** Yes. The situation is vice versa coming from the railway line crossing onto the highway. The same situation occurs. It is potentially a very dangerous situation and I know that some efforts are being made to address this with the construction of slipways onto the highways but it has not entirely solved the problem.

There are just a couple of flashing light crossings on the Eyre Peninsula. For the most part, it is merely signposted. I have noticed of late that a large number of crossings now have stop signs erected at the rail crossing. My opinion is that this is not entirely suitable either. In the situation where a heavily laden truck is required to stop completely, I understand that line of sight is important, but oftentimes a 'give way to trains' sign, I think, would be more appropriate.

I am very pleased to support the bill, and I am pleased that it has come to this house and we can finally know who is responsible for the crossings. I suggest we have still got a little way to go before the issue is addressed completely. As I understand this bill, both parties or all parties will have a responsibility under this act to provide outcomes with regard to rail crossings. With those words, I thank you, Madam Deputy Speaker.

**The DEPUTY SPEAKER:** Thank you, member for Flinders, and thank you for your shortish contribution—

**Mr Treloar:** Given that I am a train buff.

**The DEPUTY SPEAKER:** —given that you are a train buff. I am surprised that you did not bring your anorak into the chamber.

**The Hon. R.B. SUCH (Fisher) (11:56):** I will be very brief; I know the Minister for Transport probably has to catch a train somewhere. I am a great fan of rail transport, both passenger and freight. In my judgement, most of the accidents involving rail crossings are a result of stupidity by motorists and other road users. Very rarely does the train jump out and attack the motorist, so I think the first point is that people need to use a bit of common sense, which unfortunately is not all that common, when they approach a rail crossing. The habit of some people trying to beat a freight train is just too silly for words.

The point I want to make, and I have raised this over the years, is that I am still puzzled why—particularly with freight locomotives but also suburban trains—we do not have a yellow flashing light on top of the cabin. People say, 'Well, why do you need that?' If they do not work and they are a waste of time, someone should tell all the airport authorities and road construction gangs that those flashing yellow lights are invisible and no-one ever sees them.

I think it is a very inexpensive safety measure to have one on top of the locomotive cabin. They do attract people's attention and I believe if they had been used in the past, and I think a move may be afoot to install them, it would have saved a lot of lives, particularly in cases like that tragic accident at Kerang. Even on suburban trains, I think anything that makes people aware and catches their eye, as the yellow flashing light does, is worth considering.

Years ago, I argued that on the freight cars behind the locomotive, they should have reflective strips on the side of each wagon. In fact, I suggested that, if they were worried about the cost, they might like a company to sponsor some for advertising because, by definition, people at crossings will be looking at those freight cars as they go past.

I think some simple things can be done. As I say, I have lobbied federal and state ministers over many years, trying to get some simple safety things: the flashing yellow light on top of the locomotive cabin and the reflective strips along the freight wagons, behind the locomotive. I think some of those simple things would have saved lives in the past. I understand that maybe some moves are afoot to do some of those things now, but I do not know why it has taken so long. Anyway, I commend this bill.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure) (12:00):** I must say that there are 978 level crossings in South Australia, and I was fearful that I might be going to hear a little bit about each of them during that debate! The truth is that this is the latest in a series of improvements to level crossing safety. It is not the only thing that has been done, of course; in fact, I can turn my mind back to the very early days when I first became the minister and I attended the aftermath of the accident between a school bus and a train at the Salisbury Interchange. It was a very distressing event, and there has been a great focus on level crossing safety out of that.

There has been a program to improve local level crossing safety in the city. In relation to some of the matters raised by the member for Unley, we have, in fact, two very significant bids high up the priority list with Infrastructure Australia in terms of ARTC level crossing grade separations at the Goodwood Junction and the Torrens Junction, and I think he would be very pleased that they were successful, and we are very hopeful in relation to those. As I pointed out, this is something that deals with a matter that has been ongoing. It is a national approach, and it is something that the National Transport Commission did a regulatory impact survey on.

It is, I think, a very effective way to go about what we are seeking to do. I would point out that in our case, for example, it formalises under legislation what we as the department of transport would have been doing informally in a great many places with rail operators, but I think it is necessary to have that formality to make sure that everyone is doing their bit. I must congratulate the member for Schubert for his usual way of managing to talk about every subject other than the bill. It is a great gift that he has in this place, and he does it enthusiastically.

In terms of some of the matters raised by the lead speaker, I will try to address some of them now and to minimise what he needs to address in committee. In terms of the interaction with the Native Vegetation Act, my understanding is that they will still have to comply with the Native Vegetation Act. I can check this, but I believe the Native Vegetation Act does have provisions about removing native vegetation in terms of safety. They would still have to comply with that act, but I do not think the act has prevented us, for example, from being able to improve safety at our crossings.

On the issue about what the interface is, it is what it needs to be. The plan will need to take into account the needs of a particular junction, and that may well go into the road owned by the road operator in terms of line of sight issues. So, it will be what is needed. In terms of whether we could provide template agreements, it is true, I think, that some 30-odd councils have north of 500 level crossings. So, obviously it is a very big job for councils, and that is why significant time has been allowed to develop these. In that regard, we have the State Level Crossing Strategy Advisory Committee, and it is working to develop template interface agreements and guidelines.

It is chaired by DTEI representatives, and it has the Level Crossing Unit, Heritage Rail SA, all of the main rail infrastructure operators, the ARTC, and three representatives will be there from the LGA, and they will seek to do develop templates and guidelines. I would point out that this work has been done in some other states, and some of the other jurisdictions which produced this earlier have guidelines we can draw upon when we do that work with them. So, we will seek to make it as easy as it can be for those councils.

I think the NTC estimated the total cost to implement this at about \$1.3 million out to 2020, so we are not talking about huge burdens on anyone in that regard. Having said all that, I think I have answered the points I can recall the lead speaker making, but I am quite happy, if there is something specific in clause 7, to address anything he needs to know. I recommend the bill to the house.

Bill read a second time.

In committee.

Clauses 1 to 6 passed.

Clause 7.

**Mr GRIFFITHS:** Minister, I thank you for the answers provided as part of your closing comments. You have referred to the fact that there are going to be 978 crossings in place. I am therefore presuming that a separate interface agreement is required for each. You have also confirmed that there are over 500 that relate to local government roads. Can you provide me with a breakdown of how many private roads there may be and how many state roads there are?

**The Hon. P.F. CONLON:** I have those two, but I do not have the private roads, and you would see that the regime is not quite as restrictive on the road owner in terms of a private road. The responsibility on those private roads falls upon the rail operator to give notice, as I understand it, to the private road owner. It will not be as onerous for those private road operators, but I will have to get back to you on how many of those there are.

**Mr GRIFFITHS:** I think, for the benefit of the member for Flinders who asked questions in regard to the farmer he mentioned, where the rail line actually splits his property, I would therefore assume that what he is talking about is not actually a road as you and I may define it; it is a track between sections. Is that still considered as part of this agreement to be a road and therefore the private road interface agreement is required?

**The Hon. P.F. CONLON:** It would, as I understand it, be a road because it is there for the purpose of getting a vehicle across the line, so there would be an interface between vehicles and rail. In those circumstances, as I understand the regime, what would occur is that the rail operator would examine what safety measures are needed there and, if necessary, give a notice to the road owner about things that would need to be done or precautions that would need to be taken. It would not fall upon the farmer to determine that he had a road that was an interface; it would fall to the rail operator, and I think that is probably the best way in those circumstances.

**Mr GRIFFITHS:** Given that there are so many agreements that will be needed, I am a little bit unsure on my review of the bill, as to the time expectations. You referred to a 2020 period, but can you just provide an outline to the committee?

**The Hon. P.F. CONLON:** We have set a time line of three years. Can I say, I should have said, in answering your other questions, one of the roles of the rail safety regulator will be an educative one. There will be, I think, 12 months of going out there and telling people all of the things they need to be doing. I point out that we are not dealing with the circumstances of things having to be done. A great deal of this has been done informally, and we are talking about formalising it. So, the rail regulator will go out and spend a period of time educating people as to their obligations, and I think we are contemplating having their agreements drawn up in three years. I point out that some of them, of course, will be done before then. We have already have existing arrangements with rail operators, and it is merely a matter of formalising those in many circumstances.

**Mr GRIFFITHS:** Therefore, for the benefit of private road owners, the rail operator will identify the risks and they will approach them with some form of template agreement on which the private road owner will be asked to sign off. Can you envisage any possibility in which some form of modification to that private road access over the rail line will be required and, if that is evident, who is therefore responsible for that cost? That is where I can see the greater impasse potentially coming, where the farm operator does not want to be responsible for a cost and he still wants to maintain his access over the line, but the operator identifies the risk and therefore an agreement needs to be reached. If there is some form of impasse, I know that the adjudicator is there, but is there the opportunity to still sit down and negotiate? Also, will the operator be prepared, in any instances, to make a contribution towards modification requirements?

**The Hon. P.F. CONLON:** In the first instance—and I really do not know whether it would occur—such matters would be required to be agreed between the parties. So, it would not be the case of the rail operator opposing an obligation on a private road owner. The nature of the act is one that requires agreement between the parties. The only difference with the private road operator is to take away that responsibility for formulating it from the road owner so that private road owners, who may not know that they are supposed to be doing anything, are not going to be the subject of massive fines because they have not done something.

It would require there to be an agreement and, on my understanding, in the case of a dispute, there is a role for the regulator. The bill will not allow the rail operator to impose some onerous obligation on the road owner or to close the road. That would be a matter for agreement. If there were a strong argument for it, I assume it would go to the regulator, but the model is for agreement between the parties.

**Mr GRIFFITHS:** Minister, I am like you in that I hope there is no need to go to the regulator, but presumably there will be. In this instance, if the regulator then determines a position, is there any opportunity for a subsequent third-party review of that decision? I do not want to complicate matters, but I am wondering whether some form of natural process allows for a judicial review by any other person—a traffic engineer or rail engineer—who might have expertise in these areas?

**The Hon. P.F. CONLON:** I would have to take it on notice. There are two options: it does not have to be the rail regulator; I can appoint someone to do that work. I will get an answer for you between the houses, if you like, but I suspect it would only be a matter of judicial review, certainly not an established repeal process, as I understand it, in any of the provisions of the rail act. So, I think it is likely to be a judicial review but I imagine it being a very unlikely circumstance.

The thing is, if you see the NTC regulatory impact being something like \$1.3 million, it is obviously not contemplated that you are going to see major structural changes because, believe me, for a major structural change at a level crossing, your \$1.3 million is going to be gone very, very quickly.

**Mr GRIFFITHS:** An issue was raised by the member for Flinders when he talked about the proximity of rail lines to highways and, with larger vehicles these days, the serious risk of the trailer being exposed if they have to stop when turning off a road to cross over a rail line and vice versa when they want to enter a road after crossing over a rail line. I suppose there are two components of the question. Where are the various responsibilities?

Going back to my previous comments, where the rail reserve is quite wide and the road reserve immediately joins it—and this can relate either to DTEI roads or local government roads—does the rail operator have total responsibility for that portion of the road that rests upon its rail reserve, or does the road operator have some form of right of way that creates a legal impost upon them to have responsibility for the road that is on the rail reserve?

**The Hon. P.F. CONLON:** I think there may be two things. First, if there are investments to be made on property owned, you would imagine it would be the responsibility of the person who owns the property, but the boundary of the interface, if you like, is something to be agreed between the parties on examination of risk. The whole point of this is so that the rail operator cannot say, 'I own this bit, I only have to do this bit.' It is about the two parties identifying between them, in their joint area, what needs to be done to improve safety.

I would imagine if something needs to be done entirely on rail land and it was to be an investment, then that would fall to the rail owner, which would only seem reasonable. As you can see from the numbers, you are not talking about a great deal of infrastructure investment in this, as opposed to things that improve safety. One of the things you have to be very careful of—and I think everyone has noticed this—is that, with more and more level crossings being signalised, people take it for granted that all level crossings are signalised, and if they are not signalised, then there is nothing to worry about. We do not want to get into that area because, obviously, as the member for Stuart would know, that is not going to be possible in many rail crossings. The cost of infrastructure is not likely to be high at all, and that is the NTC's regulatory analysis.

Can I say about the other matter that was raised about trucks that are too long for the roads that it is not just in a rural setting. I recall that there is one in the Barossa where they designed the road and rail parallel to each other before we had the multi-trailer trucks. It is very, very hard to fix without closing one or the other. All I know is that in those circumstances someone is going to be unhappy.

**Mr GRIFFITHS:** The minister is dead right—someone will be unhappy. In the old days of the six-tonne Bedford truck there was a much better chance to get it off the road and over the railway line and for everybody to be safe.

**Mr Pederick:** With 10 tonnes on it.

**Mr GRIFFITHS:** Yes, with 10 tonnes on it, overloaded, but they wanted to get as much as they could.

**The Hon. P.F. Conlon:** Everyone thinks the other guy should move.

**Mr GRIFFITHS:** Yes. I will come back to part of my previous contribution where I talked about the member for Taylor and I being involved in an issue with the Mallala district council and rail operators there, with four crossings suggested to come down to two. I suppose there is a cost. As part of your contribution, you referred to where a slip lane has been installed. That is a cost to the road operator to do that, presumably, not the rail operator.

There might be a desire in many cases to improve infrastructure to ensure that level of safety exists, but there is a lack of capacity to fund it. You have that challenge when it comes to DTEI roads. Local government has that challenge also. So, it is not just the native vegetation issue that might impact on it, it is that.

As an adjunct to my statement here, will any efforts be made to try to attract funds from another, higher level of government, the feds? Where the interface agreements do identify that infrastructure modifications need to take place to improve risk management issues, there might be an opportunity for outside funding to assist, or will it solely be the responsibility of the rail or the road operator?

**The Hon. P.F. CONLON:** No. If you look at the regime, it will not be punishing people for not building infrastructure; it is not part of the regime. You have to remember that this is only to formalise things that often have been done informally. We will still have a major responsibility for our roads. For example, in our bids for the Goodwood and Torrens junctions rail grade separations with the commonwealth, from memory we are talking about \$400 million worth of work, or something like that. We will still have a major responsibility for making sure our roads and rail work safely together, or work conveniently together. This goes to where cooperation has not been in the past or where people have not made arrangements, and that is more likely to be further down the scale in terms of safety because, obviously, we would have been onto it a lot earlier.

It should be remembered that the primary purpose of this bill is not to go out and impose obligations on people to build infrastructure—it is not. The obligation is to get the parties together to address what the safety issues are around particular level crossings, and that is the matter that will be audited by the rail regulator over time. Have the parties got together? Have they made guidelines for making the place safe? That is the obligation, not to build anything.

Clause passed.

Remaining clause (8) and title passed.

Bill reported without amendment.

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure) (12:19):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**LONG, DR R.**

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (12:20):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. J.D. HILL:** I want to make a ministerial statement in relation to a question that was asked in parliament last week by the member for Morphett, who, I am pleased to note, is here, in relation to Dr Randall Long.

Dr Randall Long, the Consultant Psychiatrist at the Weight Disorder Unit at Flinders Medical Centre is held in high regard by SA Health. Dr Long is an integral member of the committee developing the new statewide model of care for people with eating disorders. Dr Long was appointed to this committee after—I emphasise that—posting A4 protest flyers at Flinders Medical Centre in public corridors, lift bays and community areas.

I understand and value Dr Long's passion for his patients and the service that he runs. Nonetheless, Flinders Medical Centre, like all hospitals, has designated noticeboards for the display of corporate information providing information to staff. The hospital also has community noticeboards, where community, union and other information can be displayed.

Dr Long was alerted that an investigation would be held into his responsibilities when displaying material in a letter from the Director of Mental Health, Adelaide Health Service. In a statement provided to *The Advertiser*, the Acting Chief Executive of SA Health has noted that the matter could have been dealt with in a more circumspect manner, and he has undertaken to review the manner in which staff are reminded of their responsibilities.

Dr Long has received written notification that the investigation has been completed and the issue will not be pursued further. Last week, I attributed a quote from *The Advertiser* that appeared on the poster to Dr Long. I am advised that, whilst Dr Long said similar things to the Leader of the Opposition on her visit, he has not commented in such a way to *The Advertiser*.

### SAFE DRINKING WATER BILL

Adjourned debate on second reading.

(Continued from 9 March 2011.)

**Dr McFETRIDGE (Morphett) (12:22):** I advise the house that I am the lead speaker on this piece of legislation and that the opposition will be supporting it. We have a number of speakers, though, who wish to highlight issues that they have in their electorates, particularly in some of the rural and regional electorates. There will be questions in committee on some particular concerns about the ramifications of the powers of enforcement of the bill, and I look forward to the minister's explanations in committee.

There is no doubt that access to clean air and clean water is a very fundamental human right. We are very lucky in South Australia that we do have very clean air 99 per cent of the time, and now we also have, in 99.9 per cent of cases, extremely clean water to drink. I remember very vividly as a child being told that the only two places in the world where ships would not take on water were Port Said in Egypt and Adelaide. That was a pretty indicting piece of information about the quality of South Australia's water, the water we drank.

In fact, it was only 18 months ago that I pulled out two water softeners from the back of the house that we have just moved out of. The house was built in 1986, and it had two extremely large water softeners and there were huge bags of salt that I had been putting in there for a while, but that is not necessary anymore. I think sales of water softeners in Adelaide are pretty close to zero.

I do note that the sales of water filters are still pretty high. You still see plenty of adverts for water filters. I do not have one of those at home. I am yet to be convinced that there is a need to have one on my household taps. I think that we do have extremely good quality of water in our taps in Adelaide and throughout the state in most cases. My colleagues will highlight some of the issues in their own electorates.

There is that history, though, having come from the old water carters with a horse and dray, of pulling water out of the River Torrens or any other water source they could get their hands on, and if you survived the typhoid and the other muck that was in it, well, you were obviously pretty tough and robust. But one of the biggest causes of death around the world today is death through dehydration because of enteric and gut diseases mainly from waterborne pathogens—the bacteria and viruses and such other nasties as some of the Protozoa, which I will talk a bit about later.

We do not have that problem in South Australia. We have cases where people get occasional bouts of food poisoning; we have a public health system that works in most cases very well. What we have today before us is a bill that will enable the suppliers of drinking water in South Australia to have a set of regulations and some obligations that are clear and able to be undertaken, hopefully not too onerously. I do not think so, reading the legislation; and they will be able to provide safe drinking water for all South Australians whether they be in the city or the country.

We should remember that Adelaide is the capital of the driest state in the driest continent in the world. Particularly in Adelaide we have a very small catchment in the Mount Lofty Ranges, which is heavily populated and heavily utilised for agriculture and horticulture, so we have historically relied on the River Murray in Adelaide for our main source of water.

I was going through some information that I have been storing away, as you do in political offices on various issues. I have some brochures here from the E&WS department, as it was then, from May 1987. It gives a bit of the history of water treatment in Adelaide. It states:

The quality of Adelaide's water has been the subject of criticism since the settlement's first public reticulation system was started in 1860.

It is interesting to note that back then there were cast-iron pipes being brought in from Germany, I think, to set up a reticulation system from the Thorndon Park Reservoir. It was recognised way back then that having a reticulation system where you could control what was in the water was important. They still had their problems, and this brochure continues:

The problems are those of turbidity, colour, taste and odour. The turbidity comes from very fine particles of clay, silt and algae suspended in the water. The colour is due to dissolved or colloidal matter of vegetable origin. Taste and odour are mainly caused by algae and plankton.

I would think that would probably include some of the rubbish, horse manure and other things that were on the roads around the catchments then, as is still an issue in some places now.

This brochure talks about the Mount Lofty Ranges being a small, closely settled, high rainfall area, but it is intensively used for agriculture. Back in 1987 they recognised that; it is still an issue now. Certainly, the Onkaparinga catchment management, the Adelaide and Mount Lofty Ranges Natural Resources Management Board and the SA Murray-Darling Basin Natural Resources Management Board are very important in ensuring that at least the sources of water going into our catchments are going to be in some way regulated and controlled. The fact that the water then goes into the catchments and has to be treated to become potable is what this bill is about, and how it is treated and how it is being supplied is the guts of this bill.

The issue in South Australia has been not only having safe water but getting the water here in the first place—capturing that water, making sure we have water security. The dams were built, and I do not think we have built a new dam for many years. There was talk of expanding the Mount Bold dam a couple of years ago; that has passed. It seems to have gone the way of many government schemes.

Back in 1989—that is 22 years ago—the then Labor minister for water resources, the Hon. Susan Lenehan (a very young Susan Lenehan in the picture in the foreword here), put out this '21 options' document—

**The Hon. J.D. Hill:** She's forever young.

**Dr McFETRIDGE:** Forever young, the minister says; and I am sure she is. She is a very attractive lady here. This document was called 'South Australia water futures: 21 options for the 21<sup>st</sup> century'. This is about making sure we have the water to drink in the first place. We will talk more about the way that water is treated and, of course, today's legislation is about how that water treatment and quality is being maintained and regulated.

It is interesting to see that back 22 years ago this Labor Party document talked about additional pumping from the River Murray, the use of Adelaide's groundwater, and cloud seeding, which they talk about in Tasmania (we have never tried it here; I do not know why, I am not up on the science of that). Evaporation control was also talked about. Certainly, the Mount Lofty Ranges storage was prominent in this document, as were the options of diverting water from the Eastern States with the Clarence River diversions, which were thousands of miles away; changing the way rivers ran out to the sea from the Blue Mountains and the Great Dividing Range, to try to divert that water back down into the Murray-Darling catchments and so boost the flows in the Murray.

At that stage desalination was mainly talked about for the River Murray, because we were conscious then, as we are now, of the tonnes of salt that flow down the river every year. The desalination plants that were proposed at that stage were on the River Murray. Interestingly, although I suppose it has been pooh-poohed (to use a pun), the re-use of sewerage effluent was also talked about in here. I know that with modern technology, modern sterilisation techniques, you can actually recover that water and treat it to the extent that it is safe to drink. That is expensive and intensive, and it is not something we are looking at now, although in terms of the reuse of effluent water we now have the Glenelg to Adelaide pipeline, and we are reusing more and more of that water rather than having thousands of litres, millions of litres, going out to sea, as it has in the past.

Minister Lenehan, as she was then, even talked about towing icebergs from the Antarctic. While that was discussed in here I do not think it was ever taken seriously; there were some estimates of the cost per litre of doing that, and it was just so far out. The Ord River scheme is an old issue that keeps coming up: why don't we pump all this water down along the railway to Adelaide? There are millions of litres going out to sea and heavy rainfall up there, the Ord River is a big catchment; but the expense of doing that is not warranted at this stage and the scheme is not being considered.



Closer to home, the Eyre Peninsula groundwater scheme is talked about (this is 22 years ago)—the member for Flinders will probably have something to say about that—and the Tod Reservoir was talked about as a site for a desalination plant. So 22 years ago there was the '21 options for the 21st century' document. There was lots of information in there. There was some mention of the need to make sure that as many homes as possible had rainwater tanks, which we are all encouraging now; the bill today talks about rainwater tanks and the obligations of people who source drinking water from rainwater tanks. It will not affect people in their private homes, and it will not actually affect most businesses, provided they abide by the legislation and regulations in this bill. I notice that the minister said that cloud seeding does not work—

*The Hon. J.D. Hill interjecting:*

**Dr McFETRIDGE:** Sorry; the minister said that cloud seeding does not work in South Australian circumstances. That is disappointing, because I know that they have used it in Tasmania, and I understand it was quite successful. However, if we are half smart about reusing, recycling, retaining and detaining all that water that comes out of the sky, when it does come out of the sky—and aren't we having a wonderful early autumn so far—we will probably have enough water for South Australia's future needs.

The desalination plant being built at Port Stanvac is very expensive and very intensive in its use of power, but when there is no other source you have to do what you have to do. As I said a moment ago, even 22 years ago desalination plants were high on the list of options to make sure that we do have a secure source of water for South Australians to drink, as well as for use in industry. The modern version, the mark II version of the Lenehan document, was the Waterproofing Adelaide document put out in January 2004 by Premier Rann, and that recycled (I am not using that word in a derogatory way) a lot of the issues and options talked about in the Lenehan paper.

We need to learn from the past and need to make sure we are actually implementing whatever we can to ensure that all the water we have at our disposal—whether rainwater, water in the catchments, stormwater or recycled sewage—is being used as much as we can. You hear the stories in Paris and London where a litre of water will go through 10 or 20 intestines before it is calculated to go out to sea, or wherever it goes in those countries. So, they are reusing and recycling the water over and over again. They do not seem to have the same fear as do Australians of reusing and treating water that has been through our sewage treatment plants. I get frustrated when you push the button on the toilet, whether a half flush or full flush, as you are putting potable water down there—really expensive water. We need to think about what we are doing with all our water.

I will ask some questions about risk management plans in here. It talks about having rainwater tanks connected to mains water and groundwater sources connected to mains water. I was not sure you could actually do that, but it talks about it here, so I will ask questions about that. We also need to be aware that in metropolitan Adelaide people are wanting to connect rainwater tanks into their systems but also have the fallback position of the mains water.

The consultation that has been undertaken in the development of this bill—and I will give the government a compliment—has been extensive and over a number of months, if not years. The discussion paper is a very good document, and rather than just trying to rewrite the history and consultation process, I will just read some of this material from the discussion paper, and I encourage members to download it and look at the whole background to the development of the bill. The discussion paper starts:

Access to reliable supplies of good quality drinking water is recognised as a basic human right and is a fundamental requirement for community wellbeing. Communities have a right to expect that their drinking water supplies are safe and that there are systems in place to ensure that this right is maintained and their health is protected. The consequences—

This is so important. There are some clauses in this legislation that cause angst to some of my colleagues about the powers of the officers to be able to enforce this legislation, but I remind everybody that:

The consequences of failure to provide safe drinking water can be severe and have been experienced in countries such as Canada, the United States and the United Kingdom. The Sydney water incident of 1998 demonstrated the potential cost of [then it was] \$75 million up to \$350 million estimates of a major water incident, even in the absence of illness. Responses to failure typically involve imposition of increased standards and regulations. This protection should be provided before outbreak incidents occur.

South Australia has avoided drinking water outbreaks associated with public water supplies and incidents have been restricted and well controlled. To a large extent this has relied on voluntary action applied by the major

water supplier, SA Water, which has long worked collaboratively with the Department of Health to meet the shared goal of ensuring safe drinking water supplies.

SA Water applies the risk management approach described in the Australian Drinking Water Guidelines (ADWG) for assured drinking water safety. However, the arrangement with SA Water does not extend to all drinking water providers. In South Australia it is estimated that there are over 500 independent drinking water providers.

The minister's office provided me with a concise list—not the complete list (and I did not want that)—of these drinking water providers who are in South Australia. Obviously, the biggest one is SA Water. I see that United Water will no longer be managing the delivery of the water, it will be going to another consortia, All Water, in the near future, and we expect, and from what I know of this particular consortia, that the standard of water will be maintained and delivered to even higher standards than in the past.

So, our biggest provider is SA Water. The medium providers of drinking water in South Australia are independent town suppliers, and there are about 10 of those in total. The biggest of those are: Roxby Downs, Coober Pedy, Leigh Creek and Wirrina Cove. There are approximately another 25 community suppliers in rural and remote areas of the state, including Aboriginal communities.

I will talk about the Aboriginal communities. The annual 2008-09 report of the Anangu Pitjantjatjara Yankunytjatjara organisation references groundwater monitoring. Having been to the APY lands and visited the communities there, the water quality is okay, and that is about as complimentary as you can be. In the report they talk about groundwater monitoring as:

...a primary component of managing water resources in this dry land where water from underground aquifers is almost always the only source of water for human use. Groundwater monitoring consists of measurements of distance to water under the ground, and chemical and microbiological analysis of water samples collected from the groundwater sources.

I am concerned that it is stated in the annual report—and it is the 2008-09 annual report, so it may have changed, but I have not seen any evidence of that, so I will be interested to see what is happening in the APY lands—that funding has been cut by \$100,000 to the water monitoring processes, or people. I do not know what the total was. I would be interested to find out what that total was. The need to provide water to the whole of our state is so important and the need to do it through whatever means we possibly can and provide it safely is something that, hopefully, this bill will assist.

The small drinking water providers in South Australia are mainly the bed and breakfast and farm stays, and I will have a bit more to say about those in a moment. There are approximately 200 premises, many of which are members of the SA Division of Bed & Breakfast Farmstay and Accommodation Australia. So, we have umbrella organisations which are helping them with the provision of not only quality B&Bs, farm stay and accommodation, but also making sure that the services that they are delivering are as good as we can possibly expect.

Certainly, we all recognise that tourism, particularly in our rural and regional areas, is a very important industry. What I refer to as the 'experience industry', that is, tourism, the arts, sport and recreation, is one of the biggest industries that we have, and certainly the B&B, farm stay and accommodation sector of that is very important for our rural and regional friends.

The other small providers are: hotels and holiday accommodation, caravan parks, camping facilities, recreational parks and the trails that have been developed, the Heysen Trail and other walking trails, around South Australia. There are small providers there. Some of those will be exempt from this legislation inasmuch as the expectations of people who use the supplies of water at these particular locations—which normally is not fit for drinking in the first place—would have other sources of drinking water.

I was interested to see, amongst the small providers, that there are approximately 10 schools utilising bore water and/or rainwater which do not have access to mains water. I lived at Kangarilla for many years and we had rainwater there and we had a small bore that we used for the garden and stock. The irony is that the Mount Bold reservoir is probably about five kilometres away, but we had to use our own sources of water, whether it was bore water or, in most cases, tank water, and in other cases there was some dam water.

There are 10 schools utilising bore and rainwater. There are approximately 25 providers for hospital/care facilities. I would not have thought that hospitals would be in any way exempt from this, and I do not believe they are, because having to provide the highest quality of water in hospitals is something that we would—

*The Hon. J.D. Hill interjecting:*

**Dr McFETRIDGE:** The minister is saying, no, they are not, and that is what I would expect, that they have to provide potable water of the highest standard.

Some of the small suppliers, the water carters, are on this list that has been given to me, and there approximately 25 providers who are water carriers. They will have obligations under this legislation. If they are taking water from a licensed supplier of water they are exempt, because the organisation they are getting it from is already complying with this legislation. It is not duplicating existing regulation and legislation just for the sake of it.

I should also point out that there are a number of examples where non-drinking water is being supplied around Australia and I think the main one is the Murray Bridge-Onkaparinga pipeline where water is coming straight out of the Murray into our catchments. That is supplying water but it is not intended to be potable water straightaway, although I know a number of people living along the River Murray would drink water straight from the Murray. I would choose not to.

The Mannum-Adelaide pipeline is in the same category, and then there is a number of small communities that I know my colleagues will speak about but I will name them. They are: Blinman, Cockburn, Hammond-Willowie, Manna Hill, Marla, Marree, Olary, Oodla Wirra, Oodnadatta, Peake Springs, Saltia Creek, South Creek, Terowie, Woolshed Flat, Woolundunga and Yunta. There are other examples further north. We have heard some issues about the Mintabie bore and the provision of water there and, also, at Glendambo.

There are some expansions of residential facilities at Meadows, just south of Adelaide, and East Wellington at the Wellington marina development. There are water reticulation systems there which are not meant for drinking. Also, and I know the member for Morialta will talk about this, in and around the Adelaide Hills at Skye there is a unique example of a number of small reticulation schemes that are of particular interest to us all.

The discussion paper on this piece of legislation continues, having highlighted the fact that we have over 500 independent drinking water supplies:

It is likely that the number of providers will increase in response to pressures associated with climate variations.

I should have said that, 22 years ago, Susan Lenehan was already talking about climate change and its effects on the water security of South Australia. So it is not new, but we seem not to learn from the past and the alerts and alarms that are being put out on a whole range of issues. The discussion paper continues:

Most of the independent suppliers are very small, but internationally it is recognised that small suppliers represent the greatest challenge—

and this is very important and what we were talking about previously, that is, the consequences of failure. So, the independent suppliers represent the greatest challenge and cause a disproportionate number of drinking water outbreaks.

I was pleased to read this legislation and see that it is not going to be too onerous. There will be risk management plans in it and model risk management plans and assistance will be made available. There will be some fees associated with it, and we will talk about those in committee. On first impression, I do not think that the fees will be too onerous because it can be worn as a badge of pride—and, also, a safety factor—that you are providing water that is not only monitored but also regulated, audited and inspected. The discussion paper continues:

It is important that mechanisms are in place to ensure that safe water is delivered and that the likelihood of failure is minimised for all suppliers, irrespective of size and location. These mechanisms need to provide clear direction to water providers to support implementation and be transparent to support public confidence in drinking water supplies. Australian drinking water regulation has been criticised as being light-handed and providing 'less certainty of compliance and less transparency and accountability'.

However, this has changed over the years. We see in Victoria, Queensland and New South Wales that legislation has been enacted to strengthen and protect the supply of fresh drinking water for the population. The discussion paper continues:

Currently, drinking water safety is regulated in South Australia under the Food Act 2001...and Food Regulations 2002...While this legislation includes a broad requirement for assuring that drinking water is fit for purpose it does not provide direction on how this requirement should be achieved or how it should be measured.

That is what this bill is all about. The discussion paper continues:

A Safe Drinking Water Bill would have two primary functions. The first is to strengthen the protection of public health by providing a robust and transparent regulatory framework for drinking water supplies. The second is to provide clear direction to drinking water providers on how to achieve safety. A Safe Drinking Water Bill would address the lack of clarity in the Food Act and Regulations and provide a consistent approach to assuring drinking water quality.

We seem to enact a lot of legislation in this place and not repeal a whole lot, but this is another piece of legislation which, I think, is very important and which will not add to the legal regulatory burden of those supplying drinking water. The discussion paper continues:

A Safe Drinking Water Bill should be based on implementing good practice as defined in the Australian Drinking Water Guidelines, including the implementation of risk management plans (RMPs) to assure safety before supply to consumers and compliance with guideline values that define drinking water quality.

Other features of the bill are:

- auditing of risk management plans to make sure they are adequate;
- establishing regular monitoring programs with risk management plans;
- reporting results to the Department of Health;
- reporting incidents, including water treatment failures and non-compliance with the Australian Drinking Water Guidelines to the Department of Health and implementing responses as agreed with the department; and
- providing consumers with quality water information by publishing water quality results.

Most of these features are currently undertaken by SA Water, so this legislation will make it more open and transparent for everyone. It is proposed that the Safe Drinking Water Bill will apply to drinking water providers that are currently subject to the Food Act. It does not apply to domestic use of rainwater tanks or other private supplies. It does not include packaged or bottled water which, by international convention, is normally administered through food codes and legislation.

Businesses or others that supply water delivered by another drinking water provider (for example, accommodation premises or restaurants providing reticulated water supplied by SA Water) are not included in this. It is measured, it is targeted, and I would expect that it will deliver not just safe drinking water but also the results that we want, that is, public confidence that the drinking water is safe at all times. The consultation paper continues:

The primary benefits of the Safe Drinking Water Bill are:

- protection of public health through assurance of drinking water safety;
- protection against drinking water outbreaks;
- provision of clear direction on how to provide safe drinking water;
- improved consistency across the state for both urban and rural supplies;
- increased transparency and accountability; and
- improved communication and confidence in drinking water supplies.

It is a comprehensive piece of legislation. It is a good piece of legislation. I will be interested to get some clarification on some of those issues in committee. I do need to talk about some of the history of the Australian Drinking Water Guidelines which define the requirements for safe drinking water in Australia and which have a similar scope to the World Health Organisation's guides for drinking water quality.

The central component of the Australian Drinking Water Guidelines is a preventive risk management system called a 'Framework for the Management of Drinking Water Quality'. Risk management approaches are recognised nationally and internationally as best practice and essential for assuring drinking water quality. The framework is flexible and has been designed to apply to all drinking water systems irrespective of size and complexity. It has been successfully applied to communities varying in size from fewer than 20 people to capital cities.

The Department of Health has prepared generic RMPs for small groundwater and rainwater tank supplies, and the National Health and Medical Research Council has developed a software tool—the Community Water Planner—to assist operators of small community water supplies in developing risk management plans. There is assistance there for owners, operators and potential suppliers of drinking water.

I know that, a few years ago when we had the hiccup with public liability insurance, we looked at all sorts of legislation and ways around providing reasonable value for consumers of public liability insurance. We had codes of practice, we had legislation, we repealed legislation and we introduced more codes of practice. It was all over the place. What we have got here is a piece of legislation which is quite clear and which should achieve the aims, namely, ensuring public safety and safe, good quality water.

The Department of the Premier and Cabinet manages water supplies in the APY lands. They have undertaken consultation there. I know there are still some issues in the APY lands with the quality of water. That is being worked on and hopefully will be resolved. The Bed & Breakfast & Farmstay Association have been consulted extensively and they are comfortable with what we are seeing here today, and certainly the Outback Communities Authority, which includes some of the local progress associations, was included in the consultation, and I know the member for Stuart will have a bit to say about that.

The need to consult is something that we are all aware of. We did hear about the 'announce and defend' attitude of this government, but in this case I think there has been adequate consultation. You have to have adequate consultation, because the consequences of not getting this right, the consequences of an outbreak of disease through not being able to guarantee safe water, are too dire.

Can I just talk about some of the main nasties in the past. The reason I particularly want to talk about this is because as a very young high school teacher I went to Port Augusta in 1972. I arrived in a very hot summer. The water came up through the pipeline past Port Pirie and you could never get cold water out of the taps. There was always warm water in the taps. A particularly nasty little bug is an amoeba called *naegleria fowlerii*, and this is the cause of primary amoebic meningoencephalitis.

I had been in Port Augusta for two weeks when two young kids died from amoebic meningitis. One was a seven-year-old girl and the other was a five-year-old young boy. This was in February 1972; I had only been in town a couple of weeks and it is still quite vivid in my mind how much this affected the town. It was not the first time amoebic meningitis had been a real issue, but it really hit home, and it reminds me now of how important it is to get this right, to make sure that we do have good legislation, good regulation and good implementation of this legislation.

Can I just give a bit of an accolade to our South Australian medical researchers here. We have SAHMRI being built down the road, and I have some issues with that, but you cannot ever detract in any way from the quality of our researchers in South Australia. The amoeba *naegleria fowlerii* was first recognised by a clinical pathologist at the Adelaide Children's Hospital, as it was then, Dr Malcolm Fowler, in 1961. Because of the work by Dr Fowler back then, the cause of this amoebic meningitis was discovered. It was isolated and steps could be taken to try to reduce the incidence of amoebic meningitis.

It was an issue particularly around Port Pirie, Whyalla and Port Augusta, and, as I say, I certainly have vivid memories of my first month in Port Augusta in 1972, when those two young people died. You were very conscious of what you did with the water and whether you got water up your nose then, because the main source of infection was up the nose, into the nasal passages and then into the brain.

*Naegleria fowlerii*: I did notice that there was a type 1 incident report on the SA Water website, probably 18 months ago, when there were low flows in the River Murray. They were reporting some of the incidences there, some of the outbreaks of the algae, and in this particular case *naegleria* was detected around the Riverland towns. It was type 1 because it is a nasty bug, but their reaction to type 1 incidents is well documented and there was no harm caused. It is another example of how important it is to monitor. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*[Sitting suspended from 13:00 to 14:00]*

## **HEALTH AND COMMUNITY SERVICES COMPLAINTS (MISCELLANEOUS) AMENDMENT BILL**

His Excellency the Governor assented to the bill.

**NATIONAL ENERGY RETAIL LAW (SOUTH AUSTRALIA) BILL**

His Excellency the Governor assented to the bill.

**STATUTES AMENDMENT (NATIONAL ENERGY RETAIL LAW) BILL**

His Excellency the Governor assented to the bill.

**VISITORS**

**The SPEAKER:** I advise members of the presence in the gallery today of members from the Coromandel Valley Croquet Club, who are guests of the member for Fisher, and year 11 students from the Charles Campbell Secondary School, who are guests of the member for Morialta. Welcome, and I hope you enjoy your time here today.

**ANSWERS TO QUESTIONS**

**The SPEAKER:** I direct that the following written answers to questions be distributed and printed in *Hansard*.

**ROAD SAFETY EDUCATION**

**152 Mr PISONI (Unley)** (19 October 2010). How much is currently invested in educational programmes such as the Road Accident Prevention Programme?

**The Hon. T.R. KENYON (Newland—Minister for Recreation, Sport and Racing, Minister for Road Safety, Minister for Veterans' Affairs, Minister Assisting the Premier with South Australia's Strategic Plan):** The Government makes considerable investment in road safety education programs in schools. There are several programs available to schools which are delivered by a number of different agencies including the Department for Transport, Energy and Infrastructure (DTEI), South Australia Police (SAPOL) and South Australian Metropolitan Fire Service (SAMFS).

The South Australian Metropolitan Fire Service's (MFS) Road Awareness Program (RAP) (formerly the Road Accident Prevention Program) is one of the main programs offered free to schools. RAP is a preventative educational program that targets the highest risk group of road crash victims—those in the 16-24 year old age group. The State Government is expanding the program so that it is available to more than 90 percent of secondary students and has committed \$740,000 to RAP with \$185,000 to be spent on the program in 2010-11.

In addition, DTEI develops and delivers road safety education programs that comply with the 16 best practice principles of Road Safety Education. These principles are outlined in the document 'Getting it Together' which was launched in 2009 by School Drug Education & Road Aware (WA) following consultation with the National Road Safety Educators Forum, in which key DTEI and DECS staff are active participants.

One of the key principles from this document is that road safety education programs be embedded within a curriculum framework.

DTEI delivers *Way2Go*, which encourages safer, greener and more active travel for primary children.

*Way2Go* was officially launched in February 2010 and was developed in consultation with South Australian teachers. It adheres to the road safety education best practice principles framework and includes a comprehensive bicycle education program as well as safety signage and engineering improvements around schools. Currently the Department spends approximately \$500,000 per annum on the delivery of *Way2Go* in schools, including *Way2Go* Bike Ed and an additional \$200,000 on safety signage, engineering and infrastructure improvements to support the outcomes of the program.

The Department for Transport, Energy and Infrastructure recently developed a teacher resource book called 'Your Turn' which is aimed at year 8 and 9 students and which explores a range of road safety topics relevant to this age group as 'pre-drivers'. It focuses on attitudes, factors that influence decision making in a road safety context and the consequences of those decisions.

Once again it aligns with the best practice principles framework. Approximately \$85,000 was spent on the development, production and distribution of this resource. It is available for use by teachers in all schools with a secondary enrolment state-wide.

Overall, in the previous financial year the Government directly invested approximately \$785,000 in school based road safety education programs delivered by DTEI. This investment has been maintained for the current financial year.

### ROAD SAFETY EDUCATION

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Overall, in the previous financial year the Government directly invested approximately \$785,000 in school based road safety education programs delivered by DTEI. This investment has been maintained for the current financial year.

### ROAD FATALITIES

**156 Mr PISONI (Unley)** (19 October 2010).

1. What percentage of road fatalities and injuries involve people under the age of 21 years and what is the breakdown of other age groups?
2. What is the breakdown of rural road fatalities compared to urban fatalities?

**The Hon. T.R. KENYON (Newland—Minister for Recreation, Sport and Racing, Minister for Road Safety, Minister for Veterans' Affairs, Minister Assisting the Premier with South Australia's Strategic Plan):**

1. The percentage breakdown of age groups of those killed or seriously injured on South Australian roads is as follows:

Age	Serious Injury 2005-09*	Fatal 2006-10
0-15	6%	4%
16-20	17%	16%
21-24	12%	14%
25-29	10%	12%
30-39	17%	15%



Age	Serious Injury 2005-09*	Fatal 2006-10
40-49	13%	13%
50-59	10%	9%
60-69	6%	4%
70-79	5%	8%
80+	3%	6%

\*Full year data for serious injuries sustained in road crashes for 2010 is not available until April 2011.

2. The breakdown of rural road fatalities compared to urban fatalities is as follows:

	Rural Fatalities	Metropolitan Fatalities	Total Fatalities
2006	63	54	117
2007	76	49	125
2008	55	44	99
2009	78	41	119
2010	73	45	118

#### RURAL ROAD SAFETY PROGRAM

In reply to **Mr GOLDSWORTHY (Kavel)** (13 October 2010).

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education):** During estimates, I inadvertently misstated that \$9.48 million had been allocated to the 2009-10 Rural Roads Safety Program.

I have since been advised that \$9.48 million is the amount allocated to the 2010-11 Rural Road Safety Program, which was used to deliver 24 projects in South Australia.

Out of the total 2010-11 budget allocation, \$3.318 million is allocated to projects in the Adelaide Hills, as per the table below.

Council(s)	Road Name	Proposed Treatment	Project Cost \$
Adelaide Hills	Littlehampton Road, Balhannah	Safety Barrier	\$318,000
DC Mt Barker	Macclesfield Road, Meadows	Safety Barrier	\$481,000
DC Mt Barker	Echunga Road, Hahndorf	Safety Barrier	\$671,000
DC Adelaide Hills	Nairne Road, Woodside	Safety Barrier	\$148,000
Barossa/Adelaide Hills	Chain of Ponds Road, Lyndoch	Safety Barrier	\$1,655,000
DC Mt Barker	Echunga Road, Hahndorf	Safety Barrier	\$45,000
Total \$			\$3,318,000

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### RED-LIGHT AND SPEED CAMERAS

In reply to **Mr GOLDSWORTHY (Kavel)** (13 October 2010).

**The Hon. J.J. SNELLING (Playford—Treasurer, Minister for Employment, Training and Further Education):** Four weeks of continuous operation without fault is required where a new camera is commissioned. This ensures site configuration is correct and the site meets the road safety requirements and stringent, technical specifications and quality standards as each camera site is unique.

### STATE GOVERNOR'S ESTABLISHMENT

In reply to **Mrs REDMOND (Heysen—Leader of the Opposition)** (7 October 2010).

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change):** I have been advised of the following:

The annual program comprises priority maintenance development works and/or house or grounds enhancements that are deemed to be of high importance. The proposed 2010-11 annual program is composed of:

1. the design and construction of a Disability Discrimination Act compliant footpath extending from the State Entrance to the Eastern Entrance of Government House—\$21,000.
2. the undertaking of Phase 1 of Government House's irrigation infrastructure enhancement project, which entails the installation of main lines and associated systems that are compatible with the use of recycled water. A recycled water main is currently on site, but can only be used with irrigation systems that comply with the requirements laid down by SA Health and SA Water—\$80,000.

### BONYTHON, MR H.R. (KYM)

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:04):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.D. RANN:** Last Saturday, 19 March 2011, Kym Bonython AC DFC AFC died aged 90. Kym was a great South Australian and, indeed, a great Australian. He was a remarkable man who amongst his many deeds and achievements served his country as a RAAF pilot in Europe, South-East Asia and New Guinea as well as in Darwin during the bombing in 1942. Kym Bonython was awarded the Air Force Cross and the Distinguished Flying Cross.

Kym Bonython lived life to the fullest, enriched by his passion for the arts, music and motorsport. He was an entrepreneur, a pioneer and an adventurer. As an arts aficionado, he ran galleries in Adelaide and Sydney. He played and promoted jazz through his ABC radio show. He brought to Australia's wider attention many visual artists such as Boyd, Nolan, Drysdale, Dobell and Whiteley, not to mention jazz artists Louis Armstrong, Duke Ellington, Count Basie, Dave

Brubeck, Ray Charles and Chuck Berry. He brought the jazz artists to Australia, and he brought Australian visual artists to the attention of a much wider audience around Australia.

His extensive collection of art pieces and jazz records—possibly one of the best collections in the state or even in the nation—was sadly lost to the ravages of the 1983 Ash Wednesday fires that razed his family home in the Adelaide Hills. I remember Prince Charles and the late Princess of Wales visiting Kym and Julie at the ruins of their home shortly after the fires. That remains a poignant memory for me and many others who were there.

As a daredevil, he survived a plane crash and a bull attack, and pushed racing cars, motorbikes and speedboats to their limits. He ran our iconic Rowley Park Speedway and was a driving force, alongside John Bannon, in securing the Australian Grand Prix for Adelaide in 1985.

As a committed, passionate citizen, he chaired the South Australia Jubilee 150 Board, which arranged a series of events, and also other spectacles, and of course there was a royal visit by The Queen at the time. He represented our state at the 1998 Constitutional Convention and championed causes as diverse as voluntary euthanasia, compulsory national service and, indeed, the monarchy. In 1987, he was appointed a Companion of the Order of Australia—our nation's highest civilian honour.

Kym Bonython is survived by his wife, Julie, his five children, 15 grandchildren and seven great-grandchildren. His family has accepted the government's offer of a state funeral to be held at St Peter's Cathedral next Tuesday. Kym Bonython was a great South Australian whose contribution to our state was profound and his legacy will continue to endure. I have asked the Speaker to facilitate, on behalf of all of us, a condolence motion before question time tomorrow to allow the house to pay tribute to Kym.

**Honourable members:** Hear, hear!

**The SPEAKER:** Thank you, Premier, and yes, of course.

#### PAPERS

The following papers were laid on the table:

By the Attorney-General (Hon. J.R. Rau)—

Supreme Court of South Australia—Judges of Annual Report 2009-10  
Response by Attorney-General—Legislative Review Committee—Postponement of  
Regulations from Expiry under the Subordinate Legislation Act 1978

By the Minister for Police (Hon. K.O. Foley)—

Death of—Bais, Ricky James Report

By the Minister for Health (Hon. J.D. Hill)—

Medical Board—Annual Report 2009-10  
Nursing and Midwifery Board—Annual Report 2009-10  
Optometry Board—Annual Report 2009-10  
Physiotherapy Board—Annual Report 2009-10

By the Minister Assisting the Premier in the Arts (Hon. J.D. Hill)—

Carrick Hill Trust—Annual Report 2009-10

By the Minister for Education (Hon. J.W. Weatherill)—

South Australian Local Government Grants Commission—Annual Report 2009-10

By the Minister for Families and Communities (Hon. J.M. Rankine)—

Regulations made under the following Act—  
Liquor Licensing—Dry Areas Long Term—Bordertown

By the Minister for Environment and Conservation (Hon. P. Caica)—

Regulations made under the following Act—  
Radiation Protection and Control—Ionising Radiation—Schedule 4 Fees

Rules made under the following Act—  
Fair Work—Industrial Proceedings Rules 2010

By the Treasurer (Hon. J.J. Snelling)—

South Australian Superannuation Scheme—Actuarial Report, as at 30 June 2010

### **EARTHQUAKE AND TSUNAMI, JAPAN**

**The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (14:12):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. G. PORTOLESI:** Japan has been dealt an incredible blow by the recent earthquake and tsunami. This year has seen a spate of natural disasters including earthquakes, floods, cyclones and fires. Some have been the largest of their kind and some have hit very close to home and so, like me, you may have found yourself distracted on that tragic Friday afternoon of 11 March when news of the earthquake began trickling in. However, very soon the extent of this disaster became frighteningly clear. We were all overwhelmingly shocked and saddened by the tragic events that have unfolded in Japan since the 9.0 magnitude earthquake rocked the country and caused those devastating tsunamis.

On television and the internet we have witnessed on an almost hourly basis terrifying images and scenes of devastation and unparalleled destruction. The death toll continues to rise on a daily basis and many thousands remain missing. The Red Cross tells us that millions of people still have no water or electricity, more than 73,000 houses have been destroyed or damaged, and more than 530,000 people have been evacuated.

Freezing temperatures and snowfall are further complicating the situation making survival even more difficult and also hampering the efforts of the search teams. In addition to the human toll, Japan must also cope with the destruction of countless buildings and infrastructure, as well as damage to several nuclear power reactors. All of this will, undoubtedly, have a severe impact on Japan's economy and test the nation's strength.

Our hearts and thoughts go out to the people of Japan for the loss of so many lives and the pain and suffering caused by this terrible event. Our hearts also go out to our own 1,500 strong Japanese community here in South Australia and the 600 (roughly) Japanese international students here in Adelaide. They have had to come to terms with these tragic events and worry about family and loved ones while being so far away. Each of them will have their story to tell about this tragedy, such as Kyoko Katayama, the Vice-President of the Australia-Japanese Association, who comes from Sanriku Town in the Iwate Prefecture, not far from Sendai, the worst hit area. She also explains how, at first, she did not worry too much because the area she comes from is well known as being earthquake and tsunami prone. To a certain extent, natural disasters are a part of life there but this time was different.

Kyoko tells of the anguish, waiting to hear of the fate of her friends and family, with lines of communication almost non-existent. Her family, she discovers, is safe, but her best friend is confirmed dead and there are still so many missing. As she speaks, her pain and helplessness is evident and she cannot help but break down.

She also speaks about hope, about being unbelievably touched by the support and by the number of messages and phone calls she has received since this tragedy. She tells of a group of young people here in Adelaide with strong ties to Japan who recently organised an impromptu fundraiser. Such events are occurring frequently, she explains.

I understand that this evening, Mr Hieu Van Le, our Lieutenant-Governor and chair of the South Australian Multicultural and Ethnic Affairs Commission, is convening a meeting of leaders of South Australia's Japanese community and business organisations to determine how we here in South Australia can most appropriately support the local Japanese community, as well as those in Japan.

The Japanese emergency response has been swift and effective to avoid an even more catastrophic outcome. With the assistance of the international community, it is our sincerest hope that Japan will quickly be able to begin the difficult and heartbreaking task of attending to the damage and rebuilding the areas so badly affected. It goes without saying that the personal and

psychological scars will take longer to heal, but the Japanese have proven themselves to be a strong and resilient nation and I am certain that they will, in time, also overcome this tragedy.

Just on Sunday, in a moment that provided a ray of hope amid the desperation, an 80-year-old woman and her teenage grandson were rescued from the rubble of the town of Ishinomaki in the Miyagi Prefecture, one of the worst affected areas, an astounding nine days after the quake hit. For the tireless rescue workers, and indeed, for the entire watching world, this was a small miracle to remind us all that all is not lost.

On behalf of the South Australian government and all South Australians, I wish to assure Japan and the members of South Australia's Japanese community that they are not alone. We remain united with you in this time of grief.

#### NATURAL RESOURCES COMMITTEE

**The Hon. S.W. KEY (Ashford) (14:17):** I bring up the 48<sup>th</sup> report of the committee, entitled South Australian Arid Lands Natural Resources Management Board Region Fact-Finding Visit.

Report received and ordered to be published.

#### PUBLIC WORKS COMMITTEE

**Mrs VLAHOS (Taylor) (14:18):** I bring up the 392<sup>nd</sup> report of the committee, entitled RGH Teaching Aged Care and Facilities Development.

Report received and ordered to be published.

**Mrs VLAHOS:** I bring up the 394<sup>th</sup> report of the committee, entitled Magill School Consolidation.

Report received and ordered to be published.

**Mrs VLAHOS:** I bring up the 395<sup>th</sup> report of the committee, entitled North Terrace Cultural Institution Security Upgrade.

Report received and ordered to be published.

**Mrs VLAHOS:** I bring up the 396<sup>th</sup> report of the committee, entitled Rest Area and Heavy Vehicle Inspection/ Weigh Station on Sturt Highway at Yamba.

Report received and ordered to be published.

#### QUESTION TIME

##### URANIUM ENRICHMENT

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:20):** My question is to the Minister for Mineral Resources Development. Did the minister consult the Premier or the Premier's office before announcing his support for uranium enrichment in South Australia?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (14:21):** It is interesting that the Leader of the Opposition says that there are divisions in the government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** There is no question in my mind, and I think the mind of every person in this chamber, that uranium and its mining will be the cornerstone of this state's prosperity—

**Mr PENGILLY:** Point of order, Madam Speaker.

**The SPEAKER:** Order! What is your point of order at this stage of the answer?

**Mr PENGILLY:** No. 98.

**The SPEAKER:** No. The minister can answer the question as he chooses. He is only the first 30 seconds into the answer. I do not think we can come up with a point of order at this stage. Minister.

**The Hon. A. KOUTSANTONIS:** Everyone in this chamber, I hope, understands that uranium and its mining will probably be the underpinning and the cornerstone of our economic prosperity in the future. The opposition have their own divisions. Arkaroola is one that they will not talk about. The Leader of the Opposition—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** The Leader of the Opposition opposes mining in Arkaroola, and her deputy—

**Mr WILLIAMS:** Point of order, Madam Speaker.

**The SPEAKER:** Point of order, member for MacKillop.

**Mr WILLIAMS:** The minister is not answering the question and he is also debating his answer.

**The SPEAKER:** If we did not debate anything in this place we would all go home a lot more quickly. No, minister continue your answer, I do not think that is relevant.

**The Hon. A. KOUTSANTONIS:** All I expressed—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** All I expressed was an opinion, much like the member for MacKillop's opinion—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** Much like the member for MacKillop's opinion on Arkaroola, which is very different from his—

**Mr PENGILLY:** Point of order.

**The SPEAKER:** Point of order, member for Finniss.

**Mr PENGILLY:** No. 98. It is as plain as the nose on your face.

*Members interjecting:*

**The SPEAKER:** I am sorry, I did not hear what you said, but the minister will return to answering the question.

**The Hon. A. KOUTSANTONIS:** All I said was—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —I expressed an opinion, much like the member for MacKillop expresses his opinion that is contrary to his leader.

*Members interjecting:*

**The SPEAKER:** Order! Members may or may not be aware, but the weekend following question time in this house it is played on national television, and all over Australia people can see the poor behaviour that you people are carrying out. I would ask you to remember that.

*Members interjecting:*

**The SPEAKER:** Order! I call the member for Mitchell.

*Mr Marshall interjecting:*

**The SPEAKER:** Order! Member for Norwood, behave.

#### **TOUR DOWN UNDER**

**Mr SIBBONS (Mitchell) (14:24):** My question is directed to the Premier. Can the Premier update the house on the success of the Santos Tour Down Under?

*Members interjecting:*

**The SPEAKER:** Order! I warn the member for Norwood.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:24):** I was interested in the interjection of the Leader of the Opposition. I was defending the Leader of the Opposition at the Clipsal the other day. I know she attacked the state dinner, but it was great to see her there enjoying herself, along with her colleagues. But the other thing is that someone came up to me and said, 'You know, she's not a people person,' and I said, 'That's not true, it is not true, that is absolutely not true'—despite the fact that her backbenchers are—

**Mr WILLIAMS:** The point of order is relevance. I think the Premier was asked about the Tour Down Under, a great Liberal initiative.

**The SPEAKER:** Yes, I will uphold that point of order. Premier, return to your answer.

**The Hon. M.D. RANN:** We are aware of what is happening in Queensland today and how that must be making everyone over on the other side somewhat nervous. This year's Santos Tour Down Under—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —was once again a monumental success. We know that members opposite, including the Leader of the Opposition, wince in pain whenever our state succeeds, but our event is now the first race of the season on the UCI's new world tour circuit, and in 2011 we had the best—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —line-up of cyclists ever. We welcomed the world's fastest sprinters, people like Mark Cavendish, known as the Manx missile (that is because he is from the Isle of Man). We were introduced to the world's great up-and-coming Australian talent, like eventual winner Cameron Meyer, and, of course, there was seven times Tour de France winner Lance Armstrong, who brought down the curtain on his amazing career at our event. He started his comeback in Adelaide and finished his comeback in Adelaide.

We had challenging race routes that took in areas like Taillem Bend and a River Murray crossing for the first time, along with the old favourites like Willunga and, of course, the Adelaide city circuit, and we had huge crowds witnessing the spectacle. So I am very pleased to announce that independent economic impact and research figures reveal that the 2011 Santos Tour Down Under was in fact the biggest ever.

More than 782,000 people watched the event as it unfolded over the course of the week, up 12,000 spectators on last year's event. The event this year generated \$43.3 million for the state, compared to \$41.5 million in 2010. Each visitor from interstate or overseas spent \$1,169 this year compared to \$1,047 in 2010.

*Mrs Redmond interjecting:*

**The Hon. M.D. RANN:** Pardon?

**Mrs Redmond:** 43¢.

**The Hon. M.D. RANN:** 43¢—exactly. The Tour Down Under showcases South Australia to the rest of the world via a huge international television audience. This year, television broadcast 284 hours and attracted media coverage worth in excess of \$154 million. Riders, team officials and the fans who lined the streets of Adelaide in South Australia for the race were united in their praise for the event and its high level of organisation. Thanks again to Mike Turtur and his team and Hitaf Rasheed and her team.

Earlier this month, last year's event was recognised as the nation's Best Major Event and Festival for the second year running at the Qantas Australian Tourism Awards. When you think of all of the events around the country, whether it's the Melbourne Open or fireworks in Sydney, or the Melbourne Grand Prix, or whatever it is, twice in a row South Australia has won with the Tour Down Under, just as we won four times with the Clipsal 500. I thank them for their ongoing commitment to making the Santos Tour Down Under—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —bigger and better every year.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** South Australians are justifiably proud of this event. It is the largest of its kind in the southern hemisphere. We own it, and nobody is taking it away from us. That will not happen because we are not only Australia's most liveable city but we are also the nation's undisputed cycling capital.

We have invested more than \$100 million on cycling facilities since 2002 and almost doubled the size of our extensive network of bike lanes and paths to more than 900 kilometres. During the tour, we officially named one of those bike paths The Livestrong Path to honour the lasting legacy of Lance Armstrong and also, of course, his commitment to raising funds for cancer research and the building of the Livestrong Cancer Research Centre next to the Flinders Medical Centre.

So, while traitors sneer and cowards flinch, we will keep the Tour Down Under flying its flag high here in South Australia.

**Honourable members:** Hear, hear!

**The SPEAKER:** Order! The Deputy Leader of the Opposition.

#### NUCLEAR ENERGY

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:29):** My question is to the Minister for Energy. Did minister Foley consult the Minister for Energy before he announced his support for nuclear power, and does the Minister for Energy agree that it is time for nuclear power in South Australia?

**The Hon. M.F. O'BRIEN (Napier—Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy, Minister for the Northern Suburbs) (14:30):** The policy setting on nuclear energy is one to be determined by the National Convention of the Australian Labor Party.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** Point of order, Madam Speaker.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** Is this parliament now—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** —able to ask questions about the Labor Party national conference and ministers answer them? Is that what will happen?

**The SPEAKER:** Well, you asked the question. The minister responded with an appropriate answer. I do not think that is a point of order. Sit down.



### OAKBANK EASTER RACING CARNIVAL

**The Hon. M.J. ATKINSON (Croydon) (14:30):** Can the Minister for Veterans' Affairs advise how the Oakbank Easter Racing Carnival will recognise our veterans on ANZAC Day this year?

**The Hon. T.R. KENYON (Newland—Minister for Recreation, Sport and Racing, Minister for Road Safety, Minister for Veterans' Affairs, Minister Assisting the Premier with South Australia's Strategic Plan) (14:30):** I thank the member for Croydon for his question. He has a well-known history of an appreciation of racing and is a keen observer. As members would be aware, ANZAC Day and Easter Monday coincide this year, along with the final day of the Oakbank Easter Racing Carnival. ANZAC Day is one of Australia's most important days of national significance which captures the spirit of our national identity. It is a time to reflect and pay tribute to the Australian men and women who have served and to those who have made the supreme sacrifice in the service of our nation.

It is paramount that we recognise and respect the special nature of ANZAC Day and that we listen to our returned servicemen and women on issues concerning the way in which ANZAC Day is commemorated. The importance of ANZAC Day is also enshrined in the ANZAC Day Commemoration Act 2005 which specifically restricts the holding of any public sporting event between 5am and 12 noon on ANZAC Day where entry tickets are available for purchase prior to the event.

As members may be aware, the Premier recently exercised his authority under the act to allow the Oakbank Easter Racing Carnival to commence before 12 noon on ANZAC Day. I can advise the house that he did so only after taking into consideration the views of the RSL in South Australia. I understand the Oakbank Racing Club have worked closely with the RSL on this matter to ensure that the appropriate recognition for ANZAC Day is provided, and I am pleased to confirm that an ANZAC memorial service will take place prior to the first race.

I am also advised that one of the races to be run at Oakbank on ANZAC Day will be the Gallipoli Handicap. This race is usually held on a metropolitan track each year on ANZAC Day; however, the RSL has asked that the Gallipoli Handicap this year be conducted at the Oakbank meeting.

I should also point out that the ANZAC Day Commemoration Act 2005 is not intended to limit participation in sport and community activity. For the past two years ANZAC Day has fallen on a weekend, and regular morning sport has been able to go ahead without breaching the commemoration act. In fact, the state government has encouraged sportspeople to honour the significance of the day and to take a moment to reflect on the spirit of the ANZACs—on their courage, mateship and sacrifice.

As the state Minister for Veterans' Affairs as well as Minister for Recreation, Sport and Racing, I am heartened by our local sporting organisations showing their appreciation and respect for ANZAC Day and the ANZAC tradition. I congratulate the Oakbank Racing Club for working with the RSL in this endeavour. The state government continues its ongoing commitment to the veteran community by acknowledging, listening and working for veterans in this state.

### URANIUM ENRICHMENT

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:33):** My question is to the Minister for Environment and Conservation. Was the minister consulted before the Minister for Mineral Resources Development announced his plans for uranium enrichment in South Australia? Is the Minister for Environment and Conservation in favour of uranium enrichment here?

**The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (14:33):** Thank you very much, Madam Speaker.

*Members interjecting:*

**The SPEAKER:** Order! You asked the question. Listen.

**The Hon. P. CAICA:** I think the question was as much as anything else about plans that might involve uranium, and as far as the last time I remember—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P. CAICA:** —there are no plans.

*Members interjecting:*

**The SPEAKER:** Order!

### ABORIGINAL ENGAGEMENT

**The Hon. S.W. KEY (Ashford) (14:34):** My question is directed to the Minister for Aboriginal Affairs and Reconciliation. Minister, would you advise the house of how the voices of Aboriginal South Australians are being promoted in government advisory bodies?

**The Hon. G. PORTOLESI (Hartley—Minister for Aboriginal Affairs and Reconciliation, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers, Minister Assisting the Premier in Social Inclusion) (14:35):** I thank the member for Ashford for this important question and acknowledge her commitment to Aboriginal affairs and reconciliation in this state. This government has a very strong and longstanding commitment to promoting Aboriginal South Australians in our community and at the highest level of government. We do this because we believe very strongly in the input—

*An honourable member interjecting:*

**The SPEAKER:** Order!

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. G. PORTOLESI:** —advice and perspective that only Aboriginal people can provide in complex and important areas of Aboriginal affairs and policy. We do this in a couple of ways: the first—and I must commend my predecessor, minister Weatherill—is in relation to the office of the Commissioner for Aboriginal Engagement, a role that is held by Mr Klynton Wanganeen, and he is our first Commissioner for Aboriginal Engagement and he is doing a fantastic job. Late last year, because of some federal commitments undertaken by Mr Wanganeen, I had the opportunity to appoint a part-time commissioner, and I was able to appoint Miss Khatija Thomas—a young Aboriginal woman, a lawyer—who has been able to join Mr Wanganeen as a part-time commissioner.

Mr Wanganeen and, more recently, Miss Thomas provide me as minister and the government more broadly with a vital perspective on issues that impact on Aboriginals in South Australia. The office acts to ensure that Aboriginal people have a strong voice at the highest level. The other forum that was established was the South Australian Aboriginal Advisory Council. This council provides high level confidential advice to government ministers and senior public servants and agencies across all areas of government. This is a 10-member peak advisory body which complements the role of the Commissioner for Aboriginal Engagement.

I am pleased to advise the house that nominations are now open for five appointments to the SAAAC commencing in May. We are looking for Aboriginal people with a strong understanding of Aboriginal culture, who have standing within the community, who have policy and service delivery experience and who are able to contribute strongly to the council. I am sure all members will join me in encouraging those members of our community who fit the bill to have a go so that Aboriginal people can continue to have a very strong role in our state.

*Ms Chapman interjecting:*

**The SPEAKER:** Order!

*Ms Chapman interjecting:*

**The SPEAKER:** Order! I warn the member for Bragg.

### OLYMPIC DAM

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (14:37):** My question is to the minister assisting the Premier with the Olympic Dam expansion project. Now that the former deputy premier has declared his support for nuclear power in South Australia, where does the Labor government plan to store its nuclear waste; and has the government yet found a site for a central repository to store the radioactive waste currently stored at the Royal Adelaide Hospital as promised in 2007?

**The Hon. K.O. FOLEY (Port Adelaide—Minister for Defence Industries, Minister for Police, Minister for Emergency Services, Minister for Motor Sport, Minister Assisting the Premier with the Olympic Dam Expansion Project) (14:38):** I am very happy to answer that question, Madam Speaker. I am not responsible to the house for any of those matters.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order!

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Order, Minister for Industry and Trade!

*The Hon. K.O. Foley interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! There will be no quarrels across the house. You will continue this outside if you wish to quarrel.

*Mr Marshall interjecting:*

**The SPEAKER:** Order! Member for Norwood, be careful.

*Members interjecting:*

**The SPEAKER:** Order! Do you have a point of order, member for MacKillop, or do you have a second question?

**Mr WILLIAMS:** I seek a point of clarification, Madam Speaker. I specifically asked the question to the minister assisting the Premier with the Olympic Dam expansion project. The last information that the house had was that the government was negotiating with BHP Billiton for a central repository at the Olympic Dam site.

**The SPEAKER:** Order! The minister answered the question. It appears that is not the case. You were given the wrong information.

*Members interjecting:*

**The SPEAKER:** Order! Ministers on my right will also be quiet. The member for Light.

#### **SMALL BUSINESS COMMISSIONER**

**Mr PICCOLO (Light) (14:39):** My question is to the Minister for Small Business. Can the minister please inform the house on the outcomes of the Small Business Commissioner Bill consultation?

**The Hon. A. KOUTSANTONIS (West Torrens—Minister for Mineral Resources Development, Minister for Industry and Trade, Minister for Small Business, Minister for Correctional Services) (14:40):** I want to thank the honourable member for his important question. Consultation on the Small Business Commissioner Bill was held between Valentine's Day—a very busy day for the member for Norwood—and 15 March in more than 15 locations across South Australia. In addition to face-to-face consultation, there has been a targeted mail-out to key stakeholders and industry associations. Further to this, interested stakeholders were also able to be provided with private briefings if they were required.

The broad statistics emanating from this consultation period were very encouraging. I am advised that more than 300 people attended public information sessions where 872 information packs were distributed. I am also pleased to report that, of the 49 submissions concerning the draft bill received by the government, the vast majority were very supportive.

*Members interjecting:*

**The SPEAKER:** Order!

*The Hon. I.F. Evans interjecting:*

**The SPEAKER:** Order, member for Davenport! I warn the member for Davenport.

**The Hon. A. KOUTSANTONIS:** Sorry, I can't hear you. There were also several suggestions—

*Mr Pengilly interjecting:*

**The Hon. A. KOUTSANTONIS:** Sorry, old man, I can't hear you.

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** There were also several suggestions made which will be taken into consideration before the final bill is introduced into parliament for debate. As the draft bill outlines, the establishment of a Small Business Commissioner will contribute to the creation of a level playing field for small businesses in South Australia.

**Mr Marshall:** You got rid of the small business advocate.

**The Hon. A. KOUTSANTONIS:** Then why didn't you turn up to the consultation? It was held in Norwood. Madam Speaker, the member for Norwood on Valentine's Day was very busy holding interviews throughout his electorate—

**The Hon. T.R. Kenyon:** And on the internet.

**The Hon. A. KOUTSANTONIS:** —and on the internet, talking about his star sign, and I understand—

**Mr WILLIAMS:** Point of order.

**The SPEAKER:** Order! The member for MacKillop.

**Mr WILLIAMS:** This has nothing to do with the question asked. The minister is wandering into fantasy land.

**The SPEAKER:** Order! No, I do not uphold that point of order because the minister has not yet responded. However, I am sure that this is relevant to the answer to his question, and it had better be.

**The Hon. A. KOUTSANTONIS:** I agree, Madam Speaker. The deputy leader should take advice only from the member for Davenport. Don't think for yourself, it's dangerous!

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** The Small Business Commissioner would also have—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —legislative authority to investigate alleged unfair market—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. A. KOUTSANTONIS:** —practices and to monitor compliance with industry codes, such as the franchising code of conduct. I wish to thank every business, industry group and individual who bothered to attend these briefing information sessions and/or has made a formal submission to the bill.

I would also like to thank the small business commissioner project team for all their hard work so far. I will be discussing these reforms with my colleagues on this side of the house, and, in coming weeks, I expect that the bill will be introduced for debate shortly after that.

*Members interjecting:*

**The SPEAKER:** Order! The member for Unley.

#### **NUCLEAR ENERGY**

**Mr PISONI (Unley) (14:43):** My question is to the Minister for Tourism. Does the minister support nuclear power, given that the former Queensland premier Peter Beattie once said that nuclear power would destroy the Queensland tourism industry?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice, Minister for Urban Development and Planning, Minister for Tourism, Minister for Food Marketing) (14:43):** I thank you very much for the question, member for Unley. As I understand it, the Labor Party policy in relation to this is presently very clear—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.R. RAU:** —and any debate about this, given my understanding about the present lack of enthusiastic private enterprise people queuing up to do anything about it, means that the debate you were wishing to have is entirely hypothetical. I would suggest to the member for Unley that this debate at the moment is about as relevant as debating the merits of landing a man on Uranus.

*Members interjecting:*

**The SPEAKER:** Order!

#### TEACHER RECRUITMENT

**Ms FOX (Bright) (14:44):** My question is without planetary reference—

*An honourable member interjecting:*

**Ms FOX:** Are you still talking about the planets? Can the Minister for Education please update the house on measures to lift the status of teaching and encourage people into teaching in our public schools?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.W. WEATHERILL (Cheltenham—Minister for Education, Minister for Early Childhood Development, Minister for Science and Information Economy) (14:45):** Good teachers make a lifetime of difference for our children. Research demonstrates that outstanding teachers more than any other school factor create this real difference to children. So, in January this year, as part of a range of measures to ensure high-quality teaching in our public schools, the government announced that it would launch a major recruitment drive to attract new and prospective teachers to this profession. We want to attract the best and brightest teachers to our profession.

The campaign has now begun and will continue in different ways throughout the year as we explain to the community that teaching is inspiring. The campaign is designed to help lift the status of the teaching profession. We want teachers to feel more valued and respected. We want to lift their enthusiasm for this challenging role and, of course, that will be an important benefit, but also we want to restore a sense of community pride in our teachers, and we believe that will be fundamental to making this a more attractive career for many to choose.

The campaign comes at a time when we are facing looming workplace pressures. Fifty-three per cent of our teachers are over 51 years of age, and the Australian Institute of Social Research Survey that we commissioned for career intentions of teachers over the age of 45 demonstrated that a third were considering retirement in the next five years. So, we will see a substantial turnover in the teaching workforce. We need to take what is an incredible opportunity, as well as a challenge, to refresh our teaching workforce at this time.

The recruitment campaign sits alongside a range of other measures that we have introduced since the last election to reform the teaching workforce. In the last budget alone, with \$265 million over four years, we have provided for an extra 700 teaching and allied staff in our schools, supporting the new funding model for schools, giving them far greater flexibility on how those resources are allocated.

We have also released for consultation a draft new recruitment policy at its hardest to make sure that we get as many teachers off contracts and into permanent positions as we can. We want to make sure that principals have the choice of teachers who meet the needs of their school, and also we want to remove the requirement that teachers move every 10 years, regardless of performance. It also, importantly, maintains the priority for country teachers returning to the city.

We have also provided for an immediate injection of new teachers into our system by opening just recently the Teacher Renewal Program, under which some of our experienced

teachers who are losing their enthusiasm and looking to leave teaching will be able to be replaced by graduate and early career teachers.

A \$9 million Teach SA initiative, which will see up to 155 science and maths teachers recruited or retained over the next three years or so, will get underway in the second semester of this year. And we have, in conjunction with *The Advertiser*, created the South Australian Public Teaching Awards to honour our exceptional teachers and hold them up in the eyes of our community. We will have an inaugural statewide teaching conference next year to be shaped by teachers themselves, and we are also proposing a new teaching classification—an outstanding teacher classification—which will allow those teachers who can demonstrate capabilities to obtain higher rates of remuneration.

As one of the teachers who features on the campaign website says, 'Teaching is a great profession and I'm proud to be a teacher.' That is a message we want everyone in the community to hear.

#### RANN GOVERNMENT

**Mrs REDMOND (Heysen—Leader of the Opposition) (14:49):** My question is to the Premier. Now that the Premier has lost control of his party and has broken his previous pledge—

**The Hon. P.F. CONLON:** Isn't it extraordinary, Madam Speaker, that they make so much complaint—

**Mr Pengilly:** What's your point of order?

**The Hon. P.F. CONLON:** I think it is No. 97; you have got to ask a question.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. P.F. CONLON:** From memory, No. 97. That is plain debate, absolute debate. She cannot ask the question like that.

**The SPEAKER:** Yes, I uphold that. I suggest that the leader reword her question or sit down.

**Mrs REDMOND:** I will reword it. Now that the Premier has broken his previous pledge of—and I quote—

**The Hon. P.F. CONLON:** Point of order!

**The SPEAKER:** Order! Point of order, the Minister for Transport.

**The Hon. P.F. CONLON:** Again, alleging breaking a pledge is a matter of debate.

**An honourable member:** What number?

**The Hon. P.F. CONLON:** No. 97.

*Members interjecting:*

**The SPEAKER:** Order! I am a little bit reluctant to allow that point of order until I have heard the rest of the question.

**Mrs REDMOND:** The rest of the question, Madam Speaker, is: now that the Premier has broken his previous pledge of 'killing off any talk about a nuclear power plant', will he now sack his ministers or will he now resign?

*Members interjecting:*

**The SPEAKER:** Order! The Premier.

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate Change) (14:50):** Breaking news.

*Members interjecting:*

**The SPEAKER:** Order! The Premier.

**The Hon. M.D. RANN:** I have an announcement to make.

*Members interjecting:*

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

**The Hon. M.D. RANN:** The leader of the Liberal Party and the deputy leader of the Liberal Party—

**Mr VAN HOLST PELLEKAAN:** Point of order.

**The SPEAKER:** Point of order!

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order! Premier!

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order! Premier! The member for Stuart.

**Mr VAN HOLST PELLEKAAN:** The Premier might think so, but he is not above standing order 104. He is meant to address you and not the few people left in the state who listen to him.

**The SPEAKER:** I will uphold that because he was not listening to me.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** When I said before that I defended the Leader of the Opposition as being a people person, I said that—

**Mr VAN HOLST PELLEKAAN:** Point of order.

*Members interjecting:*

**The SPEAKER:** Order! Point of order. Premier, sit down.

**Mr VAN HOLST PELLEKAAN:** I seek a ruling from you in the chair. Is he meant to address you? Please enforce the standing order.

**The SPEAKER:** I upheld your last point of order, member for Stuart. The Premier will return to answering the question.

**The Hon. M.D. RANN:** Can I just say that in 2007 when I was vice-president of the Labor Party nationally before a historic interregnum as president of the federal Labor Party, at a time of great success for the federal party—

**Ms Chapman:** Not now.

**The Hon. M.D. RANN:** Well, they're in government and you're not—just the same here. I have also seen your progress down the ranks and back to the backbench—a slow progression backwards. It reminds me of David Tonkin's historic saying when he was asked whether the state was going backwards, and he said, yes, but going backwards more slowly than he'd hoped. That may not be an exact quote but—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** Can I just say this? In 2007, I went to the national conference of the Labor Party and, together with the former Labor leader Kevin Rudd, moved successfully to end a policy of the Labor Party that had existed for more than 30 years that banned any new uranium mines anywhere in Australia. We were successful in doing so; we were successful in ending a policy that would in fact have impeded growth and development in South Australia.

However, I can say this because I think that I am probably one of the few people in this chamber who has visited a uranium enrichment plant and a nuclear reactor and a fast-breeder reactor. In fact, I am prepared to reveal today—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** I am prepared to reveal today that I visited a uranium enrichment plant 32 years and two months ago in Capenhurst, which is near Chester in the north-west of

Britain. It was a centrifuge enrichment plant, and I will talk about gaseous diffusion and centrifuge models for enrichment plants. You know that enrichment plants exist in a number of places in the world: in the United Kingdom; in the United States; I understand, in Brazil; in France—and I should know because I went to visit the nuclear industry there 32 years and two months ago; and also I think they have one in Libya. I am not sure whether it is still standing or operational, and they also have one, regrettably, in North Korea.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** No-one has come to see me—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —suggesting that we establish an enrichment plant—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —in South Australia from the industry.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** No-one has suggested building a nuclear power plant in South Australia except the opposition. You want one here. They want one down in the southern suburbs. That is where they wanted it. They wanted it apparently down near the desalination plant. The fact of the matter is that the Labor Party—unlike the Liberal Party—is free to debate what it likes at its national conference, but my suspicion is that the national Labor Party conference in December is unlikely to endorse a change in policy. I will make a prediction now. I had to do the hard yards to get uranium mining going in this state.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** I know, someone had to. For you it is just a 'mirage in the desert'; for us it is about jobs for the future, and that is why we got behind the mining industry in South Australia. However, I do not believe that we will see a nuclear power station here on my watch. I do not believe we will see a uranium enrichment plant here on my watch, or on anybody else's watch in this chamber. Let me explain the process because I do not believe that the Leader of the Opposition has been to a hexafluoride plant, or to a centrifuge or gaseous diffusion plant—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —or that she has been to a fast breeder reactor. So, here we go: South Australia's uranium mines currently produce uranium oxide concentrate—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —as a precipitate of uranium oxide, often called yellowcake. Mining is the first step of the nuclear fuel cycle. There are controls on the export of Australian uranium.

**The SPEAKER:** Order! Point of order, member for MacKillop.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** We want an answer to the question. The point of order is under standing order No. 98, relevance. The question was—

*Members interjecting:*



**The SPEAKER:** Order!

**Mr WILLIAMS:** —is the Premier still of a mind to kill off debate, or has the Labor Party actually changed its position?

*Members interjecting:*

**The SPEAKER:** Order! No, I do not uphold that point of order. I am not sure where you are coming from.

**The Hon. M.D. RANN:** I am explaining it in detail because obviously—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —the questions are sincere, I would have thought. There are controls on the export of Australian uranium. Australia's uranium may be used only for peaceful non-explosive purposes such as the generation of electricity in nuclear reactors. Uranium enrichment is the third stage in the nuclear fuel cycle following mining and conversion. We will get on to conversion later, which is about the next step up which is to uranium hexafluoride, which from memory has about one atom of uranium and about nine of fluorine, but we will go into that in some detail.

Two enrichment processes are operating internationally on a commercial scale: the gaseous diffusion process and the centrifuge process. The main large commercial enrichment plants are in operation in France, Germany, the Netherlands, the United Kingdom, the USA, Russia and, as I mentioned, I understand there was an attempt, maybe unsuccessful, to build one in Libya and there is one in North Korea.

From a nonproliferation standpoint, uranium enrichment is a sensitive technology needing to be the subject of tight international control. In addition to current federal government policy and national ALP policy, there are many barriers to adopting this technology in Australia—so, no, there is no change in policy and the national policy stands. Also, there are other issues: access to the technology, given concerns about nuclear—

**Mr WILLIAMS:** Point of order.

**The SPEAKER:** Order! Premier, there is a point of order.

**Mr WILLIAMS:** Standing order No. 98 states:

In answering such a question, a Minister or other Member replies to the substance of the question...

I am still struggling with what this has to do with the substance of the question. The question was: is the Premier still of a mind—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** —that he will kill off any debate about the nuclear industry—

**The SPEAKER:** Order!

**Mr WILLIAMS:** —or do you now support it?

**The SPEAKER:** Order! You can sit down. I can understand what you are saying, but I believe that the Premier can answer the question any way he chooses. I do find this relevant to the question that was asked. He is explaining the process.

**The Hon. M.D. RANN:** The parliament deserves substance—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** The parliament deserves the policy, the parliament deserves the detail. If you don't want detail, go and get yourselves another job, although I want to defend the shadow minister for health—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —who, as a veterinary surgeon, saved my daughter's axolotl. There are other issues such as access to technology, given concerns about nonproliferation; investment—where enrichment accounts for almost half the cost of nuclear fuel; substantial financial backing would have to come from the commercial users of the products, nuclear power generators for an enrichment plant to be financed; and, of course, also managing nuclear waste storage.

At this point we, as a state, should be focusing on the development of our mining industry and the jobs that this will bring to the mining companies, contractors and other firms in the mining supply chain. This includes, of course, uranium mining and the expansion of Olympic Dam. No one proposal has been submitted to me for establishing—

*Mr Williams interjecting:*

**The SPEAKER:** Order, the member for MacKillop! I warn the member for MacKillop.

**The Hon. M.D. RANN:** —enrichment facilities in South Australia or, indeed, a nuclear power plant. So, I cannot see how a nuclear power plant would be viable, given that at least nine reactors in America at the moment are currently being deferred because they each cost—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —about \$10 billion per reactor. It was seen as not being bankable by the rating agencies, but let's go on to more detail. South Australian uranium mines currently produce uranium oxide concentrate as a precipitate of uranium oxide U308, often called yellowcake. Australia's uranium may be used only for peaceful purposes. Naturally occurring uranium occurs primarily as two isotopes, U238 and U235, in the approximate proportions of 99.3 per cent to 0.7 per cent respectively. Some members were aware of that.

The production of energy in nuclear reactors is from the fission or splitting of the U235 atoms, a process which releases energy in the form of heat. The U235 isotope is the main fissile isotope of uranium. Before the uranium can be used in one of the 443 commercial nuclear power reactors operating around the world, it must be enriched to the—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** —U235 isotope. The critical factor—

*Mrs Redmond interjecting:*

**The SPEAKER:** Order, the Leader of the Opposition will be quiet!

**The Hon. M.D. RANN:** —in the ability of the uranium fuel to produce heat is the concentration of the U235 isotope, and U235 must be concentrated—

**The SPEAKER:** Premier, there is another point of order. Leader of the Opposition.

**Mrs REDMOND:** Again, the relevance question of standing order 98. The question I asked was specifically about the Premier killing off debate on the issue. We did not need a dissertation on the nature of nuclear energy.

**The SPEAKER:** I think, Leader of the Opposition, you also talked about policy changing. I am listening very carefully to the answer.

**Mrs REDMOND:** Madam Speaker, that was not the question. I did not ask anything about the policy. I asked about the Premier's statement that he was going to kill any debate on the issue. That was the nature of my question.

*Members interjecting:*

**The SPEAKER:** Order! I have consulted with the Clerk on this, in the process of this answer, and we are both feeling quite comfortable that the Premier can answer this the way he chooses and this is relevant to the question that was asked.

**The Hon. M.D. RANN:** This is for the record and for all time. There are people who will be watching Sky News at the weekend. The ratings of the South Australian parliamentary question—

**Mrs REDMOND:** Point of order, Madam Speaker. The Premier just said this was for the record and for all time, so does that mean it is like when he put it on the record that he wrote a book called *Uranium: Play it Safe*, in which he decried—

*Members interjecting:*

**The SPEAKER:** Order!

**Mrs REDMOND:** —the development of Roxby Downs?

**The SPEAKER:** I don't think there is a point of order there, you were debating.

*Members interjecting:*

**The SPEAKER:** Order! Premier, there are 18 minutes left of question time. I hope you are not going to take all of those 18 minutes.

**The Hon. M.D. RANN:** I also wrote a booklet on occupational health and safety reform, which was a bestseller, called *Limbs, Lungs & Lives*, not, as someone unfairly said, Limbs, Lungs and Livers—that was a misprint.

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** After mining and before electricity generation, uranium processing to fuel rods involves three main separate steps. In sequence, these processes are conversion, enrichment and fuel fabrication.

Now, let's talk about conversion because that is the missing link in this debate and there should be a debate about this. Uranium leaves the mine as the concentrate of a stable oxide known as U3O8. It still contains some impurities and, prior to enrichment, has to be further refined before being converted to uranium hexafluoride. So, you go up to conversion, you then go up to oxide, then to uranium hexafluoride.

Major commercial conversion plants are operating in America, France, Russia, Canada, UK and China. Now, conversion is a chemical process. After initial refining, uranium oxides are combined with hydrogen fluoride and fluorine to form uranium hexafluoride, or UF<sub>6</sub>. The UF<sub>6</sub> is highly corrosive. When warm it is a gas suitable for use in the enrichment process. At lower temperature and under moderate pressure, the UF<sub>6</sub> can be liquefied.

The liquid is run into specially designed steel shipping cylinders which are thick walled and weigh over 15 tonnes when full. As it cools, the liquid UF<sub>6</sub> within the cylinder becomes a white crystalline solid and is shipped in this form. A conversion plant will be subject to similar regulations and requirements regarding siting and environmental and security management, as would apply at any chemical processing plant involving fluorine based—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** I have just been reminded that the Leader of the Opposition probably read my book on uranium when she was a member of the Labor Party.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** Point of order.

**The SPEAKER:** Point of order, member for Unley.

**Mr PISONI:** It is obvious now that others are writing the Premier's gags.

**The SPEAKER:** No point of order. Premier.

**The Hon. M.D. RANN:** What he wrote for the former leader, which brought the former leader down, but isn't it great—

*Members interjecting:*

**The SPEAKER:** Order! Point of order, member for Unley.

**Mr PISONI:** I believe the Premier has accused me of producing documents and I ask him to withdraw.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** The Premier told this parliament that those documents ended up in my letterbox, of unknown sources, and he has now told the parliament that I produced it.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** I insist that he withdraw and apologise.

*Members interjecting:*

**The SPEAKER:** Order! Premier, I have no idea what you said because I could not hear. Perhaps you would like to clarify the matter for the member for Unley.

**The Hon. M.D. RANN:** It seems that, for the member for Unley, this isn't question time; it is confession time!

*Members interjecting:*

**The SPEAKER:** Order! I would also ask the Premier—

**The Hon. M.D. RANN:** But the former leader and the member for Unley can sort it out—

*Members interjecting:*

**The SPEAKER:** Order!

**Mr PISONI:** I ask that you rule that the Premier either withdraw his allegations and apologise—

*Members interjecting:*

**The SPEAKER:** Order! I cannot ask the member to withdraw his allegations because I do not know what the allegations are. I could not hear for the noise coming from your side.

**Mr PISONI:** The allegations were that I produced documents—

**The SPEAKER:** I will look at the *Hansard* later. You will sit down, member for Unley. I think you have finished answering your question, Premier.

*Members interjecting:*

**The SPEAKER:** Order! The Premier will sit down. I call the member for Bragg.

#### COMMISSIONER FOR SOCIAL INCLUSION

**Ms CHAPMAN (Bragg) (15:07):** My question is also—

*Members interjecting:*

**The SPEAKER:** Order! I warn the Leader of the Opposition.

**Ms CHAPMAN:** My question is also to the Premier. Why did the Premier give the social inclusion commissioner, Monsignor David Cappo, a 15 per cent pay rise one month after the state election last year at a time when public servants were being asked to accept far smaller pay rises and significant Public Service cuts were both underway and further being planned?

Prior to the election last year, Monsignor Cappo was being paid \$100,000 a year for work 'equivalent for half a full-time position'. His current contract of employment, which commenced on 27 April 2010—which contract is undated—provides him with \$115,000 per year for a half-time role, plus 'increases approved by cabinet for Public Service executives'.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN (Ramsay—Premier, Minister for Economic Development, Minister for Social Inclusion, Minister for the Arts, Minister for Sustainability and Climate**

**Change) (15:08):** I have to say I appreciate this question, because the previous interruptions were about a breakout about who produced forged documents.

**The Hon. K.O. Foley:** He did!

**The Hon. M.D. RANN:** Whoever it is, they should stand up and admit it, rather than blame each other.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. M.D. RANN:** Anyway, the fact of the matter is that the social inclusion commissioner, David Cappo, does an outstanding job for the people of this state. He is fearless in criticising us or anyone else who stands in the way of good public policy.

#### BOWDEN URBAN VILLAGE

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:09):** My question is to the minister for planning. Before announcing that the former Sagasco-cum-Origin site would form part of the government's urban village at Bowden, did the government assess the environmental safety of the site for residential living? The opposition has obtained through freedom of information documents indicating that the EPA advised that it would oppose any change in land use from industrial to residential on that site due to contamination concerns.

**The SPEAKER:** The Minister for Transport.

*Members interjecting:*

**The Hon. P.F. CONLON (Elder—Minister for Transport, Minister for Infrastructure) (15:10):** Responsible for the purchase, through the LMC, of the Origin site—how dare I answer it? Goodness me! They got an FOI to discover that the former Sagasco site has significant contamination. Goodness, gracious me!

*The Hon. K.O. Foley interjecting:*

**The SPEAKER:** Order, the Minister for Police, be quiet!

*Mr Pisoni interjecting:*

**The SPEAKER:** Order, the member for Unley!

**The Hon. P.F. CONLON:** Oh, the member for Unley's interjecting, too. Can I tell you something about the member for Unley? We asked on our website for expressions of interest in redeveloping Adelaide Oval, and one of the first people to download it was a company called Pisoni Furniture. Now, I've got to tell you—

*Members interjecting:*

**The SPEAKER:** Order! Point of order, member for MacKillop.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr WILLIAMS:** The point of order, Madam Speaker, is relevance. I asked the question to the minister for planning, the other minister was so keen to answer it, but now refuses to answer my question.

*Members interjecting:*

**The SPEAKER:** Order! Minister for Transport, answer the question, please.

**The Hon. P.F. CONLON:** I do apologise for being distracted by interjections. I just say to the member for Unley: good luck, but I think we will go with someone with a bit more experience—very likely. The Origin site, it is well known, has been heavily contaminated by its industrial uses over the years. We believe that the purchase of the Clipsal site from that great South Australian, Rob Gerard, allowed us the opportunity to include the Origin site and finally do something about it, because—

**Mrs Redmond:** Were you aware?

**The Hon. P.F. CONLON:** Were we aware that there was heavy contamination at Origin before we bought it? Yes; that is why we got paid money to take it. That alerted us to it; that led us to believe that there might be something about the place if they are paying us to take it.

**Mrs Redmond:** Exactly!

**The Hon. P.F. CONLON:** Exactly! So, your answer is: leave it contaminated forever. Our answer is: bring in, find the value, remove the contamination. The difference between us and you, you cheap political lightweights. It's exactly the same as the member for Davenport criticising us for not giving out the master plan for Riverfront precinct earlier. This is how small-minded they are: 'It should have been a local firm.' Yes, with that logic the Sydney Opera House, if it was built by him, would have looked like the Chelsea Cinema. These are the small-minded lightweights.

We are taking the Origin site, knowing it has significant contamination, believing that the value that we can put into this urban village will give us a chance to decontaminate the land. Wouldn't that be a good thing? And if you think we're going to apologise for that, you are even dumber than I thought.

#### EDWARDSTOWN GROUNDWATER CONTAMINATION

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:13):** My question is to the Minister for Environment and Conservation.

*The Hon. K.O. Foley interjecting:*

**Mr WILLIAMS:** I'm not as bad as you were yesterday.

**The SPEAKER:** Order!

*The Hon. K.O. Foley interjecting:*

**The SPEAKER:** Order, the Minister for Police will be quiet!

**Mr WILLIAMS:** My question is for the Minister for Environment and Conservation. Will the minister advise how far contamination at the former Hills site has spread? For example, can he assure residents of South Plympton that there is no danger to their groundwater?

**The SPEAKER:** The minister for the environment and conservation.

**The Hon. K.O. Foley:** Why didn't you do something about it when you were in government?

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** Order! The question has been asked of the minister for environment.

*Members interjecting:*

**The SPEAKER:** Order! Minister.

**The Hon. P. CAICA (Colton—Minister for Environment and Conservation, Minister for the River Murray, Minister for Water) (15:13):** Just to put this into some context, I do want to reflect on a little bit of history, if I can, and I ask the opposition to bear with me, because I think it is important. I have been researching a lot of matters, as you would expect me to, since I became the minister for environment, but in particular that which relates to the Hills site and Edwardstown in general—

**Mr Pisoni:** You didn't even know about it until February.

**The SPEAKER:** Order!

**The Hon. P. CAICA:** No; I said I've been researching.

**Mr Pisoni:** What are you researching? You didn't research very well, did you?

**The SPEAKER:** Order! I warn the member for Unley!

**The Hon. P. CAICA:** He's a classic. I do notice, when reading some articles that date back as far as 1995, 1994 and 1998, where the erstwhile member for Elder at that stage, a Mr Wade, said he planned to take the issue to the environment minister, David Wotton. That was in relation to, amongst other things, the lack, if you like, of soil tests that were being done before selling land.

What he was saying was—this is Mr Wade—'Basically I have a bunch of private firms that can sell to similar firms and there's no requirement for a test.'

In 1998, an article headed 'Our water scandal' detailed how Mr Olsen, the then premier, ordered a review of communication procedures within the state government after two senior ministers failed to tell a cabinet colleague about the Hope Valley reservoir shutdown. It was confirmed that Mr Olsen's comments came after it was confirmed that Dr Armitage and then human services minister, Mr Brown, had not told him or the environment minister that the plant had been taken out of operation.

But also, too, as we go on, an article headed 'Community anger grows over cadmium contamination' from *The Advertiser* 31 August 2000 talked, among other things, about cadmium contamination on Delfin Island. Another article from 26 August 2000 related to West Lakes as well. They were very interesting comments that were made by the then protection authority about not informing residents. Stephen Walsh QC, as the authority chairman, was quoted to have said, 'We want to ensure that there is no misinformation in relation to what has occurred and the extent of concern is clearly understood by the community.'

But getting to Edwardstown now, there was an article on 17 October 1996 headed 'Firm may be fined \$1 million over toxic leak' and that related to automotive giant Bridgestone. Again, it was raised by that former member for Elder, Mr David Wade, who was livid that local residents had not been told about the spill for two years.

There was another article on the 16 October 1996 headed 'Factory's two-year toxic leak: residents not alerted', and then there is other information that relates to—and this is very interesting—the then minister for environment and heritage, the Hon. Dorothy Kotz, talking about site contamination. She goes on to talk about a draft cabinet submission that 'will be forwarded to you'—that is her—'as soon as DEHAA has signed off on current negotiations' on matters that relate to contamination.

I will go on for a little bit longer. I found this very interesting and I will again refer back to the matter of the former member Mr Wade. It was quite an interesting first speech that he made; it was very emotional. He said that the Dark Ages are over, that we are entering a new era and that new era will address all the problems associated with site contamination over an extended period of time. That was in 1994 in what was his inaugural speech. The point is that, during that time through until 2002, precious little was done by the opposition—that 'precious little' meaning absolutely nothing.

It was only this government that introduced legislation that forced the issues that Mr Wade was talking about—namely, getting polluters to pay. It was us who did not only that but also mandatory notification in regard to pollution, the registering on land titles of pollution that was known. They come in here holier than thou about what they would do, but evidence shows that they did nothing during their period of time in government and it was up to us to make sure that we had necessary legislation that they said they might have been considering but never got around to in order to address these sorts of issues, not even telling their own cabinet ministers about other issues that related to pollution and contamination and other types of things.

Quite frankly, I think it is more than just annoying for them to come in here with this high moral ground position when evidence has shown that they did nothing during their period of time in government. Of course, it was us when we came to government who addressed all those—

**Mr VAN HOLST PELLEKAAN:** Point of order, Madam Speaker—No. 98, that you must answer the question directly and not debate. He is clearly debating and he has not answered the question which was: can he assure the people of Plympton?

**The SPEAKER:** I uphold that point of order. Minister, I think you need to very quickly get to the end of your answer.

**The Hon. K.O. FOLEY:** Madam Speaker, may I also rise, respectfully, on a point of order: the member referred to my colleague as 'he'. He should, in fact, refer to him as the minister.

**The SPEAKER:** Yes, I will uphold that. Member for Stuart, you have to be careful how you respond to questions. Minister, have you finished your answer?

**The Hon. P. CAICA:** Yes, Madam Speaker.

**EDWARDSTOWN GROUNDWATER CONTAMINATION**

**Ms CHAPMAN (Bragg) (15:20):** My question is to the minister for families, communities and housing. Why is the minister selling four blocks of land owned by Housing SA in the contaminated site at Edwardstown; and will she advise the house if prospective purchasers are receiving any advice as to the details of the contamination in the offer for sale?

**The Hon. J.M. RANKINE (Wright—Minister for Families and Communities, Minister for Housing, Minister for Ageing, Minister for Disability) (15:20):** We are not selling four blocks of land in the contaminated area. Once we were made aware of the fact that there was an issue in that area, we put a hold on the sale of that land and, in fact—

*Ms Chapman interjecting:*

**The Hon. J.M. RANKINE:** If you just—

*Ms Chapman interjecting:*

**The Hon. J.M. RANKINE:** If you like, we could get in sync—you know, you just talk and I'll talk, or we could have a screen—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.M. RANKINE:** —with a bouncing ball on it for you to follow. That fact is, I understand that there was one contract that had been signed and another potential purchaser who was interested in buying the land. We discussed the situation with the person who had signed the contract, and they were allowed to withdraw from that contract.

**GRIEVANCE DEBATE****NUCLEAR INDUSTRY**

**Mr WILLIAMS (MacKillop—Deputy Leader of the Opposition) (15:22):** Today we have seen the Deputy Premier say that the policy of the Labor Party in South Australia on the nuclear industry is perfectly clear. That is more than anybody else in his caucus could claim, because the policy is anything but clear. I am going to take a few minutes to explain why the policy of the Labor Party is not clear, and what is going on in the Labor Party, because the party has become quite dysfunctional and everybody is jockeying for positions—principally the position of premier and the position of deputy premier.

We are having a generational change in the Labor Party and we have some new players, some new faces. The new Minister for Mineral Resources Development came out yesterday and called for South Australia to embrace a nuclear enrichment industry in this state—something that the Premier has argued against all of his life—but we have the minister, just newly appointed to that portfolio, who came out and said that South Australia should have an enrichment industry. So we know what he thinks.

We have another new minister, the member for Newland, who is on the record, writing in *The Australian* a few years ago:

It's time that we in the ALP gave up pretending that nuclear energy is Satan's power source of choice, because it's not working. It's time we stopped repeating the myth that waste is an issue that can't be dealt with.

That is nuclear waste he is referring to. He goes on to say, 'Are we really going to let an ideological hangover from the Cold War stop us from fixing this thing?' That is what the member for Newland wrote—that is what he thinks. So, he is a sound supporter of the nuclear industry, as we all know.

The member for Bright, who has just been left off the front bench—she just missed out—is on the record as saying, in August 2009 when she came back from—oh, Madam Deputy Speaker! You are on the record as saying on radio in Adelaide:

If we want that, cleaner, healthier, better energy, that will be sustainable for 50 years and longer then maybe we do have to move towards a nuclear future.

That is what the member for Bright said. So, I think we are all pretty certain that the other members of the right, those who are moving up the food chain in the ALP, are of a similar mind. The Deputy Premier, I suspect, is of a similar mind. The Minister for Energy (the member for Napier), I suspect, is of a similar mind—in fact, I am sure that he is of a similar mind.



What has happened is that there has been some serious jockeying between the left and the right in the Labor Party post the last election when minister Weatherill was the first one to put his hand up. He saw a glimmer of hope for the left and put his hand up to vie for the deputy leader's position because he saw that the existing deputy leader was terminal—but he did not quite get there.

The forces in the right saw that and said, 'We've got to do something about this.' They mustered their forces together and they have taken over the ALP. This is the new right, the new young and up-and-coming right—the members that I have just talked about who believe in nuclear energy. What have they done? They ousted the then deputy premier because they knew that he was terminal. Everyone in the state knew that he was terminal.

They have ousted him. They have collectively taken over the positions of power and they have ensconced themselves on the front bench. Now they are looking up the other end of the front bench and they have said, 'We still don't have the Premier's position. How are we going to do that? We're going to send a very strong message to the Premier that his position is also terminal.'

The one thing that he has always fought against is a debate on nuclear power. So, out they come yesterday and say, 'This is where we're going. We're going to embrace the nuclear industry.' The really interesting thing is that the former deputy premier, who got no support from the Premier in round one of this movement, has decided that he will give a bit of a backhander on his way out. He has come out and supported the new right, because in doing so he has been able to get one back at the Premier. He knows that the Premier is terminal.

He upped the ante yesterday. The minister for minerals only claimed that we should be embracing a nuclear enrichment industry. The former deputy premier said, 'No, no, no. We should be debating the nuclear industry. We should take the step to build a nuclear power station'; and when asked about the Premier's attitude, he said, 'The Premier is entitled to his view.'

**The DEPUTY SPEAKER:** And I am glad that you finished your sentence. Thank you very much, member for MacKillop. The member for Reynell.

#### THINKERS IN RESIDENCE

**Ms THOMPSON (Reynell) (15:27):** Thank you, ma'am. How nice it will be to talk about something important in here. I wish to address the topic of the Thinkers in Residence.

*Members interjecting:*

**Ms THOMPSON:** It amazes me that, again, we hear derision from the opposition to the topic of the Thinkers in Residence. Members opposite seem to take every opportunity they can to deride this important program—perhaps it was because they did not think of it. However, I want to draw the attention of the house today to the report of a recent Thinker in Residence, Judge Peggy Fulton Hora, and the topic 'smart justice'. Yes, I am just pausing in light of more derision coming from the other side. I do not like to talk—

**The DEPUTY SPEAKER:** I ask the members on my left not to deride. I will admit, member for Reynell, that I did not quite absorb the nature of the derision. Carry on, and we shall watch them carefully.

**Ms THOMPSON:** We will carry on; yes, indeed. Madam, during her visit here, Judge Peggy Hora consulted with 66 various individuals and groups. That means that she was talking to 66 eminent persons and ordinary persons about the need for us to rethink our concept of justice, and to the fact that we need, as she says, to think about smart justice rather than tough justice, and that we need to evaluate what is happening in our justice system to reduce recidivism and to ensure that we live in a safer community.

Not only does she look at the safety of the community in general but also she treats every participant in the justice system with respect. She is eager that, just because you have been to gaol once, you should not be condemned to a life of various terms of imprisonment.

She also made 21 presentations to various organisations, again ranging from the highly academic to the community-based organisation, and she conducted 24 interviews with the media. That alone is sufficient to have this community of ours in South Australia thinking about our justice system and thinking more broadly than the knee-jerk reaction that we often get.

She has talked very extensively about topics such as the role of alcoholism and other drugs in crime and the way we need to look at who is committing crime, not just at the crimes. She

suggests that it is really important to look at whether the sentence suits not only the crime but the criminal because, otherwise, all we are doing is breeding more criminals and more crime from the same individuals.

She looked carefully at the bail system and the way we currently spend a lot of our police resources on arrests for breach of bail. For instance, in 2008, there were almost 3,928 arrests for breach of bail. That involves a lot of police time. She thinks that we need to look more carefully at how we can ensure that responses to breaches of bail are immediate, certain, consistent and fair as a way to reduce breaches of bail. When people breach bail, it does not set up much of a situation for their eventual rehabilitation and reintegration into the community.

Judge Fulton Hora suggests that talking about driving while impaired rather than drink driving and drug driving is a more accurate description of what is actually happening. She looks at how we can improve our responses to family violence and recognises that South Australia has made important steps in extending the definition of family violence. Particularly, her concern relates to the impact that family violence has on children and the likelihood that children growing up in that situation will not grow into healthy participating members of the community.

### KANGAROO ISLAND RAINFALL

**Mr PENGILLY (Finniss) (15:32):** Two days ago, on Sunday 20 March, there was extraordinary rainfall over Kangaroo Island, particularly over the town of Kingscote. Some 125 millimetres, or five inches, fell on Kingscote from about 10 or 11 o'clock in the morning through to the early hours of the next morning. Unfortunately, this has resulted in major flooding at the Kingscote campus of Kangaroo Island Community Education. I draw it to the house's attention because the department was warned. The department was told about it, and it refused to listen to the words of wisdom from those in the know about the potential for rainfall on that school facility, given the drainage that it wishes to put in place.

The stormwater at higher neighbouring properties flooded four buildings, including eight classrooms and the school administration, completed in 2009 under the funded redevelopment by the state and the commonwealth, which was a project approved by the Public Works Committee, of which I was a member.

However, the path of the floodwaters has been known for over 20 years—and this is the annoying part—following other heavy rainfall periods in the town. It has been confirmed by the Kangaroo Island Council and it has also been confirmed by staff of the Kingscote campus, many of whom have been there for a long time. Their local knowledge was not taken into consideration in the design of the redevelopment.

Significant site works are required to better prepare the Kingscote campus for future rain episodes. It is an outrageous disgrace that local knowledge has been ignored by the department yet again and that this has happened.

The best estimates at the moment are around \$40,000 in damage—it could be up to \$50,000; it could be more or it could be fractionally less—but the reality is that it has caused widespread disruption. Brand-new carpets have had to be thrown out and some of the furniture which has been damaged by water will have to be replaced.

Concerns were raised in 2000 and 2009 regarding the adequacy of the stormwater drainage system that was installed by the contractor. There are drainage pits with grates that appear to be above the ground level or placed in areas under verandas or high points where rain never reaches. This was brought to the department's attention but, no, they would not listen.

Combined with the very bad levelling of the redeveloped site which has now been paved, floodwaters were directed to enter under doorways and—a major concern—under walls as well. The paving area does not direct water away from the buildings. Even in normal rain conditions the water simply does not flow to the drains in many other areas. It is a public disgrace that this has taken place, quite frankly. It is a grossly improper expenditure of public moneys that the department under whose banner this falls did not take into account what was going to happen, and this has happened.

The poor drainage on three-year-old buildings was identified by school leaders coming to me through the governing councils—people responsible for these projects. Limited remediation has been achieved and now, given the time since the buildings were handed over to DECS, it appears that the warranty period is probably well and truly over and that the school's very limited breakdown allocation will be used to fund the repairs.

The minister ought to take a good, hard look at this. He ought to pull his people in and ask what the devil is going on. Fortunately, the DTEI facilities manager from Murray Bridge, I am informed, has provided excellent on-site support in an attempt to clean it up and get things back into place. However, here we have \$9 million of public money being spent on the school. They would not listen about the drainage. They would not listen to the local community council—those people who knew what was going on—and now we have had severe flooding, severe damage and disruption. This is the thing: it has happened and it has severely disrupted school life, and it will make it difficult for students and staff and those employed in other areas around that facility over the next few months.

It is simply not good enough. Unfortunately, it shows all the hallmarks of how the Rann government is letting the bureaucracy reign supreme, not pulling these people into gear and not listening to people on the ground who have the answers. We are seeing it in the marine parks fiasco; we are seeing well and truly that that department is riding roughshod completely over the people of South Australia and particularly over the Rann government and the minister for the environment. In this case, I ask the Minister for Education to launch an investigation into this. I would happily assist because I do not want to see students in that school (or any other schools in my electorate) disadvantaged by an act of absolute stupidity.

### KOKODA FOR CANCER

**Mr PICCOLO (Light) (15:37):** Today I wish to advise the house of an event I attended on Saturday night in my electorate. It was the Kokoda for Cancer art show which was organised by a group of local residents who are part of this Kokoda for Cancer trek. The art auction was held to raise funds, as I said, for the Kokoda for Cancer group. It was organised by local artists and art teacher Julia Mannix and her partner, Mike Stokes, who put a lot of effort into organising the night itself.

On the night, we also heard from Katherine Krollig. Katherine is an ambassador for the South Australian Cancer Council and also a cancer survivor, and she spoke with a great deal of passion and poignancy about her own experience with cancer. Another ambassador and organiser for the Kokoda trip, Brent Matthews, was also there on the night. He is organising the cancer group itself and I will talk a bit more about that later. The event itself raised about \$10,000 which is a great achievement. Those members who go to fundraising events know that an amount like that in one night is a really good amount.

Many people supported the event and I would just like to acknowledge some of those people who did. First, I would like to acknowledge the team of people who put the event together, who were very well led by Julia Mannix and Mike Stokes, and the Gawler Arms Hotel who donated the venue at no charge. That is a very prominent venue in Gawler and very busy on a Saturday night, so they would have actually had to give up a night of business to do that. I commend the hotel for supporting the event.

I acknowledge the trekkers themselves—18 trekkers actually attended the night—and the various artists. There were 90 works of art donated to this event ranging from some very well-known state artists to some local artists. All but five works were sold on the night, so that is a massive achievement. I also acknowledge the people who actually purchased the art and artefacts (I purchased some) and everyone else who attended.

The fundraising activity on Saturday night is one of many such activities being undertaken by the Kokoda for Cancer group. The Kokoda for Cancer group is the brainchild of Brent Matthews, a local resident in my electorate, who is a cancer survivor and Cancer Council SA ambassador. The group was borne out of his determination to raise awareness of the fight against cancer, to aid research and improve treatments, as well as support provided by Cancer Council SA.

Brent has been able to bring together 18 South Australians from diverse walks of life, the majority of them local people, and all but two of them were previously known to each other and had been united by one passion—to raise funds to fight cancer. Unfortunately, all of them have, in some way, been impacted by cancer. That is probably true of all of us: we know somebody (a family member or friend) who has been affected by cancer.

The trekkers have set themselves a target of raising \$10,000 each with the idea of raising over \$200,000 for the Cancer Council. The group will fly out of Adelaide together after one last supper, as they call it, on Wednesday 13 April via Brisbane. Their trek of the Kokoda Trail will start on the 14<sup>th</sup> from Owers' Corner, finishing at Kokoda late on 24 April. They will be in Port Moresby for the dawn service on ANZAC Day.

On the morning of ANZAC Day, the trekking group will be transported to the Bomana War Cemetery to attend the ANZAC Day dawn service. This service will be a moving experience not only for those who have just experienced the trek itself but also for those who lost family members in that war. For many this venture is also to honour their ancestors who fought before them, as well as a personal challenge, which is representative of the battles one goes through with cancer. In no way does the group wish to diminish the experience of those who fought, but the event highlights the experiences of those who fought during the war and the experiences of people going through cancer today.

The group have trained together weekly, have undertaken other physical preparation and have become serial fundraisers in order to meet their targets. They have also raised funds through other activities such as bike rides, etc. As a cancer survivor himself, Brent has an immense appreciation of the fighting spirit demanded of the servicemen who trekked the Kokoda Trail. The Cancer Council of South Australia commends his efforts and fully supports this venture, which is dedicated to fighting cancer. I commend the group and the trekkers and wish them well.

### PORT AUGUSTA

**Mr VAN HOLST PELLEKAAN (Stuart) (15:43):** I rise today to talk about a very concerning and important social issue. Things are not going well in Alice Springs in the Northern Territory and, more importantly, I am concerned about the things that I think are important to protect the very important South Australian Upper Spencer Gulf city of Port Augusta. I draw the house's attention to an article written in *The Weekend Australian* by Nicolas Rothwell and published on 19 February this year. It is a powerful and disturbing article. I will read a couple of quotes from it:

You can see boys and girls as young as 10 years old marauding about at midnight, with their slightly older brothers and sisters, who are walking at speed, drinking from their hidden alcohol containers; you see cars laden with illegal grog stopping to pick up teenage girls and whisk them off; here's the madam, with her girls for sale, and that's one of the African gang cars, driving by and checking out the talent, and choosing the girls they like.

Here is another quote:

Alice Springs is a township fast spiralling out of control. All the elements for turmoil are present: deep, cold fury among the mainstream population, a reckless gloom among the young bush people loitering here, vast demand for marijuana and a limitless supply, bad, reactive politics, a lack of new ideas, a need for drastic measures and a refusal even to debate the reforms that might have a chance.

I do not refer to that article to imply anything with regard to the Northern Territory or Alice Springs, other than using it as an example and highlighting how important it is, in my opinion, that we protect Port Augusta. I call very genuinely and very, very seriously on all leaders: state and federal governments, elected members—local, state and federal—parents, grandparents, aunts, uncles, brothers, sisters, peer group leaders, teachers, coaches, you name it, anybody in Port Augusta who wants to consider themselves to be a leader, Aboriginal, non-Aboriginal or any other description a person prefers. We need to work extremely hard to make sure that the difficulties and challenges in Alice Springs do not spread south down the Stuart Highway to Port Augusta.

Port Augusta does have its own share of social problems and I do not back away from that at all. Lots and lots of people have been working very hard on that. We have our difficulties, and I urge people not to look at the difficulties we have that raise their head from time to time in Port Augusta and say, 'Oh well, aren't we so much better off than Alice Springs? Maybe we do not need to worry. Maybe everything is okay in Port Augusta.'

I urge community leaders to do the exact opposite and say that we need to fix and make better the challenges we face in Port Augusta, the things that we have to deal with and the things that we have to improve with regard to some of the difficult social problems in the city, rather than accept that other places are worse. We need to work very, very hard to do that. As I said before, I call on all community leaders, Aboriginal and non-Aboriginal people, to show their solidarity, to show their leadership and work hard to protect and improve this important regional city.

I would like to just spend a moment on the categorisation of Aboriginal and non-Aboriginal. It is an important thing. Clearly, by definition, it refers to race, but I would like to highlight the fact that it refers to race only. In Port Augusta, Aboriginal and non-Aboriginal people are parents and grandparents, they are employees and employers, they have mortgages, they have car payments. Some people are well off, some people are not so well off. We need to all work together on this issue in Port Augusta.

This is an issue that, in Alice Springs, is particularly affecting Aboriginal youths. I think it is very unfair to then say that is an Aboriginal problem. I would like to highlight the fact that Aboriginal and non-Aboriginal people, in all walks of life in Port Augusta, need to work on our problems and our issues together, to be sure that we can improve our community and make sure that we do not end up with the difficulties that are being faced in Alice Springs.

As the article highlights, there are issues that are beyond control and are now in the realm of reactive politics. I think that in Port Augusta, and in Stuart in South Australia, we need to make sure that we are better than that and we are proactive with regard to our policies affecting this issue.

### HARMONY DAY

**Mr ODENWALDER (Little Para) (15:48):** On the weekend, I had the great opportunity to represent the Premier at the City of Salisbury's Harmony Day celebrations and the official launch of the city's Salisbury Link: Coming Together Through Sport project, which aims to support newly arrived families to engage in recreational and sporting activities and provide support to local sporting clubs to break down the barriers to participation in their club's activities.

It was a rainy day on Sunday and crowds were light on at first but the city's multicultural community eventually came out in force. The day started in particularly stirring fashion with cultural displays of drumming and dancing from the city's growing Sierra Leone community. It was very impressive.

As I said, the new Salisbury Link program is an initiative aimed at linking northern migrants with sporting clubs to help them better connect with others in the community. The City of Salisbury has become home to more than 2,000 settlement arrivals; that is, people intending to settle in Australia, over the last six or seven years. The number of settlement arrivals to the City of Salisbury is only expected to grow due to the area being a target settlement area for the Department of Immigration and Citizenship.

The City of Salisbury clearly recognises sport as an integral part of its cultural identity and social infrastructure. Sport provides children in the north, and especially teenagers, an opportunity to improve their health and fitness, to achieve some degree of independence, to mix with people of similar ages and abilities and to develop long-lasting friendships. For young people who have arrived in the northern suburbs from overseas and whose first language is not English, sport can also provide an opportunity to integrate into mainstream Australian society.

The program, funded by the federal government's Diversity and Social Cohesion Program, has paired over 100 migrants with seven clubs across the city; and earlier this year organised 'come and try days' where these migrants, largely from African countries like Sierra Leone, Sudan and Burundi, and also from Bhutan, were introduced to the various clubs and sports.

These clubs, which should be recognised for their commitment to multiculturalism in our community, include the Ingle Farm Little Athletics Club, the Salisbury Karate Club, the Salisbury West Tigers Netball Club, the Salisbury Amateur Athletics Club, the Redbacks Basketball Club, the Para Hills Bowling Club and the Parafield Gardens Soccer and Sports Club. Over the coming three months these local clubs will be welcoming more families from new and emerging communities to try their particular sport.

I commend the City of Salisbury; mayor Gillian Aldridge; Paul Zimny, the city sports development officer; Corey MacLean, Salisbury Link project officer; Linda Weiss, youth policy and project officer; Steve Davidson, cultural liaison officer; and Julie Fyfe, social development policy officer. It was also good to see the support lent to the City of Salisbury by other organisations like St John and particularly, and as usual, by the local SAPOL local service area. Senior Sergeant Mick Schooley, who is something of an institution in the north and who I know well, braved the weather to spend the day cooking a free barbecue for everyone involved. He spoke to me with his usual passion and enthusiasm about the LSA's blue light discos and the midnight basketball program, which is a great program and one which I know is actively supported by the member for Taylor. The midnight basketball program is so successful that there is now a waiting list to participate.

The local police and the City of Salisbury have worked closely together over the years. It is a healthy relationship and it is good to see them working together to reach out to new arrivals. I also make the observation that in my own local community in the City of Playford, and from my association with several soccer clubs in the north in particular, I am really pleased that many clubs

have made their own efforts to attract and integrate young new arrivals. Their addition to these teams, including of course the Playford City Patriots under 12s federation side, has been a real bonus.

It is a commonplace observation that sport is a great vehicle for integration and breaking down barriers between communities. I know that this government has a similar commitment to the City of Salisbury in involving new arrivals in grassroots sport, both by way of direct grants to programs and by providing training and support for clubs and organisations to include people from multicultural backgrounds.

### SAFE DRINKING WATER BILL

Adjourned debate on second reading (resumed on motion).

**Dr McFETRIDGE (Morphett) (15:53):** Before the luncheon break I was talking about some of the nasties that, in the past, have been involved in incidents where contamination of drinking water has caused illnesses and, in particular in this case, the death of a number of people. I was talking about the outbreak of meningoencephalitis caused by *naegleria fowleri*, an amoeba, in Port Augusta in 1972. Meningitis was a real worry for the towns around Port Augusta, Port Pirie and Whyalla at that time.

The research and the treatment of water that has been undertaken has removed that fear and now we are able to use the water from our taps, not with impunity because we always need to be careful how we handle water once we have taken it out of the taps but with the certainty that the water coming out of the taps that we use for drinking, bathing, showering, cleaning and washing is of excellent quality.

Some of the other nasties that have been quite common around the place have been some of the pathogens. *Cryptosporidium* and *giardia* are two very common bugs that infect the gut of animals. The most frequent source of contamination is animal faeces. The last serious outbreak that was noted was in Milwaukee in 1993, which led to over 400,000 people being sick. I understand that the problems in Sydney in 1993 were due to both *cryptosporidium* and *giardia*.

There is another group of pathogens: blue green algae or cyanobacteria. These cause the algal blooms on open water, and we see it in the River Torrens on many occasions, and they certainly can cause issues in reservoirs, lakes and water storages. They are being treated with everything from copper sulphate to chlorine and other forms of disinfectant so that now we can be confident that, under most circumstances, our water is safe to drink.

The cost of failure is something we do not want to think about. As I said, two young children—a seven-year old girl and a five-year old boy—died from amoebic meningitis in Port Augusta when I was there in 1972. I just cannot fathom what a devastating outcome that must have been for the parents and relatives of those young kids.

The need for good legislation is paramount. The legislation in Australia has not had a long history; in fact, it is quite recent. As stated in the discussion paper on the Safe Drinking Water Bill, there has been limited regulatory oversight of drinking water quality in Australia:

Risks associated with the current limited regulatory approach were articulated by the Productivity Commission which indicated that a 'light-handed' regulatory approach gives 'less certainty of compliance and less transparency and [less] accountability' and that 'legal responsibilities are not always clear and rigorous assessment is lacking.'

That is what we are trying to achieve with this legislation. That is what governments interstate and overseas have been trying to achieve. It continues:

In 2000, the Australian approach to regulation of drinking water started to change. COAG signed an Intergovernmental Agreement for a new food regulatory agreement (Model Food Bill) that included provisions applying to drinking water (Food Standards Australia New Zealand recognises drinking water as a food). Under the COAG agreement the provisions relating to drinking water can be included in Food Acts or in alternative legislation.

In South Australia the provisions for the model food bill were incorporated into the Food Act and Food Regulations, and now we have this piece of legislation before us here. As to interstate legislation, Victoria has the Safe Drinking Water Act 2003. Risk management plans are mandatory and they have to be approved by a third-party auditor. They have to meet the Australian Drinking Water Quality Guidelines, and they have to publish the reports of their testing.

Similar legislation exists in Tasmania. From 1997 (they are a bit ahead of us) the direction was provided by the Drinking Water Quality Guidelines, with regulatory support in the Public Health

Act. Queensland has the Water Supply (Safety and Reliability) Act 2008. Tasmania, Queensland, the ACT and New South Wales require risk management plans, and those plans have to be audited. In the ACT they do not, but the chief health minister has to approve them. They must all meet the Australian Drinking Water Quality Guidelines. Those reports should be published, and the published results should be freely available to all who may be interested.

In New South Wales a memorandum of understanding between New South Wales Health and Sydney Water/Hunter Valley Water is incorporated in the Water Industry Competition Act 2006 and Regulations 2008 for Private Sector Water Suppliers, and that is part of the Public Health Act 1991 and includes provisions on safe drinking water for all suppliers. The ACT, as I said, has similar legislation incorporated in their Public Health Act.

Overseas, New Zealand has a Health (Drinking Water) Amendment Act 2007, and similar sorts of things apply: registering of suppliers, risk management plans, meeting water quality standards, publishing reports. It is the same in the United States; back in 1974, the Safe Drinking Water Act was first established. It has taken a while for us to get there—in the past there have been some significant oversights—but now we are up there with this legislation, and I look forward to seeing how it works.

The European Union, which would be a real challenge, has the Drinking Water Directives, one of which is 98/83/EEC. I do not want to be bound by overseas conventions or seek to be a signatory to an overseas convention; I would rather have our own legislation. I am one of these people who is not only a state's rightist but also who likes some control of what is going on in our own community as a state member of parliament.

The need to continually monitor our water quality is imperative, whether it is SA Water or Port Augusta with meningitis or in another case that came to my attention which was the Terowie dam water. This is monitored by SA Water. In the end there were high counts of E. coli and other coliforms which were indicators of significant faecal contamination. So we need to make sure that people all over South Australia are able to drink good quality water at all times.

I congratulate all those who have worked on this bill. There has been extensive consultation. The model risk management plans for both groundwater and small rainwater supply have been put out there. The need to make sure that we do what we can not to get in the way of people running businesses and to make sure that what they are delivering is to the standard that we and the public expect is imperative.

I will quickly refer to some of the clauses in the bill. There are definitions of drinking water, and this is important because we are not talking about bottled water here. The definition of 'drinking water' means:

...water that is intended for human consumption or for purposes connected with human consumption (such as the washing, preparation or cooking of food or the making of ice intended for human consumption...

Certainly, when you are overseas, as I and others do, you do not have ice in your drinks because there are a lot of pathogens that can survive that process of being frozen. Of course, it is in the drink and away you go, you are off to some of those different types of toilets they have over there. The definition of drinking water 'does not include water that has been packaged in a bottle, cask or other container'. The definition of drinking water provided here is quite comprehensive.

The water resource definition has the same meaning as in the Natural Resources Management Act. I know that the member for Stuart has some issues that he may talk about with people who are carting water into remote communities or supplying water, that they may see this sort of legislation as being some hindrance or onerous imposition on them. I do not think that is the case but I look forward to his contribution in this place. Under the water resources definition at clause 3(5)(b):

the amount of water being supplied exceeds a volume prescribed by the regulations for the purposes of this subsection.

I will be interested to see about that, and I will ask the minister about that in committee.

For the purpose of this act drinking water is unsafe if the water causes or is likely to cause harm, is the means by which an illness has been or is likely to be transmitted, contains any pathogens, substance, chemical or blue-green algal toxin (whether alone or in combination) at levels that pose a risk to human health, or is not otherwise reasonably fit for human consumption.

The important part for some of those people out there in small businesses is that the application of this act does not apply in relation to any water collected or recovered at domestic premises of a prescribed class for use at those premises, and that was mainly to do with the B&Bs, the farmstays, some of the trails, caravan parks and that sort of thing. The bill refers to 'rainwater collected at any place of a prescribed kind for use at that place'. Once again, that is the B&Bs. Clause 4(1)(d) relies on people not expecting to have drinking water at a place that they visit, and it states:

rainwater or water recovered from a bore, well or a source prescribed by the regulations, supplied at a park, reserve or other place constituting open space that is available for public recreational purposes where it is reasonable to expect that members of the public would not usually expect to rely on the provision of water for human consumption at that place;

I think that is a fair enough thing too. You do not go out bush and expect to turn the tap on and have potable water at your campsite at every place you go. You know that would be prohibitively expensive and practically impossible to do.

The registration of drinking water providers is set out in the bill. A person must be registered under this act, and I will be interested to find out in committee what is the cost of registration. Part 2, clause 5(3) states:

An applicant for registration must furnish the Minister with such information as the Minister may require.

I think we need to have that clarified. Cost of registration and suspension of registration are issues that we need to talk about. I am just giving the minister and his advisers notice of some of the issues that we will be canvassing in committee so that they can perhaps prepare for that stage. I have an issue with the suspension of drinking water supplies permits. Part 2, clause 9(5) states:

The drinking water provider may, within 14 days after receiving the notice, lodge with the Minister a written objection.

Can they continue to supply during that time, and what will be the requirements?

Risk management plans are laid out in the bill. We talked about the use of standard risk management plans, and that is a good thing. I was pleased to hear from the minister's advisers that they are more than happy to assist businesses in setting up risk management plans and in implementing the monitoring of drinking water through these plans. The cost of doing that both in time and money is something that has been raised with me.

Regarding auditing and inspectors, some of my colleagues and, I suppose, some members of the public have some questions about this part of the legislation, so I look forward to having them clarified in committee. The chief executive may approve a natural person to be an auditor or an inspector for the purposes of this act. So, they can be local government officers or officers from the Department of Health or possibly the EPA, and I would like to know a bit more about that.

The chief executive must be satisfied that the person is competent to carry out the functions and the person's technical skills and experience, and any guidelines relating to competency criteria determined by the chief executive need to be applied. Is that a TAFE course? Is it a university degree? Where are we going there? Audits and inspections have to be done every year in the case of a large water provider or every two years for medium and small water providers.

I will just quickly flick through to this because this is the part where there may be a real need to clarify some of the issues, that is, part 7 of the bill—Administration and enforcement. Clause 36—Powers of authorised officers, states in subclause (1):

- (a) at any reasonable time, enter or inspect any premises or vehicle; and
- (b) during the course of the inspection of any premises or vehicle—
  - (i) ask questions of any person found in the premises or vehicle;

It sounds good but that person is obliged to answer those questions even if they would normally incriminate themselves. Clause 36(1)(c) states:

require any person to answer any question that may be relevant to the administration or enforcement of this Act.

The bill further states that, having been asked a question under this section, the person must answer the question to the best of his or her knowledge or belief, and, if they do not, it is an offence carrying a penalty of \$25,000. The bill continues:



It is not an excuse for a person to refuse or fail to furnish information under this section on the ground that to do so might tend to incriminate the person or make that person liable to a penalty.

On the face of it, that sounds pretty draconian, but then you go on to the next subclause, which provides:

However, if compliance with a requirement to furnish information might tend to incriminate a person or make a person liable to a penalty, then—

- (a) in the case of a person who is required to produce, or provide a copy of, a document or information—the fact of production, or provision of, the document or the information (as distinct from the contents of the documents or the information);...is not admissible as evidence [in court].

I will need some explanation as to what is meant by 'as distinct from the contents of the documents or information', but we can talk about that in committee. That similar obligation to answer questions, again, appears in clause 41, where a person, again, is obliged under penalty of a \$25,000 fine to answer questions.

I can understand completely the need to get that information straightaway, because if someone has knowledge of where a water supply is being contaminated, poisoned or being made unsafe to drink you need to get that information and get it straightaway. Whether that person is somehow involved in legal action is something that we need to have clarified in committee.

That is about all I need to say at this stage. In committee, though, we will have some questions about the regulations, the review of the act and the discussions with the local government. Certainly, I will need to know a bit more about the fees and charges that will be prescribed under regulation.

I thank the minister and his staff for their cooperation. I will just say that it has been another piece of legislation that has come on quickly into this place. My office wrote to the minister's office in, I think, late December or early January asking when this legislation was coming; so, we were expecting it. My office had done quite a bit of homework on this, but then it was introduced on 9 March and here we are on 22 March debating the legislation.

It is good that we are here at this stage doing this. I look forward to some answers in committee. I commend the bill to the house.

**Mrs VLAHOS (Taylor) (16:12):** It is timely that we should be here discussing the introduction of the Safe Drinking Water Bill on 22 March as it is World Water Day today. As noted by the Minister for Health, drinking water safety is currently regulated in South Australia under the Food Act 2001. However, while the Food Act defines a broad requirement to produce safe drinking water, it does not provide direction to providers on how this requirement should be achieved or how it should be measured. The Safe Drinking Water Bill addresses this lack of clarity.

South Australia has long been identified as the driest state in the driest inhabited continent in the world. The recent drought has provided a clear reminder that water is a precious commodity, and that safe drinking water is a critical requirement for sustaining and maintaining a healthy South Australian population and community.

Safe water supports longer life spent in good health and improves productivity and higher living standards for all of us. The benefits of safe drinking water are often underestimated in developed countries such as Australia. This safety is generally taken for granted in most parts of the country, with the exception of, perhaps, rural and remote areas that suffer from the isolation and the tyranny of distance with safe water.

This is despite the fact that the introduction of safe drinking water supplies and sanitations have had a great positive impact on public health in the developed world—more than any other single measure—over the last couple of centuries. For example, in the first half of the 20<sup>th</sup> century, United States' mortality from infectious disease fell by 65 per cent, child mortality was greatly reduced and life expectancy increased by 26 years. Nearly half of this improvement can be attributed to the provision of safe drinking water.

Similar impacts occurred in Australia at the time. The importance of safe drinking water continues to be illustrated by high mortality rates from infectious disease in developing countries, where about two million people die each year from gastric illness largely attributed to unsafe water and poor sanitation.

Most South Australians are provided with drinking water through a reticulated supply system of SA Water, which has long worked cooperatively with the Department of Health to meet

the shared goal of ensuring safety and protecting public health. This is a complex task and constant vigilance is required to meet and overcome the large and varied challenges in drinking water safety.

All of our major drinking water supplies incorporate multiple controls and are monitored 24 hours a day, seven days a week. The surveillance undertaken by SA Water and the Department of Health goes largely unseen. The advantage of reticulated water supplies is that a large number of people can be supplied with safe drinking water; however, there is an issue with the consequences, which can be very high in terms of public health and economic and social impacts when the system goes wrong.

Drinking water outbreaks in the developed world, while infrequent, are a reality. In 1993, over 400,000 people in Milwaukee (United States) contracted gastric disease through a highly treated drinking water supply system. In 1998, Australia received a large wake-up call when Sydney's drinking water supply was declared unsafe for several weeks. The level of public concern was high and the media coverage was extensive. The estimated cost to the economy exceeded \$75 million.

Responses to drinking water incidents and associated public outrage typically lead major changes in the drinking water standards and regulations. The Sydney water incident was no different and heralded significant changes to the management and regulation of Australian drinking water supplies. The most immediate impact was the revision of the Australian Drinking Water Guidelines to strengthen the focus on continuous quality assurance, with the Department of Health and SA Water taking leading roles in this process. A risk management framework that can be applied to all supplies irrespective of size was also included in the national guidelines.

SA Water has implemented risk management plans for all of its drinking water supplies. The implementation of risk management plans in rural and remote communities has moved more slowly due to the tyranny of distance and reduced capacity and resources. This is an international problem and one that cannot be overlooked because small suppliers have been shown to represent a heightened risk to public health. As a result, there has been increased attention directed to smaller rural communities around the world.

The World Health Organisation, the National Health and Medical Research Council and the National Water Commission have developed specific guidance and tools to assist operators of smaller water supplies to implement improved management and quality assurance of drinking water safety standards. Similarly, the Australian guidance on the use of rainwater tanks incorporates a risk management approach based on the Australian Drinking Water Guidelines. Again, South Australian agencies have proved to be key contributors to this work at both the national and international level.

In practical terms, the Department of Health has worked with a range of smaller drinking water providers to support the implementation of these risk management plans. These have included providers and managers of supplies in the major Indigenous and outback communities, as well as operators of water supplies in bed and breakfasts and in government schools not connected to mains water. This collaborative program started before the development of the Safe Drinking Water Bill.

Other events have also contributed to the change, including increased corporatisation and commercialisation of the water industry and the demand for greater diversity and innovation in the provision of drinking water supplies in our nation. The drinking water industry is changing to meet the increased challenges presented by climate variation and ever-growing populations.

Historically, Australia has had a light-handed approach to drinking water regulation but, in 2003, Victoria led the way by enacting the Safe Drinking Water Act to address inadequacies with its established regulatory framework to provide a descriptive approach to assuring drinking water safety and to address the disparity between metropolitan and rural supplies. In 2006, the New South Wales government developed the Water Industry Competition Act to address drinking water safety requirements for private sector providers. New South Wales is currently developing a general requirement for quality assurance or risk management plans for all its drinking water supplies. In May 2008, as the drought continued in Queensland, the Water Supply (Safety and Reliability) Act was developed and passed.

All of these pieces of legislation include a number of common features. Most importantly, they include requirements for risk management plans in accordance with the Australian Drinking

Water Guidelines. They also include requirements to meet water quality standards, regular auditing of drinking water supplies and the reporting of routine results and incidents to a regulatory agency.

Consultation on developing a South Australian safe drinking water bill commenced in 2007, and there have been broad-ranging discussions with stakeholders from government agencies, local government and representative bodies such as the bed and breakfast and farmstay association along the way. This led to the release of a discussion paper in 2009 which identified the proposed content of this bill. The key principles were based on established national and international legislation and a requirement to implement good practice as defined by the Australian Drinking Water Guidelines.

Consultation has been broad and involved more than 300 stakeholders. Responses have been consistently positive and supportive of the proposed bill and its principal features. As a result of these discussions, a number of other measures have been taken to reduce the impacts including combining drinking water audits and inspections, where possible, with food audits or with existing accreditation programs, such as that undertaken by the South Australian Tourism Industry Council.

Provision for exemptions was also included for small water supplies derived from rainwater tanks, and this has been mentioned earlier by one of the other speakers. This is consistent with existing Department of Health policy that well maintained rainwater tanks generally represent a low risk to the community. An exemption was also included for discretionary supplies, such as rainwater and bore water provided in parks and recreational facilities, where supply is not expected or guaranteed.

These measures were included in the draft bill released for further consultation in 2010. Further feedback resulted in premises such as bed and breakfasts, community halls and caravan parks being eligible for exemption, but higher risk premises such as hospitals, aged-care and childcare facilities, which provide water to potentially vulnerable people, will not be eligible for this exemption for sensible reasons. An important change was to include provision for development of an agreement on administration of the bill with local government. This change was supported by the Local Government Association (LGA).

The two phases of the consultation engaged a wide range of stakeholders including operators of the Leigh Creek, Coober Pedy and Worrina water supplies, operators of small supplies including bed and breakfasts, caravan parks, water carters, the Local Government Association, environmental health officers, local council chief executives, SA Water, United Water, United Utilities and other government agencies. The changes identified during the consultation have strengthened and improved this bill and have reduced the impacts on providers of small supplies and on local government.

Except for the identified exemptions, the bill applies to all drinking water providers in community or commercial settings in a manner that is designed to be commensurate with the size, complexity and potential risk posed by different types of drinking water supplies. The bill applies to drinking water and, hence, does not apply to supplies provided for non-drinking purposes in communities such as Mintabie, Yunta, Terowie and Cockburn or to irrigation water supply for domestic use. The bill does not apply to packaged water—including bottled water, which is marketed differently and, by international convention, is regulated through food legislation—or to domestic bores and rainwater tanks.

Due to the pressures on our drinking water supplies, South Australia has long been a leader in investigating challenges to drinking water safety and then applying responses to our legislation. The voluntary measures that have been adopted to protect our public water supplies have served us well but circumstances are changing and have changed. There are more pressures on our water supplies and more and more providers are entering the market. To ensure that all South Australians receive safe drinking water supplies, effective and proportionate regulation is required. I commend this bill which helps us to achieve that.

**Mr WHETSTONE (Chaffey) (16:23):** I rise to support the bill. I too would just like to acknowledge, as has the member for Taylor, that today is World Water Day. Firstly, I would like to acknowledge that, growing up on a farm, I have dealt with all sorts of water quality issues, all sorts of water standards and, in many cases, the lack of water standards. I vividly remember as a lad living on my grandparents' farm south of Adelaide, and we used to have to undo the tap to get the yabbies out of the spout. It was always a novelty to flush the toilet and watch the yabbies come down and chase everything down the cistern.

**The Hon. R.B. Such:** You didn't get any crabs, did you?

**Mr WHETSTONE:** No, we didn't get any crabs, member for Fisher. It was just one of the experiences I had as a young lad growing up on the farm. They were the sort of standards that we put up with—and, by the way, we didn't contract any diseases!

**An honourable member:** Nutritious!

**Mr WHETSTONE:** They were nutritious. Today's standards are much higher. There are much more critical standards put on everything we do as part of our everyday actions. I would like to speak more specifically about the water supply in the electorate of Chaffey. As most members of the house would know, all water supplied in Chaffey comes either from the Murray River or a rainwater tank. Over time, SA Water has become the main domestic water supplier. Most of the water is supplied through filtration plants into the major towns up there such as Renmark, Berri, Cobdogla—which I think was the last filtration plant to be completed—Loxton, Swan Reach and Waikerie. SA Water has also had many issues regarding the filtration plants with the issue of the black water that has been coming down the river. I will touch on that a little later.

We also have the irrigation trusts which supply a lot of the domestic water to the outlying homes and properties. When we talk about drought, we do not have too many issues because the water is normally fairly clean, delivered to the houses through pipelines and not too many people have much to say about it. However, all of a sudden, as has happened this year, we are dealing with a high flow and a lot of over-the-bank flows.

When that happens, a lot of water goes out into the floodplains and backwaters, and it is almost cleaning the floor of the river corridor. That is picking up all the leaves and bark and is leaching the tannins out of them. When it leaches, it takes the black away from all that material and that is why we call it a blackwater event, obviously. What it is doing is reducing the dissolved oxygen in the water but it also brings a lot of organic matter out of the river, through the pipes and delivered into people's homes. It really is quite an experience to turn on a tap after these recent events and to almost throw up when you smell the water. It really is a very serious issue.

However, that is something that farmers and country people are prepared to put up with. It is part and parcel of living on the land and having your water supplied through an irrigation trust. The way the irrigation trusts get around that is that they send out a notice to the ratepayers to let them know that it is non-potable water. We have to have different water supplies, not regulated, but we do have to have tanks that we can put that river water into to settle.

The settling process is done by people using alum, concrete or cement powder; they have many methods of filtering their own water and most of them have rainwater tanks. Through the course of this year people's rainwater tanks have been full because of the good rains but in a house with two adults and two kids (as a standard family) that water supply does not always last. That has been one of the major issues, with the quality of water right the way down the river. If we are talking about South Australia, it is from the border down to the lakes. That is really part and parcel of living on the river.

Just dealing with some of the people who are living on the river, I think there are some small communities within Chaffey where it is about time that the government put a little bit of support into them and upgraded and extended some of the pipelines into those small communities. I note that the Lyrup village is still using non-potable water, as is the Lock 4 community.

Ironically, SA Water mains, which have filtered water, go right past those communities. One thing that I think should be noted is that it is about time that the infrastructure was put in place so that these people can have almost the luxury of having clean, filtered water to their homes. There is nothing worse than turning a tap on, filling a bath up, having a black bath and almost getting out of the bath dirtier than when you got in. It really is quite a culture shock.

The infrastructure needs to be put in place for many of these small communities. In saying that, it is ironic that the mains that go past those communities are watering sheep, pigs and cows. The sheep, pigs and cows are drinking filtered water, yet the local communities are being denied that filtered water. It really beggars belief, but I am hoping that this government will look at that and acknowledge that these people have a right to filtered water, probably more so than the sheep, cows and pigs.

I guess we also need to recognise that the Australian drinking water standards and guidelines are sufficient for our water safety. It has been proven over time that Adelaide, having one of the worst reputations for water in the world, has picked up its game. In many cases, I

congratulate SA Water on being able to provide treated, filtered water to homes, but I think more needs to be done.

The aesthetic quality of water really has been a bit of an issue, particularly with the blackwater and in drought. We have outbreaks of blue-green algae plumes up and down the river from time to time, with low flow and high temperatures. Again, that is putting the water standards for consumers at risk and that is another reason why there is a need for more infrastructure through SA Water mains, through the SA Water filtration plants, to service the homes within Chaffey.

I would also like just to touch on the diverse water supply, not only in Chaffey but right the way around South Australia. It has been touted that the desal plant down south of Adelaide is going to be one of the diverse water supplies to Adelaide and it will come at great cost. It is going to come at huge cost and I think that people who are upset with water prices today will be more upset if the desal plant does come online. Reportedly the desal plant has to be maintained for a two-year period at 75 per cent capacity so that its warranty can be upheld, so it really makes you wonder just how much money people are going to pay for having a 100-gigalitre desal plant for Adelaide.

Moving along from today, maybe in 10 years' time we will be looking at more underground water use and more stormwater. I really think that the government has been very slow to move, particularly on stormwater harvest. We do not have to look at large areas of harvesting; we can look at small community harvesting operations.

Some of the new housing developments can actually have rainwater harvested off their roofs and put into a community holding cell. As most here would recognise, some new housing developments have very, very small yards and almost non-existent walkways around the sides of the houses. That would be a way in which every house would contribute. Every house has roof space and a catchment area, and that water could be put into holding cells at very much reduced cost.

It would be clean water put straight into the cells. It would be clean, it would be harvested and it would be ready to use. It does not have to be drinking water. It can be used on parks and gardens. It can be used on some of the greywater, some of the cleaning infrastructure within the house, but it is another way of diversifying with water; and it is water that we can use, of high standard, because it is clean.

We harvest water off the roads, we harvest water from major building sites, and a lot of that water is contaminated and it has to be treated. Sometimes it has to be put into wetlands, sometimes it has to be put through large filtration projects before it can be stored in aquifers; before it can be stored, potentially, in large storage facilities, but at great cost.

Again, we also look at recycling water and it is something that has been put on the agenda a number of times but most sides of government are a little reluctant to go there because the idea of drinking someone else's sewage does not rub well.

**The Hon. J.D. Hill:** I wouldn't like to drink my own either.

**Mr WHETSTONE:** No. As the minister says, we do not really want to drink our own, but if we look around the world there are many—

**Mr Pederick:** Whose are you going to drink?

**Mr WHETSTONE:** Oh, member for Hammond, I will trade with you! Madam Speaker, I need to get back on track. The member for Hammond has obliterated my concentration. I think the recycle issue will be put back on the agenda in the near future. It is something that needs to be looked at and considered. Over time, and it is proven all around the world in many countries—and I note that in Singapore they use water up to seven times, so to think that you can actually drink that same water seven times after watching it go down the drain or flushing it out to where it has to go. It can be treated and it can be re-used, but I think it is more of a mindset. It needs to be addressed because, once it is treated, it is a safe option to re-drink.

I have just about come to the end of my contribution here, but again I reiterate that in the future all water will be used many times and we do need to have these standards so that we can drink our water many, many times. It is also important to aim for the maximum possible water safety and quality standards, not the minimum standards.

**Mr GARDNER (Morialta) (16:38):** It is with great pleasure that I follow the member for Chaffey. I always enjoy the opportunity to listen to the member for Chaffey talking about water

issues. I thought that was a compelling contribution, given without notes, and I commend him for that contribution to this discussion.

I am very glad to be able to make a contribution myself on the matter. The provision of safe drinking water is a fundamental health issue. The aim to provide water safety before delivery to consumers, in all circumstances—to measure it and provide information to consumers on test results—is imperative.

The provision of safe drinking water is not only, as the United Nations has declared, a basic human right but it is also an issue with a high degree of personal interest for me, given my family's history of involvement in the pioneering, in many ways, of the manufacture of water treatment equipment in this state. For those in the house who might not be aware, at the South Australian Water Awards in 2008 my father had the honour of being awarded the Premier's Water Medal for outstanding contribution to the water industry in South Australia.

I suspect he might have been picked out more by Professor Don Bursall than by the Premier himself, but it was certainly an appropriate recognition of the contribution that he has made.

**The Hon. J.D. Hill:** Put his name down.

**Mr GARDNER:** Tony Gardner is his name, and he did a fantastic job throughout his career. I thank the minister for his invitation. As the minister has pointed out, we can be proud in this state of the longstanding provision of drinking water by its institutions and instrumentalities, which, for the most part, has served South Australia well. Also, as the minister reported in his second reading contribution, South Australia has no recorded outbreaks and limited and well-managed incidents only of infectious diarrhoeal disease, which is the main cause of death in many developing countries.

Notwithstanding that the provision of safe and reliable drinking water supplies is a basic population health requirement, what does also need to be considered in relation to this bill is the imposition of costs and compliance regulations, which should not be inappropriately onerous. On face value, what is being proposed in this bill does not seem to place so high a burden on business or the community as to be inappropriate. I say this, having been reassured in the briefing from departmental officers offered to the opposition earlier this week, that particularly small providers and companies would be provided with assistance, where necessary, in preparing the risk management plans that will now be required of them.

Further, every two years small providers will also bear the impost of an \$80 cost for their mandatory audit and probably about \$260 worth of testing costs for the metals, such as arsenic nitrates, fluoride, or disease-causing microorganisms—bacteria and viruses. In reality, these companies will largely be doing this testing now. Many providers will be undertaking these costs now, and it is my view that these costs would be acceptable to the majority of providers.

Indeed, I have also been assured by the health department that the cost of audit inspections are consistent with the current food inspection audits, which are mandatory every two years. Having been reassured that smaller operators will be given help to develop their risk management plans, I trust that we will not have any problems arising in that area down the track.

This bill, I note, does not apply to single domestic home users. It remains a matter of personal choice to drink rain or bore water or, indeed, to treat water not meeting potable standards in the home. While this can be done, I would hope that anyone undertaking that risk does so with the best possible equipment, much of which is, of course, manufactured here in South Australia, and with suitable testing carried out.

As a member with five water companies and collectives servicing the suburb of Skye in my electorate, I would like to remind the house that Skye households represent the only water consumers in suburban Australia—living just six kilometres from the CBD, as they do—without mains water. For well understood historical reasons this is a group who are dependent upon alternative suppliers that are not defined as potable standard.

The local suppliers—the companies and also those who have worked for the collectives servicing relatively small numbers of households—have made a significant contribution to their local community for a number of decades. That water is for the main part sourced groundwater and not potable; therefore, the imposts in this bill affecting other providers would not apply to these constituents in Morialta.

These companies and collectives undertake their own testing for microorganisms and metals at their own cost for their own peace of mind, of course, as they are also consumers as well suppliers. Many consumers boil or treat the supplied water for potable use or use treated rainwater. Given this bill is directed at ensuring water is safe for drinking and basic hygiene, the fact that no such mains supply is available in this part of suburban Adelaide is a matter which needs serious further consideration.

There is also a significant fire danger risk not just to the residents of Skye but also surrounding suburbs that is posed by the lack of mains water being piped through the suburb, which, of course, backs directly onto the Hills. Having toured this area with the Country Fire Service, as I do every year on their annual fire track inspection, I can assure the house that this represents a serious safety concern that is recognised by that group.

In late 2009, along with the federal member for Sturt and the previous member for Morialta, I was able to give support, as the Liberal candidate for Morialta, to a proposal by the Burnside council, along with SA Water, to provide mains supply to Skye. However, the proposal included some \$300,000 funding from Burnside and \$700,000 from SA Water, and required a \$3 million federal grant that was not forthcoming. While the residents of Skye are doing their best to get by at the moment, I am certain that we will need to revisit this issue at some stage.

Getting back to the specifics of the bill at hand, I note that significant consultation took place, but even so it was not perfect. A number of the suppliers in Morialta, to whom my office staff and I have spoken in the last couple of days, found out about it through those phone calls. While they should prove to be exempt from the obligations as described, I would imagine that is possible that they may have had the potential to offer some useful input into processes, and I hope that the Department of Health, as with all government departments, will continue to seek ways to improve their consultation processes. It is something that all departments should be looking to.

Safe drinking water cannot be taken for granted and, in essence, what is proposed is that risk management plans be put in place and include monitoring and incident reporting, that there be regulatory reporting of results, the requirement to provide results to consumers (such as through a website) and a register for all drinking water providers.

With diversified supplies and a proliferation of drinking water providers, it is timely that we further consider the development and implementation of drinking water legislation. The aim to discourage poor practices is good in principle, and I trust that we will see this bill is not used to squeeze small providers unnecessarily. Application of good management practices is necessary to confirm the supply of safe drinking water and public health, and the formation of a framework for providers' roles, responsibilities and reporting requirements is suitable.

The bill describes reporting requirements when it is suspected that a water supply could be unsafe and enables action to be taken to protect public health. Other members have flagged some concerns with how this part of the bill is to be managed. While I will leave that argument to others, I confirm that I am at one with the opposition on our treatment on this aspect of the bill.

While local government is reportedly pleased with the administrative structure of the bill, additional red tape such as furnishing reports is not universally welcomed by the business community already undertaking testing to achieve safe drinking water. It will be the responsibility of the provider to get inspections carried out, which is not unreasonable, and I am pleased that they will be given the opportunity to use council or independent testing.

I think that while in South Australia in particular we are very focused on access to sufficient water, it is equally essential that the water supply is safe for drinking and basic hygiene. Quality is just as important as quantity. I, therefore, indicate my support for the bill with the caveats that the shadow minister has already flagged on the basis that it may make a contribution towards ensuring that goal.

**Mr PENGILLY (Finniss) (16:48):** I indicate my support for the bill. The issue of water, quantity and safe drinking water is extremely important and receives a great deal of discussion in this place. I also support the member for Morialta in the remarks that he made about his family's involvement in water. I know Tony and Veronica quite well. I was present at McCracken resort at Victor Harbor three or four years ago when Malcolm Turnbull was the federal minister for the environment and he came down there to open this event at which Tony and Veronica had a display. It gave me great pleasure that the first person I took up to Malcolm Turnbull was Tony Gardner out of interest.

What does concern me in this whole debate is how far we go by way of regulation and bureaucratic requirement on water. Why I say that is to do with the ultimate cost to the user of the water. It is all very well for those of us who supply our own water, and I might come back to that in a minute, but there has been much said about the amount of reservoir water we use, the water that comes through from the Murray, and there has been a lot said about the desalination plant. But the actual cost of the water—whether it be there or in some of the far-flung areas of the state that are supplied by other means (bore water or whatever)—the cost of production of water is getting alarming.

Let me tell you about the information I have just received from the Minister for Water's office. The Penneshaw desalination plant readily comes to mind, which was the first desalination plant in the state, built by the Brown government and opened by the minister at the time Michael Armitage in 1996, I think, from memory.

The cost of that water now is approximately \$4.60 per kilolitre over a three-year period or 46¢ per litre. Clearly the water is cheaper to produce at night due to low tariffs and is cheaper to produce in summer than in winter with low water viscosity. On top of that, and this is where these costs come in, the very tiny Penneshaw desalination plant which supplies three or four hundred people has to spend \$50,000 every three years on new membranes. That is older technology, but I suspect the desal plant that is coming online down at Hallett Cove will require similar replacement, and God knows what that will cost.

The other thing about this original desal plant is that the average production cost of \$4.60 per kilolitre does not include the amortisation of the original capital cost, the plant, the pipelines, the chlorination facility, bulk storage reservoir or plant update cost. So, I think we are setting governments in the future an alarming scenario for the cost of producing water and, therefore, an alarming cost to the people of South Australia in having good clean water that is something that they have come to take for granted but a lot of them conveniently grizzle about it at any given time.

A constituent in my electorate down on the South Coast, Mr Warren Godson, who may or may not be known to the minister or other ministers is a regular visitor to my office with his complaints about the quality of the water and the poisons in the water that we are using in South Australia. Mr Godson regularly raises the issue of boron and other substances and regularly asks me to collect information for him. Probably in fairness to him, his views are fairly extreme, but he does have a deep and meaningful relationship with the water that he drinks and he wants to be sure that he is not getting poisoned.

This takes me back a step or two to domestic storage of water. Myself and possibly others in this place have been brought up on the water that we captured for our own use. In my case, we have around about 100,000 litres of storage on our farm property for our own domestic use and this and that and everything else. We keep our gutters and our tanks clean to the best of our ability, and the water falls on the roof and runs into the tanks—I am living testament that it cannot be too bad, I suppose!

I recall about 15 years ago on another property of ours that we had a 6,000 gallon tank—which is 30,000 litres—down there attached to a shed which I used for sheep and spraying and what not, and I used to get a drink out of it—and you will love this story. The water tasted a bit funny so I got up and found, I think it was six possums floating in the top, which had found their way in there. The end of the story for the record is that—

*Ms Chapman interjecting:*

**Mr PENGILLY:** It got worse than that because I had to drain the water and let it all go and I found that I could not fit in the hole on the top of the tank. Fortunately my wife fitted in the hole! This is a true story and Jan and I were only talking about it the other day. I got a ladder that fitted and I put it in the tank, and I got on the tank with a rope and a bucket, and Jan got down in there, and we bucketed out the six possums and we cleaned out a hideous mess that was left on the bottom. I did penance for that for about the next five years, I think! So, I am very keen on fresh water, minister, let me tell you.

**The Hon. J.D. Hill:** What does possum taste like?

**Mr PENGILLY:** Foul. The reality is that we must now provide for the future by way of having very good water. We have to do that. It is our responsibility. So, in supporting the bill I principally want to speak about what the cost will be to future residents of South Australia to



provide for their own water by way of our demands in legislation such as this today. In closing, I support the bill and wish that it goes through the houses quite quickly.

**Ms CHAPMAN (Bragg) (16:55):** I rise to speak on the Safe Drinking Water Bill 2010, which was published in June 2010 as a draft bill for consultation. More recently the Minister for Health introduced a final bill, which apparently has some amendment post that consultation. I indicate that I will not be opposing this bill.

There are a number of questions to be asked about its applicability, but, nevertheless, the question of ensuring that we have a quality of safe drinking water and standards is important—whether this is the appropriate measure by which to secure it or whether it is necessary to make amendment to secure that in South Australia is another matter.

Let me first address the bill according to the minister's presentation to the parliament earlier this month. The minister outlined, first, a history in South Australia of the development of what is now known as SA Water, which earlier last century (in its previous life as the Engineering & Water Supply Department) took on the responsibility (which has developed into an almost monopoly) of the provision of potable water to South Australians.

That history is very interesting. In fact, the SA Water department, I think about 10 years ago (it may have been more recent), published a DVD of the history of water engineering in this state. It is a commendable history, and it is one of which I think we should be proud, given the level of engineering feats that have been undertaken not just to provide pipelines crisscrossing the state and providing for security of water supply but also very significant reservoirs that have been built to provide for that.

In modern times—in the recent 20 years or so—we have developed technology in South Australia which has been sold to the world, and that is something of which this state should be proud. There is much to be considered about water in our state because of the scarcity of it, or as some would say 'abuse of it' in the sense of wasting it.

Today is not the day to talk about the availability, accessibility or affordability of water, but it is fair to say that they are all very important components in the provision of water in this state. It is all very well to say that we have a whole lot of new rules to protect what is apparently a problem in relation to the standard and safety towards drinking water, but if we do not have any water in the first place, or we restrict our access to it, or we make it so expensive that people cannot even drink it, then these further aspects seem to pale into insignificance.

So, what does this bill actually do? It tells us, according to the minister, that, consistent with a regulatory model—which has been considered at some national levels, and also at some other state levels—it is the way to go with the view to protecting our water supply and keeping it to a high standard, coupled with national guidelines in respect of water quality, and it requires the water providers in this state to do a number of things.

One of them is to ensure that all the drinking water providers need to implement a risk management plan, presumably to set out a process or a procedure which they will follow to ensure that the water they provide not only reaches a certain standard but is maintained and able to be regularly checked. So, under this regulatory model, that would be imposed on SA Water (which provides about 94 per cent of the state's potable water) and some 500 other smaller providers. The rules are slightly different for them, especially in respect of the time periods for audit but, basically, they ought to have a plan.

In addition to that, the plans have to include the monitoring programs, that is, what they do to make sure that their water stays at a certain standard. There are certain incident protocols presumably for when some defect in the system is identified and for the reporting and the application of what is to be invoked in those circumstances. As part of these monitoring programs, there are to be incident protocols. The provider must also submit to the Department of Health those programs and protocols for approval. The minister tells us that the monitoring costs range between \$55 and \$130 a year; presumably that cost is to provider.

In addition to this framework, the bill will also—the minister claims—increase transparency, because it requires all providers to submit water quality results to the Department of Health, which can then provide those results to consumers. I assume from that that this information will be made available publicly and will fulfil the important role of being able to be examined and scrutinised by the public.

We are also told that SA Water currently provides water quality results on a monthly basis—I assume that is currently to the Department of Health—and that that protocol will continue. There are also to be audits and inspections for drinking water supplies, and the Department of Health is the body which will be responsible for approving those who are to be inspectors and auditors in this process.

The current position is that we have, I suppose, two main sources of protection for our water supplies. One is the Food Act 2001 and we also have what was the Public and Environmental Health Act—which also had a role in relation to water quality—which has recently been reviewed by this parliament.

It appears that local government will still retain some role in the administration of this new regulatory framework. I am not sure the extent of it, but what is missing in the minister's information to the parliament is not just the cost to the individual provider on an annual basis (that is, the fee that is paid to the department), but we also need to have a fair idea about what the cost is to the provider to actually undertake all these things—to actually prepare the plan and pay someone, if necessary, to do the assessments and the submissions for compliance.

The other thing missing from the information in this debate is that there is not one jot of information given by the minister as to the cost to administer this new regime. If it is an important thing for us to undertake, we should also balance that against whatever the cost is going to be. So, we should have disclosed to us a detailed assessment of the cost of administering this new regime. What is going to be in this financial year's budget to make provision for this when it is introduced, and what is the annual cost going to be to monitor it? Unless we have all that information, how can we, as a parliament, make an assessment about what else is to be done and if, in fact, it is the most appropriate area to consider?

So, what is the number of full-time equivalents that we need in the Department of Health to monitor this? Will there be any change in the number of personnel required in local government—will there be fewer or more? And we need to have the cost of training that goes with that.

The other matter I would like to comment on is that the minister outlines in his second reading explanation that there have been some serious outbreaks and incidents at an international and national level in our history generally, and that we need to ensure that we protect our South Australian population against such examples.

He refers to an incident in Sydney, which was well publicised at the time when, in 1998, three 'boil water' notices were issued over a period of several weeks following detection of suspected contamination of drinking water supply with cryptosporidium and giardia. That received national and international coverage, as I have said. The Sydney water supply ultimately incurred a cost of some \$75 million due to the impacts of this incident.

There was also the very famous Walkerton incident in 2000 in Canada, and the occasion when some 403,000 people were contaminated with cryptosporidiosis from contaminated water in Milwaukee. When things go wrong, they can go very seriously wrong, and people's lives are at risk. It is curious to note that the minister omitted to mention that, early in 2007, we in South Australia actually had a circumstance where some 140 people had been infected within an eight-week period. There were 105 cases of cryptosporidium in just one week, which was alarming given that, in previous years, the total for the year was somewhere around 35.

The circumstances at that time were that the government was not open and transparent about what was happening with this. Sure, they put out a press release saying what the figures were but, clearly, if the government were going to be responsible in ensuring that the public knew exactly what was going on, even while they were actually trying to identify the source of where the cryptosporidium was developing, the health department needed to make it clear to the public exactly where it was coming from, whether it was in the drinking water or the swimming pools.

The public is entitled to know about that. It was irresponsible of the government simply to put out a media release, when warnings should have been put into schools, hospitals, public swimming pools, childcare centres and all the GPs in the area at least as to whether cryptosporidium was being reported. So, we have actually had a demonstrable circumstance here in our own state where hundreds of people were infected, and I suggest to the parliament that the minister was derelict in his duty and responsibility in ensuring that South Australians were properly warned and advised, but we are used to that, frankly.

I can recall an occasion when seven men had unprotected sex with a man who was known to the Department of Health and risked being contaminated with HIV. The minister's ultimate answer to this place was, 'Nobody told me; I wasn't told.' This was when the department had had repeated notice and when the South Australian Housing Trust—I cannot blame the current minister for that one; she is usually responsible for most things—also knew about it because he was living there.

They knew about the concern of a threat of a very serious contamination of innocent people in the community—in this case people who responded to an electronic invitation to have unprotected sex. It was a situation where there had been no disclosure of a notifiable disease by that person, so we know that the minister runs a million miles away when there is a circumstance that is a danger to the public. I am not, therefore, overly confident of relying on him to actually deal with it, but if the Department of Health—the very ones who have actually lapsed during these occasions—is going to be responsible for this new regulatory procedure, then it needs to get its act together. We need to have a minister who is going to make sure that they do this properly and that the Public Health Division of the Department of Health does it properly.

The other aspect I would like to refer to is the party that is the principal provider of water in South Australia; that is, SA Water—that great pillar of corporate integrity in this state which seems to have evaporated around its corporate veil. Nevertheless, let me say that this is the major provider, and the metropolitan area (except for those poor people up in Skye who the member for Morialta looks after) largely has to rely on the good management of SA Water.

I want to tell you how brilliant SA Water is when it comes to doing the right thing. In last year's annual report, which is available on the website, it was reported that the SA Water Corporation was charged with and found guilty of polluting the environment, causing material environmental harm pursuant to section 80(2) of the Environment Protection Act 1993. It pleaded guilty in the ERD Court and was convicted and fined a total of \$30,000 and ordered to pay \$130 to the Victims of Crime Fund. It related to the discharge of sediment from water tanks on the Adelaide to Mannum pipeline at Palmer.

So, the principal provider in South Australia is not without a bit of a messy record. It is not the first time it has been prosecuted or convicted. However, we need to understand that, whether it does something deliberately, as a mistake or has reckless disregard, it needs to be monitored. We need to have someone in charge of making sure that the water supply companies are doing things properly.

The Department of Health currently monitors SA Water. That is already happening. The Department of Health is going to be put in charge under this new scheme so one has to ask oneself the question as to whether we are actually increasing the standard of accountability and transparency to ensure that the public of South Australia are protected under this regime or not. I am not overjoyed and confident of that.

SA Water is not the only entity under scrutiny here. Some of our water supply (in particular the plumbing) is contracted out. Until 30 June this year, United Water has responsibility for the plumbing and distribution of water under a contract. The government has just signed a new contract effective from 1 July with a consortium known as Allwater (a \$1.9 billion, 10-year contract with renewable terms) and a further contract either has been or is about to be signed to deal with the provision of maintenance and capital works between \$0 and \$11 million. That is what we are told.

However, SA Water has a job to do here, too. It is vested with the responsibility of monitoring people who have a contract to do these jobs—notwithstanding all the people in SA Water to monitor United Water. That is apart from the fact that they let slip that for six years they were apparently being overcharged or charged for things they should not have been and ended up in the Supreme Court to deal with it. I think we have a judgement for \$13.8 million, and something else is still to come. Whether we will ever get the money or not, who knows? The company will disappear by 30 June so goodness knows if we will ever get our money back.

SA Water, the entity that provides water to us, is responsible for that contract. It had the responsibility to supervise it but, obviously, it did not and it has cost millions in losses to the people of South Australia. Regrettably, the Treasurer comes in here and talks about it and abuses other parties about it, but his government failed to ensure that proceedings were taken for years so that we even missed out on the interest.

The company was also prosecuted on 31 August 2010 for polluting and causing material environmental harm under section 80(2), and that related to discharging 40,000 litres of aluminium sulfate into the Yettie Creek.

Now, these people are not without a history and if we are, in fact, going to be serious about the quality of water that we drink, swim in, bathe in, wash in, whatever we are going to do in it, we need to make sure that that water is safe. If our stock drink it, if our pets drink it, if it is used to wash the car—these are all important things to be considered and it will need a lot more than this regulatory procedure.

### VISITORS

**The DEPUTY SPEAKER:** I would like to acknowledge the presence in the chamber today of the youth advisory committees of the Unley, Campbelltown and Tea Tree Gully councils. Thank you for coming in today. I hope you enjoy this exciting cut and thrust of debate.

### SAFE DRINKING WATER BILL

Second reading debate resumed.

**Mr VAN HOLST PELLEKAAN (Stuart) (17:15):** Thank you very much, Madam Deputy Speaker. You have put me under pressure now with the 'cut and thrust', but I will progress the way I was going to anyway.

**The DEPUTY SPEAKER:** I was not actually thinking of you.

**Mr VAN HOLST PELLEKAAN:** Just because I am next I thought I was under pressure. This is important. Our shadow minister for health tells us that the minister has actually consulted very well on this and has been quite thorough. He and his staff have done that, so I think he is to be congratulated. I would also like to say that I wholeheartedly support the intent of this bill. The concept of providing guaranteed, or as close as can possibly be given as guaranteed, safe drinking water to everybody in South Australia, I think, is commendable and very, very important.

My concerns, as is often the case, are about people a long, long way away from Adelaide. At the expense of potentially sounding a bit like a broken record, I am going to share some of those concerns with the chamber. I said in my maiden speech that I would stick up for the people of regional, remote and outback South Australia, and I am certainly not going to stop.

We are told that 94 per cent of South Australians currently already receive water directly from SA Water, so they should be comfortable and I am sure they are. We are trying to deal with 6 per cent and I think it is a good positive step to try to deal with improving the quality of water, and it is probably important to say, guaranteeing the quality of water because, in some cases, and I suspect in most cases, the quality of the water will not actually be improved. It will be more the classification and the guarantee of the water that will actually be made clearer for people.

I have a fear that right now, having that 94 per cent/6 per cent split, one of the unintended consequences of the bill is that it might actually be 100 per cent because the 6 per cent just slip off the radar and it is all a bit too difficult. We have a list of remote communities that currently receive non-drinking water supplies, so clearly, they are really not affected by this unless they choose to step up and actively participate. This is about guaranteeing that people know exactly what they are drinking, what they are choosing to consume and whether they are happy to have the local supply or do something different.

As I said, I do not think that the water quality will actually improve in most of these remote communities. I think it will mean that remote communities supplying their water one way or another will actually have to decide whether they are going to participate in a more rigorous proving process, if you like, than they currently do, or just say, 'Look, we have always supplied this water. We have always called it drinking water. We are quite comfortable with the quality, but it is actually becoming a bit hard for us to meet all of the criteria that we have to under this new law. We will give you exactly the same water but we will just call it non-potable.'

That has actually been happening for quite a while anyway, so I think it is probably incorrect to say this will improve the quality of the water. I think what it will really do is make the quality of the water easier to define, and I think that quite often we might be getting perfectly good water that is called non-potable because of it. I would like to just give a few small examples and I look forward to participating in a very positive spirit in the committee stage, because I would be more pleased than anybody here if some of my concerns can be satisfied in the committee stage. That would be terrific.

I am not actually looking for problems but, for example, I will be looking for some details on the chain of supply. There are instances where very good high-quality water is received but then exactly the same water moves on, in very responsible supply fashion, I am confident, but it does not have that tick of accreditation along the way. What is going to happen there?

A specific example is a roadhouse in outback South Australia that receives water direct from the SA Water pipeline, but then it sells the water out of its own storage tanks to a handful of houses in that local remote community, all for the right reasons. It does not make money on it. The community has put in the pipelines and the meters so that everybody knows who gets charged for what.

Would those end users need that business to provide some extra classification because the water has come out of the pipeline, been supplied to the business fully accredited but gone into their own storage and into the local pipework, and then, very often through pipework personally installed by non-accredited people, into their own household plumbing? Where do you draw the line?

It might be very easy in that instance to say, 'Look, we are only talking about a few hundred metres and we have looked at the flow of the water and there is not enough sitting still or getting stagnant so, yes, we would be happy for that to continue.' I am sure that would be the case if there was no invoice being charged for the water. I am sure if it was gratis that would all be okay, but when you start charging for that water is there an obligation to provide, with the water, with the invoice, some guaranteed certification of quality?

Another very real example is a community where water is supplied by a very large company, but then it is supplied to a progress association, and then from the progress association to the local residents. So, it is a very similar situation, except much more distance is involved. I want to know what is going to happen to that water supply, because people may not know that an enormous amount of water supplied throughout outback South Australia is actually supplied to the end user by volunteer progress associations.

Sometimes they make a little bit of money out of the transaction. They are not making money out of water; they are making money out of their own free labour that they contribute, and their own bookwork, their own running around checking meters and their own laying pipework so that the small amount of profit that they make on the water they can keep in their own community for running the streetlights, community events and things like that.

I am not on a witch-hunt to look for problems, but I will be looking for some guarantee and some comfort that these people will not lose their water supply, perhaps because the business says, 'Look, it's all too hard. I'm not going to do it. Guys, I would love to keep supplying you with the water but I am at risk as a business—not me personally, but the business is at risk—because if I do this and then if there is a quality problem, it comes back to the business.'

A progress association might say, 'Look, it's all too hard. We would love to keep doing it but we are just volunteers. We are not in the water quality business. We are happy to handle it, we are happy to receive what we know is good water and we are happy to pass it on. We are happy to lay some pipework, but it is beyond the scope of our volunteer organisation to actually give you that guarantee and we don't want to pay the money to do the testing, and if we have to then it's not worth our while anyway.'

I am concerned about the potential negative impact on tourism. Certainly a lot of work has gone into bed and breakfasts and farm stays. I understand that and I think that is commendable, but there are a lot of other tourism businesses further down the line. I think of Innamincka, for example, which is a very important tourism destination in outback South Australia, about 1,100 kilometres north of Adelaide and about 30 kilometres from the Queensland border—a very remote place which gets approximately 50,000 tourists a year.

Despite enormous investment—I think approximately half a million dollars went into that water supply system about six or seven years ago—the water supply at Innamincka is very poor quality water. Let me be very clear about that. Essentially, it is settled Cooper Creek water that people get through their businesses and houses. While it is poor quality, people are very glad to have it; please do not mistake me. It is nowhere near drinking-quality water.

You probably could drink it at times of the year when the creek is flowing well. You absolutely should not drink it at other times of the year when the creek is not flowing and there is a risk of stagnation. That water is very, very gratefully received by the businesses there. Nobody

claims it is drinking water. I understand that that is not captured under this bill, because they are not claiming it to be drinking water, not pretending that it is, but I would be very concerned if the next piece of legislation on this topic meant that that was prohibited, that they were not allowed to supply any water into houses and into businesses, into motels, into caravan parks, and that sort of thing, because the supply of water is incredibly important.

Again, it is volunteers who do this sort of thing. The rate for non-potable water, while I certainly do not know all of them for outback South Australia, is significantly less than the standard rate for full quality drinking water. I would be very concerned if this was the thin end of the wedge, potentially—I know it is not included in this piece of legislation—if it was going to make it harder and harder and harder for water to be supplied to all of these remote communities.

I am also very concerned that two weeks and one day ago we had the announcement that the remote areas electricity scheme was going to increase tariffs to outback users. Again, it is a separate issue, but I really do worry that, following so closely on the heels of that, with four days notice, I think, in 13 communities electricity consumers were told that they were going to have a very significant increase in their cost of electricity, we might just flow on. We will find that in weeks, months or years all of a sudden it is so much harder and so much more costly to supply water to outback towns as well.

I really do think that the government underestimates the importance of these outback towns. I look at a place like Innamincka, one of my very favourite places in the state. It has a population of about a dozen permanent residents and visitation of approximately 50,000 people a year. That town, those businesses, those people and, incredibly importantly, the volunteer progress association that supplies water, do a remarkable job to somehow cater for those 50,000 people.

If the government were to look at that in a town of 12 people that cares and says, 'What's the matter? That's not a big issue. How much did you expect us to invest to support that town, whether its electricity or water or whatever the issue is?'—I am not only thinking of Innamincka (I am thinking of that as just as an example)—that would seriously undervalue the enormous economic contribution that the 50,000 visitors make every year not only to Innamincka but to everywhere else.

You cannot just go to Innamincka unless you are fortunate enough to have your own plane or charter a plane to fly there from interstate. Apart from that, you must spend money all the way through South Australia if you come from the south, and that benefit is spread from Adelaide all the way to Innamincka. If you cannot get to Innamincka, then there is a good chance you would not go to the Flinders Ranges. Many, many people go to the Flinders Ranges and Innamincka. If they could not get to Innamincka, they might not go to the Flinders Ranges.

It is an example of what I really do fear may be some shortsightedness on behalf of the government. It affects roads, it affects water, and it affects a lot of other services that are provided. Purely looking at the population impacted, it would be a grave mistake, so I ask the government to keep that in mind when they look at how they might implement this legislation with regard to water. The water is not just for the local community: in most outback towns, the water is for the visitors who provide a very necessary economic contribution to our state.

I will leave it at that. As I said, I look forward to being able to ask some very positive questions when we get to the committee stage. I have some concerns, but I would be very pleased to have those concerns put to rest in the committee stage, with an assurance from the minister and his advisers.

**Mr GRIFFITHS (Goyder) (17:29):** I will be brief in recognising the contributions made by various members today from both sides of the chamber. Given that water is such an important issue for the seat of Goyder, which is, as you would all know, the Yorke Peninsula and Adelaide Plains, I did think it important to put on record some issues that I am aware of that no doubt will impact on this.

The peninsula has an amazing number of visitors per year. Even though the council area of Yorke Peninsula has approximately 12,000 permanent residents, in peak times that population is at least fourfold approaching 50,000 people. In the period I did not reside on the peninsula, very early in 2000, there was an outbreak at the Paskeville storage dam of an algae which resulted in all the peninsula's water supplies being contaminated. This occurred at Easter—the absolute worst time of year that you could ever consider, other than January, I suppose, when the peninsula is also very crowded. Suddenly every person found that they could not use the water supply because of the risk of contamination.

Having not been there at the time, from what I have been told the response was very good. Not only were tanker trucks going around supplying those facilities that needed water such as hospitals, aged care facilities, public areas, hotels and that sort of thing, but also homes were provided with as much bottled water as they needed free of charge. It emphasised that it is quite easy for a water supply to be contaminated.

While every effort went into preventing such an occurrence at that major storage facility—which I believe is 90 megalitres in size, so it is quite significant—it did occur, and it was an SA Water-controlled site. It resulted in an area of 5,500 square kilometres, with 12,000 permanent people and 50,000 people there for that long weekend over Easter, suddenly finding that the water posed a health risk to them.

Since then SA Water, no doubt through government processes supported financially, has actually built a covered storage facility which is a bit like a waterbed to use a simple term. You can walk on it; it is rather amazing. I went to the opening of the facility in 2001 when John Meier was the member for Goyder. No doubt the peninsula is very proud of that fact because it has allowed us to have some confidence in the fact that there is no further risk of that occurring. But what occurred 11 years ago has made everybody quite aware of the fact that water quality is an issue they have to be prepared to deal with in the future.

An issue for the Goyder electorate also is the fact that water and its availability is in many ways the key to the future growth of the area. There are 16 communities that do not have access to a reticulated potable water supply. Those communities have always relied solely upon rainwater supplies. I note that this bill does not impact on domestic use of rainwater tanks, but I have some questions similar to those posed by the member for Stuart about water movements and the guarantee of quality.

I will relate it in this way. In those communities many of the homes that rely solely upon rainwater are holiday homes; therefore, the lack of a permanent occupancy reduces the demand and means that the rain that falls in most cases supplies the water necessary for occupation when it takes place. Some of those places are used as rental properties, which puts increased pressure upon them. Those that are there permanently find that no matter what level of storage they have, they run out of water no matter how careful they are with the water supply. It is putting pressure on communities and individuals to be involved in transporting water from the closest potable source, which in most cases is a standpipe of some form, to get it to homes, fill up tanks or put some water in tanks at least to get people by until the heavens open and we get enough rain. That in itself creates issues with regard to the transport of it and the guarantee of the quality of that water.

While the people who transport that in the main, as I understand it, are contractors committed to assurity of the quality of the supply, I am interested to find out during the committee stage and in other members' contributions about the impact that would have upon most people who do it in a commercial way.

There is also the question posed to me about the circumstances whereby the District Council of Yorke Peninsula operates three supplies to independent townships independently from SA Water. They are Balgowan, Black Point and Hardwicke Bay. In those instances, SA Water was unable or unwilling to extend its main network to provide a storage and reticulation supply to those communities. The council and the communities worked upon it proactively. They have taken an offshoot. They put extensive storage facilities in place. They guarantee the quality of the water that is within most facilities. It is then reticulated down to the individual connections in the homes in these towns, then in most cases it goes into a storage tank because it is on a restricted flow of a maximum of 10 litres per minute, therefore the pressure of that does not allow it to come straight out of the tap. But in many instances this water will sit there for some time. The concern I raise is: is there any risk of any chemical reaction which will create problems with the water? I certainly hope not.

I am not sure, there are probably some people who have purifiers on those, and some people probably do regular testing on it, but indeed it poses to me the question of what is occurring with local government in those communities that do have private schemes to ensure that they are able to continue; because really, without them, those communities would be very frustrated and it would restrict them enormously. So, we have to make sure that we can keep them going.

I just want to recognise the fact that the opposition, as I understand it, is supporting the bill. It is a step forward. It is going to provide a forum to ensure that the quality of the drinking water remains as appropriate as it can be. Water is the basic premise that all in the community need.

Having lived in houses for 95 per cent of my life that have relied upon rainwater and done so quite happily, believing it is the best option for us when it comes to a water supply in our home—a lot better than that stuff that comes out of the tap through the pipe network, but we use that for other purposes—I do recognise the fact that it runs the risk of being tainted in some way.

While this bill does not pick up on that issue—and I hope that no other legislation in the future ever will—it does prove to me that we have to make sure it is right. We do not want another situation like the one that occurred at Paskeville in early 2000, when the supply to a whole region was tainted in some way and was unable to be used.

I am therefore presuming that the introduction of this bill indeed is going to create some need for SA Water to review its storage facilities and maybe look at future investments that need to take place, to consider its network of distribution mains and the quality that they guarantee through those, and to look at the storage tanks that they hold in many of the elevated positions to give head pressure to ensure that communities have good flow through their pipe network. But let us make sure that we actually get the positive outcome, and that South Australians have confidence in the fact that the water supply that they take for granted will be forever of the highest possible quality.

**Mr PEDERICK (Hammond) (17:36):** I rise to make a contribution to the Safe Drinking Water Bill 2011, and will try to be concise. I will say that members on this side of the house have made some excellent contributions with regard to this bill and I note it is about making our water supply safe for everyone, which is highly important, but we also have to have surety of supply. I note that, during the recent drought, supplies to 95 per cent of this state were threatened because of the lack of water coming down the River Murray.

I believe the government's ill-fated plan to build a temporary weir at Wellington was the wrong move, and I think the right move is to negotiate more water for the river in the longer term so that we do not have to go down that path, so that we can flush the two million tonnes per annum of salt and other nutrients out the river so that we can have a healthy river system.

It is interesting to note that SA Water was even thinking, during the height of the drought, about putting a small desalination plant onto the Keith pipeline, which my property feeds off at Coomandook. I said to SA Water at the time, 'What are you going to do with the salt?', and they looked at me and I thought, 'Well, yes, that's an interesting concept.' That never went ahead, salinity got to a pretty high level, the water was almost not able to be used, but we survived.

We survived much better on the Keith pipeline, as people were used to drawing water from the river through a paid system, than did a lot of people down towards Milang and Point Sturt and also down towards the Narrung peninsula and around Meningie, who had been able to draw water for stock and domestic use out of Lake Albert and Lake Alexandrina. After a lot of bureaucracy, emergency pipelines had to go in. Thankfully the pipelines went in a lot more quickly than the bureaucracy took. I must commend the contractors involved who, when they got down there with several crews working flat out, got water into those areas when it needed to happen.

We still have the problem today where people round Lake Albert cannot use that lake's water for irrigation because of the Narrung bund, which is still in place because of this government's reticence to remove it. That bund, along with the other two at Clayton and Currency Creek should have gone out before yesterday, so that we can get this river flowing, get fresh water into the system and have people enjoying the access to water as they did in the past and as they should do in the future.

I have talked about the emergency pipelines. Water is very significant in this state, and other members have talked about their use—especially those members like me on the land. I have around 270,000 litres of storage of rainwater on my property, though that is backed up with a supply of river water. It is noted how people look at rainwater differently. When you have got it and you drink it and bathe in it you know how good it is. Sure, it falls on the roof and there is dirt. There can be all sorts of things, but it is still a very clean source of water.

When I look at where we have gone with respect to water supplies for this state, and we note that the River Murray is piped over 800 kilometres to Ceduna, it just shows the shortsightedness of the state government when, in years gone past, the former member for Flinders, Liz Penfold, had investors wanting to put in small desalination plants over on the Eyre Peninsula, but they were denied third-party access to the distribution network.

I would like to think that that gets partly addressed by this bill so that people with vision can access SA Water pipelines so long as their water is up to scratch to safe drinking water standards.



It would be far more sensible to desalinate water over on the far West Coast than to pump river water that far, because they certainly have water issues over there. However, the member for Flinders will be able to reflect on that better than I can.

It is also of note that, when the new pipelines went through, constituents in my electorate at Wellington East had been used to sourcing water from a council provided system, the Coorong council. When the pipeline went through about half the people who came to us said, 'We want access to the pipe,' and the other half said they did not because, obviously, there is a cost in hooking up to it. It is something like \$3,500 to hook up to the River Murray piped water, and some did not want to do that.

What I will say is that at least the people putting in the pipe put in a T-valve there so that, if the pipe does go down those few kilometres to Wellington East, water could be supplied there. Also, most of those residents there have been very handy in putting in quite a bit of rainwater storage for their use.

A lot of the other issues have been covered ably by other members in this place. As I said, my main concern is that we actually have supplies of water, because I think that, as much as some people, especially some irrigators, always point to the stock and domestic supplies taken by Adelaide in this state, I still firmly believe that if we did not have one million people on the end of the river during this recent drought the Eastern States would have just cut us off and we would not have got anything, especially below Lock 1.

That may be cynical, but you see how water has been talked about lately and almost fought over for the last 100 years in this state, and I firmly believe that, yes, we do need to ease Adelaide's reliance on the river but I do not think we ever want to wean Adelaide off the river.

I note that also we are backing up our water supplies with a \$2 billion, 100-gigalitre desalination plant when, if action had been taken earlier, perhaps we could have built a smaller desalination plant equivalent to the first one built in Perth of about 50 gigalitres that was built for \$300 million—far better value for money.

Just before I close, I know that there has been some discussion on using blackwater or greywater for drinking purposes. Certainly, we witnessed this over at Perth where some industries were linked up to, I think, about a six gigalitre per annum system of blackwater being cleaned up for industrial use. They loved that water for industrial use, because they took out all the nutrients and they could get quite good use out of it. Mind you, I think that, as we have seen in other states, we are a long way off going anywhere near drinking blackwater. I note that in Europe, and I was there recently, it is recycled many times through sets of kidneys—they just have to because there is a finite source of water and we have to make the best use of it. I note that we do support the bill, but I also note that the shadow minister will be asking some pertinent questions during the committee stage.

**Mr TRELOAR (Flinders) (17:45):** I take this opportunity late in the day to very quickly put some things on the record. I, like others on this side of the house, rise to support the Safe Drinking Water Bill. It is very timely, I believe, that this bill has come along. Water has been a topic of much discussion right around the state and certainly on Eyre Peninsula.

I mentioned water security in my maiden speech in this place just under 12 months ago, and I highlight today the importance of not just safe drinking water but also good drinking water. On Eyre Peninsula, we have quite a unique system, which was originally sourced from the Tod Reservoir, a source that has now been taken offline due to high salinity levels. I appreciated the Minister for Environment and Conservation, at my invitation, visiting Flinders in recent weeks and taking the opportunity to visit that reservoir with me to highlight the situation out there and to view its infrastructure and catchment and also to discuss the future role for that particular reservoir in our ongoing water security; we await the findings of the minister and SA Water on that.

With that reservoir being taken offline, we now have 85 per cent of our water supply coming from what we call the southern basins, which is a series of underground lenses south of Port Lincoln. The other 15 per cent, as mentioned by the member for Hammond, comes from the River Murray, as a result of the extension of the pipeline from Iron Knob out to Kimba. It was quite controversial at the time; I know the previous member for Flinders was quite concerned about that extension of the pipeline. As it happens, it would seem that there is ample river water in the River Murray to supply that extra 15 per cent to Eyre Peninsula.

There are some quality issues around the water sourced from the southern basins. The water travels up to 400 kilometres from just west of Port Lincoln all the way to Ceduna, and it is high in calcium. The southern lenses are enclosed within calcium carbonate, or limestone aquifers and, as a result, the water that is drawn from those lenses is highly calcareous. The difficulty is that, as the water travels north, it warms up in temperature.

During summer, the water warms to a point where the calcium carbonate particles begin to settle out and it becomes solid, solidifying the pipes and, ultimately, it can block up water pipes on particular properties and in homes. It is particularly severe on home hot water services. I understand that on Upper Eyre Peninsula the hot-water services that are using the SA Water supplied resource have a very limited life span. So, therein lies the discrepancy, as I see it, between safe water, which this undoubtedly is (it meets all the qualities required of it to be of a potable standard) but it is not necessarily good water.

We have had on Eyre Peninsula in the last two years significant recharge into those southern basins as a result of wet winters and also wet spring conditions. So, I am expecting the current review into water restrictions on Eyre Peninsula to come back with a positive outcome. We are still sitting on level 3 water restrictions; the minister, once again, has given an undertaking to review that. My understanding is that water levels in the basins have risen 0.4 of a metre, which is significant, given the size of the basins; a lot of water has been added to those basins in the last two years.

The member for Hammond and other members have mentioned third-party access to SA Water infrastructure, and I believe this is imperative. It will give the opportunity for small suppliers, and I am thinking particularly about communities and towns around the coast of Eyre Peninsula, such as Ceduna, Streaky Bay, Elliston, Tumby Bay, Port Neill, Arno Bay, Cowell—the list goes on. I believe they all have the opportunity to install relatively small desal plants purely and simply to supply their own small community's local townships. In order to do this, it would be appropriate for those suppliers to have third-party access to SA Water infrastructure. Thus far this has been denied.

I understand that the government at some point in the near future is going to lay this on the table, and I would very much support that. I understand that the District Council of Ceduna is having discussions with a particular company at the moment and is expecting a small desal plant to be installed some time in the near future, providing all the ducks can be lined up, so to speak, and that that water provider will put water into the Ceduna township. It will be a test case.

The company is able to do that without using SA Water infrastructure, but I think it will be interesting to see how that goes for a stand-alone enterprise. They are quite sure that it can be profitable, achievable and can provide the required outcome. I support the Safe Drinking Water Bill, bearing in mind that there are some bigger issues at stake around water security in the long-term, particularly as we hopefully expand industries and population in the regional areas, and that needs to be borne in mind all the time.

**The Hon. J.D. HILL (Kaurua—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Southern Suburbs, Minister Assisting the Premier in the Arts) (17:51):** I thank all members sincerely for their contributions to this debate. I thank the opposition for supporting this bill. I think it is fair to say that they are in furious support, and that is a good thing. Obviously, water is an incredibly important issue for all of us in South Australia, and it is an issue of great moment for those who represent rural areas, so I understand why they spoke with such passion.

Ironically—and this was not planned—today is World Water Day. Congratulations to everybody for speaking on World Water Day, which is apparently a United Nations initiative. I would have liked it to be called World Water Week so it could be WWW, but it is not.

I thank everybody for their contributions. I also want to take this opportunity to thank Dr David Cunliffe, the Principal Water Quality Adviser for the department, who has been instrumental in doing the work on this bill and getting the balance right between water protection and community and business interests, and also taking it through the consultation process. I thank members opposite for their positive comments about the consultation process, and that is largely due to Dr Cunliffe and his team's efforts. I also want to thank Richard Dennis, from parliamentary counsel, who looked after this, and I think one of his staff, Annette Lever, also helped.

I think the member for Morphett wants to raise a number of issues in the committee stage, so I will go through those. A couple of issues were raised by the member for Bragg, who made

some claims which are not based on fact, which really need to be corrected for the record. She made some statements in relation to the 2007 cryptosporidiosis outbreak—that is a disease that comes from consuming cryptosporidium, I am advised.

The member for Bragg alleged that only a media release was issued and nothing further occurred—I think that is how she put it. I am advised that the Department of Health did: (a) provide information to GPs; (b) provide specific information to schools; and (c) provide information to swimming pool operators. I am also advised that the causes of the outbreak were not established and the department's concern was the secondary transmission, particularly through swimming pools. So, I think it is unfair to make those claims about the department. We are always happy to cop criticism, but it should be factually based. With those words, I commend the bill to the house. I understand that the opposition wishes to go into committee, which we might do on another occasion.

Bill read a second time.

In committee.

Clause 1.

Progress reported; committee to sit again.

### **TRAINING AND SKILLS DEVELOPMENT (MISCELLANEOUS) AMENDMENT BILL**

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No.1. Clause 8, page 4, after line 7—

Before the current contents of clause 8 (now to be designated as subclause (2)) insert:

- (1) Section 29(2)(a)-delete paragraph (a) and substitute:
  - (a) the prior conduct of the person or an associate of the person (whether in this State or elsewhere), including (for example) such of the following matters as may be relevant:
    - (i) whether the person or an associate of the person has been convicted of a criminal offence;
    - (ii) whether the person or an associate of the person has been refused registration as a training provider;
    - (iii) whether registration held by the person or an associate of the person has been suspended or cancelled;
    - (iv) whether a condition of registration of the person or an associate of the person has been imposed or varied as a result of contravention of this Act or a corresponding law or a condition of the registration;
    - (v) whether—
      - (A) in the case of a natural person-the person or an associate of the person has become bankrupt or has applied to take the benefit of a law for the relief of insolvent debtors;
      - (B) in the case of a body corporate-a winding-up order has been made in respect of the person or an associate of the person;
    - (vi) whether the person or an associate of the person has ever been disqualified from managing corporations under Chapter 2D Part 2D.6 of the *Corporations Act 2001 of the Commonwealth*; and

No.2. Clause 15, page 7, lines 21 and 22 [clause 15, inserted section 37(2)(a)(i)]—

Delete subparagraph (i) and substitute:

- (i) the conduct of the provider or an associate of the provider (whether in this State or elsewhere), including (for example) such of the following matters as may be relevant:
  - (A) whether the provider or an associate of the provider has been convicted of a criminal offence;

- (B) whether registration held by an associate of the provider has been suspended or cancelled;
- (C) whether a condition of registration of an associate of the provider has been imposed or varied as a result of contravention of this Act or a corresponding law or a condition of the registration;
- (D) whether the provider or an associate of the provider has ever been disqualified from managing corporations under Chapter 2D Part 2D.6 of the *Corporations Act 2001* of the Commonwealth; and

No.3. Clause 15, page 7, line 33 [clause 15, inserted section 37(2)(b)(ii)(A)]—

After 'bankrupt' insert:

or has applied to take the benefit of a law for the relief of insolvent debtors

### **SOUTH AUSTRALIAN PUBLIC HEALTH BILL**

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No.1. Clause 14, page 12, after line 4—

After paragraph (c) insert:

- (ca) to be allowed to decide freely for himself or herself on an informed basis whether or not to undergo medical treatment or, in a case involving a child under the age of 16 years, to have his or her parent or guardian allowed to decide freely on an informed basis whether or not the child should undergo medical treatment; and

No.2. Clause 14, page 12, after line 8 [clause 14(5)]—

After paragraph (d) insert:

- (e) that the least restrictive means necessary to prevent the spread of disease be adopted when isolating or quarantining a person at the person's home or on other premises under this Act; and
- (f) that his or her needs, including, but not limited to the provision of—
  - (i) adequate food, clothing, shelter and medical care; and
  - (ii) a telephone or other appropriate method by which the person may communicate with others,
 will be addressed in a reasonable and competent manner to the extent that the person is unable or restricted in his or her own capacity to meet such needs; and
- (g) that any premises at which the person must reside as a result of an order, direction or requirement (other than the person's home), are—
  - (i) maintained according to safe and hygienic standards; and
  - (ii) to the extent possible, maintained in a way that is respectful to the person's cultural and religious beliefs; and
  - (iii) designed or managed to minimise the likelihood that—
    - (A) infection may be transmitted; and
    - (B) the person may be subjected to harm or further hann.

No.3. Clause 14, page 12, after line 11—Insert:

- (7) Without limiting subsection (6), if a power is to be exercised under Part 10 or Part 11, so far as is reasonably practicable, the power that least infringes on the rights of individuals must be the power that is exercised, unless to do so would involve the use of measures that are likely to be less effective in protecting or minimising risk to public health.
- (8) Any requirement restricting the liberty of 2 or more members of the 1 family should ensure, so far as is desirable and reasonably practicable and so far as is appropriate to the requirements for the protection of public health, that the family members reside at the same place.
- (9) If a requirement restricting the liberty of a person is imposed, all reasonably practicable steps must be taken to ensure that the person's next of kin, or a nominated person, is informed (unless the person to whom the requirement relates instructs otherwise).

No.4. Clause 90, page 56, after line 1—Insert:

- (3) An authorised officer may only exercise a power of direction under section 25(2) of the Emergency Management Act 2004 applied under subsection (1)—
  - (a) that the person be isolated or segregated from other persons; or
  - (b) that the person must remain in a particular place,if—
  - (c) there is no cause, or no reasonable cause, to act under Part 10 or under the Mental Health Act 2009; or
  - (d) there are significant public health advantages in acting under the Emergency Management Act 2004 as applied under this section rather than under Part 10 or under the Mental Health Act 2009.
- (4) If—
  - (a) a person is subject to a direction under section 25(2) of the Emergency Management Act 2004 applied under subsection (1)—
    - (i) that the person be isolated or segregated from other persons; or
    - (ii) that the person remain in a particular place; and
  - (b) an authorised officer is satisfied that the person is no longer an immediate risk to public health, or is no longer at risk on account of a public health incident or public health emergency, (as the case requires),the direction must be revoked in relation to the person.
- (5) If—
  - (a) a person is subject to a direction, or a series of directions, under section 25(2) of the Emergency Management Act 2004 applied under subsection (1)—
    - (i) that the person be isolated or segregated from other persons; or
    - (ii) that the person must remain in a particular place; and
  - (b) the direction has effect, or the directions together have effect, for a period exceeding 24 hours,the person may apply to the Magistrates Court for a review of the direction or directions.
- (6) An application under subsection (5) may be instituted at any time during the currency of a direction (and, subject to subsection (7), more than 1 application may be made while a direction is in force).
- (7) If a second or subsequent application is made with respect to the same direction or directions, the Magistrates Court must first consider whether there has been a significant change in the material circumstances of the case and should, unless the Magistrates Court in its discretion determines otherwise, decline to proceed with the application (if it appears that the proceedings would simply result in a rehearing of the matter without such a change in circumstances).
- (8) Subject to complying with subsection (7), the Magistrates Court may, on hearing an application under subsection (5)—
  - (a) confirm, vary or revoke a direction;
  - (b) remit the subject matter to the person who gave a direction for further consideration;
  - (c) dismiss the matter;
  - (d) make any consequential or ancillary order or direction, or impose any conditions, that it considers appropriate.
- (9) The Magistrates Court may only revoke a direction under subsection (8) if satisfied that the direction is no longer reasonably necessary in the interests of public health.
- (10) The Magistrates Court is to hear and determine an application under subsection (5) as soon as is reasonably practicable.
- (11) A party to proceedings on an application under subsection (5) may appeal against a decision of the Magistrates Court under subsection (8).
- (12) An appeal under subsection (11) will be to the District Court.
- (13) The District Court may, on an appeal under subsection (11)—

- (a) confirm or vary the decision of the Magistrates Court, or substitute its own decision;
  - (b) make any consequential or ancillary order or direction that it considers appropriate.
- (14) The District Court is to hear and determine an appeal under subsection (11) as soon as is reasonably practicable.
- (15) An appeal under subsection (11) will be heard in the Administrative and Disciplinary Division of the District Court (but will not be subject to the application of Subdivision 2 of Part 6 Division 2 of the District Court Act 1991).
- (16) In this section—  
Magistrates Court means the Magistrates Court of South Australia.

No.5. New clause, page 70, after line 39—Insert:

110—Review of Act

- (1) The Social Development Committee of Parliament must review the operation of this Act as soon as practicable after the expiry of 5 years from its commencement.
- (2) The Social Development Committee must ensure that, as part of the review, reasonable steps are taken to seek submissions from—
  - (a) State agencies that have an interest in public health; and
  - (b) the local government sector; and
  - (c) relevant industry, health and community organisations,
 (but may otherwise conduct the review in such manner as it thinks fit under the Parliamentary Committees Act 1991).

No.6. Schedule 1, clause 4, page 71, after line 20—Insert:

- (2) Section 24A—after its present contents (as amended by subclause (1) and now to be designated as subsection (1)) insert:
  - (2) However, if—
    - (a) an identified major incident or a major emergency relates to circumstances that are or have been the subject of a declaration under Part 11 of the South Australian Public Health Act 2010; and
    - (b) a person is subject to a direction, or a series of directions, under section 25(2) of this Act—
      - (i) that the person be isolated or segregated from other persons;
      - or
      - (ii) that the person must remain in a particular place; and
    - (c) the direction has effect, or the series of directions together have effect, for a period exceeding 24 hours,
 then the direction or directions will be taken to be a direction or directions that are subject to a right of review under section 90(5), (6), (7), (8) and (10) of the South Australian Public Health Act 2010 and to section 90(11) to (15) (inclusive) of the Act with respect to a right of appeal (and those provisions apply in relation to any such direction under this Act as if they formed part of this Act but subject to any prescribed modifications).

At 17:58 the house adjourned until Wednesday 23 March 2011 at 11:00.