

SOUTH AUSTRALIA

**PARLIAMENTARY DEBATES**

(HANSARD)

---

**Second Session of the Fiftieth Parliament  
(2002)**

---

Parliament, which adjourned on 5 March 2002, was prorogued by proclamation dated 5 March 2002. By proclamation dated 5 March, it was summoned to meet on Tuesday 7 May, and the Second Session began on that date.

**LEGISLATIVE COUNCIL**

**Tuesday 7 May 2002**

**The PRESIDENT (Hon. R.R.Roberts)** took the chair at 12 noon.

**OPENING OF PARLIAMENT**

The Clerk (Mrs J.M. Davis) read the proclamation by Her Excellency the Governor (Marjorie Jackson-Nelson) summoning parliament.

**GOVERNOR'S SPEECH**

Her Excellency the Governor, having been announced by Black Rod, was received by the President at the Bar of the council chamber and by him conducted to the chair. The Speaker and members of the House of Assembly having entered the chamber in obedience to her summons, Her Excellency read her opening speech as follows:

Honourable members of the Legislative Council and members of the House of Assembly. I have called you together for the dispatch of business.

I would like to thank Mr Lewis O'Brien and Mrs Doris Graham, elders of the Kurna people, for their welcome onto this land today. I understand this is the first time a South Australian Parliament has been welcomed in this way.

I am also pleased to have taken the salute of the Australian Federation Guard, which includes one hundred young men and women representing the three armed forces. The guard was formed for the Centenary of Federation.

It is with sadness that I note the passing of the Queen Mother on 30 March this year. She was a remarkable woman whose courage and strength inspired generations. On behalf of all South Australians I convey our deepest sympathy to Her Majesty the Queen and her family.

My government has a new vision for our state. It wants to be an inclusive government and wants to see South Australia as a place where the doors of opportunity are open for all.

It wants South Australia to be a place free of national nuclear waste dumps, a place with a healthy and vital River Murray flowing to the sea and where our children have the best encouragement and opportunities to do their best in the classroom and then later in life.

It believes South Australians want better hospitals, and they want more real jobs, so the community can look forward to a brighter and more prosperous future.

My government believes that South Australians want honesty and accountability from their elected representatives, and in the way in which governments spend their money.

The government has already undertaken some new initiatives to improve our economy.

A new Economic Development Board is in place and it has already played a vital role in helping my government secure the future of Mitsubishi in South Australia.

A joint commonwealth-state agreement will see Mitsubishi expand its long-term manufacturing base in this state, which is expected to provide security for workers and for our economy.

The government has taken a major step forward to improve the health of the River Murray.

It has forged a new partnership with the Victorian government to increase the level of cooperation between the two states to help restore the health of the river.

The government has already established the new Social Inclusion Initiative to address key social problems and help improve life for families in South Australia.

During the course of this Fiftieth Parliament my government will introduce a range of innovative legislative and policy initiatives. A number of important pieces of legislation will be introduced this week and in this session.

My government is committed to honesty and accountability in government, and will introduce a number of legislative amendments to be known as the Honesty and Accountability in Government Series of Acts.

The government hopes that by setting high standards and meeting them it will contribute to a renewed public confidence in government. The first in this series of bills will be introduced this week.

Amendments to the Public Finance and Audit Act will require the preparation of a Charter of Budget Honesty. The objective of the Charter of Budget Honesty is to improve the transparency of the government's financial management, in order to improve the accountability of the government to both the public and the parliament.

The government will also amend the Public Finance and Audit Act to increase the independence and powers of the Auditor-General and to increase disclosure by government departments.

Amendments to the Ombudsman Act will also be introduced to extend the role of the Ombudsman.

This week will also see the introduction of amendments to the Public Sector Management Act.

Under those amendments, all public sector employees, including chief executives and ministerial advisers, will have to comply with the code of conduct issued by the Commissioner for Public Employment last year.

Uniform provisions about honesty, ethics and conflict of interest will also be introduced for directors of non public corporation government boards.

My government is developing a new code of conduct for ministers. The code will set high standards of conduct and give guidance to ministers about compliance.

The government supports a code of conduct for members of parliament as an ethical framework within which the register of members' interests and other obligations on members will more effectively operate.

The government believes the full disclosure of family trusts is essential for ministers and all members of parliament.

The current disclosure policy that applies to government contracts will also be reviewed by the government and will be amended if necessary, to achieve a better balance between high levels of accountability and manageable administrative reporting requirements.

#### Finance

The government budget to be released in July will begin the task of returning the budget to a long-term sustainable position.

My government has established an Expenditure Review and Budget Cabinet Committee, which will oversee the budget process and conduct a comprehensive expenditure review of all portfolio operations. This expenditure review will seek to put the operations of government on a sound financial basis.

It will identify areas of waste and inefficiency, and importantly, will also identify any areas where essential services are not adequately funded.

The committee will consider issues referred from cabinet so it can recommend a funding strategy and monitor spending against the financial targets of the government.

The committee will also review projects and programs to ensure that the government's spending takes into account the government's major priorities.

#### The South Australian Economy

My government believes that a strong partnership with the private sector is needed to achieve sustained growth and more jobs.

That partnership has been enshrined by the government through the establishment of the Economic Development Board, chaired by internationally respected mining businessman Robert Champion de Crespigny.

A team of the highest calibre has been marshalled to serve on the board, which will develop a five year strategic plan for the South Australian economy.

This plan will address issues such as infrastructure, providing high quality skills, research and development and the needs of key industries.

It will also recognise the importance of regional leadership and innovation.

My government is keen to ensure that the board works with the government to lay the foundations for sustained growth in South Australia.

The board will work with the government in a practical, hands-on way.

It will work closely with the Premier as Minister for Economic Development and the Deputy Premier as Minister for Industry, Investment and Trade on matters such as industry and infrastructure development, developing the knowledge economy, improving business access to finance, and so on.

I am advised that the board has already helped to achieve some vital real benefits to South Australia, such as the massive new investment at Mitsubishi that is expected to result in:

- two new model cars being produced in South Australia, and almost a doubling of output
- nearly a thousand new direct jobs created
- a major commitment to expand exports, and research and development.

At the same time, the government is reforming the structure of our economic development agencies and the way in which they work.

#### Essential Services Commission

One of the most important pieces of legislation my government will introduce this year will be that which establishes an Essential Services Commission.

The Essential Services Commission will protect the long-term interests of South Australian consumers with regard to price, quality and reliability of electricity. It will also oversee important issues relating to gas, water and ports.

The Essential Services Commission will be given powers to investigate market participants to ensure no participant exploits its market position and that there are no flaws in the market.

My government will also introduce legislation to create an Essential Services Ombudsman. This will provide South Australians with access to a direct complaint resolution service for dealing with electricity.

The government seeks to ensure the best possible outcome for South Australian electricity consumers by making sure every avenue for the production and supply of electricity and gas is explored and, if viable, facilitated.

The government has taken steps to support the bid to supply extra electricity to South Australia via the SNI interconnector, which used to be known as Riverlink.

To stimulate local renewable electricity generation, my government will be looking to supply part of its new electricity requirement from renewable sources, at competitive prices.

My government has already granted the final approvals for what will be the largest wind farm in Australia at Starfish Hill in Adelaide's south.

The government has recently announced the Government Energy Efficiency Action Plan. This comprehensive energy management program is aimed at improving energy efficiency and reducing energy costs across all sectors of government.

The initiative is an integral part of the National Greenhouse Strategy and incorporates my government's target of a 15 per cent reduction in energy use in government build-

ings. This would result in annual cost savings progressively increasing to \$8 million a year.

#### Health

Improving health, and rebuilding our health services, are top priorities for my government. It is the government's goal to rebuild acute services, and at the same time, move the health system towards primary health care, prevention, health promotion, and safety and quality in health care.

My government will build a strategic vision for health on five key pillars:

- improving the quality and safety of services
- greater opportunities for inclusion and community participation
- strengthening and re-orienting services towards prevention and primary health care
- developing service integration and cooperation
- adopting whole of government approaches to advance and improve health status.

The government will also be undertaking a comprehensive Generational Review of the health system and its structures and processes.

This will be the first such review since the Bright Committee Inquiry was established by the government of former Premier Don Dunstan and reported in January 1973.

The government will introduce legislation to establish a Health and Community Services Ombudsman to hear and resolve complaints against public or private health or community service providers.

Ensuring the safety of patients and the quality of care in our hospitals will be an absolute priority for my government, which aims to deliver better emergency care, more timely surgery, cleaner hospitals and an overall higher quality of care.

Mental health will be a priority and the government aims to provide improved access to high quality mental health services for all South Australians.

My government is committed to the redevelopment of the Royal Adelaide, Queen Elizabeth and Lyell McEwin Hospitals.

#### Education

Education is one of the highest priorities of my government. It believes that the future economic and social development of our state depends on having an educated and skilled population.

Amendments to the Education Act 1972 will be introduced to increase the school leaving age to 16 years. These amendments reflect the government's focus on improving our schools and supporting the work of the Social Inclusion Initiative.

One of the first tasks of the Initiative will be to look at school retention rates, which have dropped markedly. Raising the school leaving age to 16 years is a significant step in achieving the policy goals of my government.

My government believes that the evidence is clear that the longer young people stay in school, the greater their success in the work force, and in life.

It is also the government's intention to review the South Australian Certificate of Education, or SACE, to ensure that it is meeting the needs of our community.

#### Community Safety

My government makes no apology for its tough stance on law and order, and is committed to ensuring the safety of all South Australians.

It believes that DNA profiling is the greatest breakthrough in crime fighting since fingerprinting.

The government will introduce legislation to require the taking of DNA samples from all prisoners held in South Australian gaols.

My government will introduce legislation to give the Attorney-General the authority to seek a guideline sentence from the Court of Criminal Appeal for a particular offence.

This authority will allow public concern about consistency in criminal sentences to be expressed to the courts and addressed by them. It aims also to improve the public's understanding of the courts.

My government intends to give back to South Australians the right to defend themselves in their own homes and their backyards.

It will legislate to return to South Australians the right to defend their homes, their families and their backyards with such force as they genuinely believe necessary at the time of a burglary or similar intrusion.

This will be a self-defence law that seeks to protect the householder, not the criminal.

The government will legislate to remove the defence of self-induced intoxication. It believes that being drunk or high on drugs should not be an excuse for a crime.

#### Social Inclusion

My government sees itself as a government for all South Australians, not just for the few.

In the spirit of reconciliation, the government wants to promote and protect the rights of Aboriginal people.

It wants to empower them to make choices so they can retain their cultural identity, while taking part in the political, economic and social life of our state, together with South Australians who have full respect for their cultural values, languages, traditions and forms of social organisation.

My government is also pursuing an innovative Social Inclusion Initiative as a way of tackling pressing social issues such as the school drop out rate, homelessness and youth suicide.

Instead of looking at the symptoms alone, the government will examine the complex and interrelated causes of disadvantage, and adopt a whole-of-government and whole-of-community approach.

My government will hold a Drugs Summit at Parliament House in June this year.

Drugs are considered a serious threat to our young people and to our community in general, with their effects reaching out to touch almost every family.

The summit will focus on illicit drugs, with particular emphasis on the growing use of amphetamine-type substances or designer drugs.

A priority of the summit will be to look at strategies to reintegrate people excluded from society as a result of their drug abuse.

The outcomes of the summit will provide the basis for future government policy in this area.

#### Privatisation

My government has made it clear there will be no more privatisations in South Australia. I am advised that the Treasurer, the Attorney-General and the Minister for Government Enterprises have commenced the onerous task of going through existing privatisation and outsourcing contracts in order to ensure that provisions are honoured and penalties are enforced.

#### Arts

My government believes that leadership in the arts is vital for South Australia economically, and for our image and self-esteem.

My Premier has indicated that his commitment to the importance of the arts, and to the transforming vision for South Australia first established by former Premier Don Dunstan, has led him to assume ministerial responsibility for the arts.

An International Film Festival is planned to begin next year. This new event, which will happen for the first time early in 2003, will build on the great achievements of the South Australian Film Corporation, and mark the Corporation's 30th birthday.

The government will also work to ensure the long-term future of the WOMAD music festival is secured for South Australia.

#### Regional Affairs

My government believes that rural and regional South Australia are vital to the economic and social future of the state, and it aims to build new and stronger links with our regions.

To achieve a comprehensive focus on regional issues, the government will establish an Office of Regional Affairs, which will combine the existing Office of Regional Development with extra funds and personnel redirected from other areas within government.

The new office will provide a stronger voice for regions at a cabinet level. The government sees its community cabinet meetings as one very important way of taking government to the people.

Cabinet meetings will be held each month in different rural, regional and metropolitan locations and any member of the public will be able to meet the Premier and ministers to discuss issues or initiatives they would like to raise with the government.

The first community cabinet in Murray Bridge and Tailem Bend was considered by the government to have been a successful first step in a process of making the government more open and accountable to the people of South Australia.

#### Agriculture, Food and Fisheries

The most significant action in the agriculture, food and fisheries area will be the implementation of the Aquaculture Act in July this year.

The introduction of this act is regarded by the government as the most significant reform of aquaculture legislation since the introduction of the Fisheries Act in 1982. It seeks to provide a sound and sustainable basis for the expansion of this potentially valuable industry in our regional areas.

In the livestock sector, my government is increasing its capacity to respond to foreign animal diseases. Outbreaks in recent years of foot and mouth disease and BSE or mad cow disease in various parts of the world have heightened Australia's awareness of its preparedness to deal with an outbreak of these diseases.

The Council of Australian Governments has initiated a process to build and test each state's capability to deal with disease incursions into our livestock flocks and herds.

#### Environment

My government is dealing with many challenges in the area of environment and conservation. In what it regards as a major shift in thinking and direction, the government will provide a whole-of-government approach to environmental protection and the management of South Australia's wonderful natural resources.

My government is committed to integrating natural resource management in this state, based on water catchment areas. It has already created a new Department of Water, Land and Biodiversity Conservation.

In an historic first for South Australia, the government will coordinate environmental policy through the new Office of Sustainability.

My government intends to strengthen the powers and operations of the Environment Protection Agency. The EPA will be revamped as an independent authority and will provide greater environmental protection and enforcement efforts.

It is intended that it will take a lead role in controlling and ensuring the safety of radioactive waste already stored in South Australia, and will review the environmental impact of the in-situ leach mining process.

#### Nuclear/Radioactivity protection

At the same time, my government will honour its commitment in a number of key policy areas, including taking a tough stance on the storage of radioactive waste in South Australia.

As a top priority my government will introduce legislation to prevent our state being used as a national dumping ground.

The government will ensure there is transparency and accountability in the reporting of uranium mine spills.

The government will work with the traditional owners of the Maralinga lands to help ensure that the handover of these lands from the commonwealth occurs on terms satisfactory to the traditional owners.

#### River Murray

My government will present to parliament a bill for a River Murray Act. This act will give the government clear powers over the way in which the river is used and will control planning, irrigation practices, pollution and rehabilitation programs.

The intention of the act will be to secure the ecological sustainability of any development within the Murray-Darling Basin in South Australia that may have an effect on the health of the River Murray.

The act will build on existing institutions, and use existing legislation, while giving the Minister for the River Murray some power for direct intervention in defined circumstances.

The minister will be enabled to coordinate the approval and management of all actions that impact on the land, water and other natural resources of the Murray Darling Basin in South Australia, in so far as those actions may affect the health of the River Murray.

#### Gambling

My government is committed to improving regulations that minimise the harmful effects of gambling.

An extra \$4 million over four years will be provided to the Gamblers' Rehabilitation Fund to improve gambling counselling and rehabilitation services, community education and research.

Increased funding will be provided to the Independent Gambling Authority to assist it to fulfil its charter to develop and promote strategies for reducing the incidence of problem gambling.

The government will initiate research into the effects of gambling related crime, and a schools-based program will be developed to warn students of the risks of problem gambling.

My government wants to build on the very good work done by the counselling and rehabilitation services provided by welfare and church agencies.

It intends that government and agencies will work together to reduce problem gambling in our community.

#### Industrial Relations

My government has announced a review of occupational health, safety and welfare and workers compensation

arrangements to ensure that the best outcomes are achieved in terms of safe work and assistance for injured workers.

The government will support, by legislative amendment, a nationally agreed approach to handling territorial issues associated with workers' compensation arrangements for people who work in more than one state.

This is intended to provide assurance to employees regarding workers' compensation coverage, and to give greater certainty to employers as to the state in which they need to take out workers' compensation insurance.

I now declare this session open and trust that your deliberations will be guided by Divine Providence to the advancement of the welfare of the people of this state.

The Governor retired from the chamber, and the Speaker and members of the House of Assembly withdrew.

The President again took the chair and read prayers.

*[Sitting suspended from 12.50 to 2.32 p.m.]*

### PAPERS TABLED

The following papers were laid on the table:

By the President—

Register of new Members' Interests—May 2002—  
Registrar's Statement  
Ordered—That the Statement be printed (Paper No. 134A)

By the Minister for Agriculture, Food and Fisheries (Hon. P. Holloway)—

Reports, 2001—  
Senior Secondary Assessment Board of South Australia  
Teachers Registration Board of South Australia  
Report, 2001-2002—  
Australasia Railway Corporation  
Ministers of the Crown and Officers and Members of Parliament—Determination and Report of the Remuneration Tribunal—No. 3 of 2002  
Travelling and Accommodation Allowances—  
Determination and Report of the Remuneration Tribunal—No. 2 of 2002.Papers  
Regulation under the following Act—  
Fisheries Act 1982—Blue Crab  
Authorised Betting Operations Act 2000—  
Bookmakers Licensing (Unclaimed Winnings)  
Rules 2001

By the Minister for Mineral Resources Development (Hon. P. Holloway)—

Regulation under the following Act—  
Offshore Minerals Act 2000—Licences

By the Minister for Aboriginal Affairs and Reconciliation (Hon. T.G. Roberts)—

Report, 2001  
South Australian Council on Reproductive Technology  
Reports, 2000-2001  
Bookmark Biosphere Trust  
Food Act 1985  
Martindale Hall Conservation Trust  
Murray-Darling Basin Commission  
Native Vegetation Council  
South Australian National Parks and Wildlife Council  
State Heritage Authority  
Supported Residential Facilities Advisory Committee  
The Dog and Cat Management Board of South Australia  
Regulations under the following Acts—  
Conveyancers—Trust Accounts  
Harbours and Navigation—Exotic Seaweed  
Land Agents—Trust Account Exemption  
Liquor Licensing—Dry Areas—  
Ceduna and Thevenard, Gawler

Hallett Cove  
Normanville  
Security and Investigation Agents—Keeping Records  
Trade Measurement—  
Measuring Instruments  
Pre-Packed Articles  
Water Resources—Extension of Management Policy  
Rules of Court—  
Magistrates Court—Magistrates Court (Civil Rule)—  
Jurisdiction Changes  
Supreme Court—Supreme Court Act 1935—Scale of Costs  
Local Government Superannuation Board—Rule Amendments—Final Salary  
Social Development Committee's 15th Report—  
Inquiry into Biotechnology Part II—Food Production—Response by the Minister for Health, the Hon. L. Stevens, M.P  
Statutory Authorities Review Committee's Inquiry into the Aboriginal Lands Trust—Coast Protection Board and Veterinary Surgeons Board—Response by the Minister for Environment and Conservation, the Hon. J. Hill, MP.

### COMMISSION OF OATHS

**The PRESIDENT:** I have to inform the council that I have received from Her Excellency the Governor a commission authorising me to administer the oath of affirmation to members of the Legislative Council.

### BUCKLAND, Mr P.

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I would like to express my deepest sympathy to the family of Mr Paul Buckland who was tragically taken by a shark off Smoky Bay on 30 April. I understand the shock that this terrible event has caused to both local residents and the South Australian public. Therefore, I feel it is important to place on record the actions taken by my department since the attack occurred. I seek leave to table the White Shark Response Plan.

Leave granted.

**The Hon. P. HOLLOWAY:** PIRSA fisheries has coordinated the development of a White Shark Response Plan across relevant government agencies and Surf Life Saving SA to deal with interactions with large sharks. The response plan coordinates agencies so that, when a large shark is reported or an attack occurs, the response can be immediate to remove any further threat to human life and manage the situation when an attack occurs. Police and fisheries officers have an exemption under the Fisheries Act 1982 to destroy a shark if necessary where it is a continued direct threat to human life.

Surf Life Saving SA was provided with funds by the previous government to conduct aerial surveillance flights over major metropolitan beaches last summer as an early warning strategy against shark attack. To ensure the continued effectiveness of the White Shark Response Plan, I will be seeking a review of the actions taken as a result of this terrible tragedy. Once again, I express my deepest sympathy to the family of Mr Paul Buckland.

### QUESTION TIME

#### BEVERLEY MINE

**The Hon. R.I. LUCAS (Leader of the Opposition):** My question is directed to the Minister for Mineral Resources Development. When was the minister first advised of the

Wednesday 1 May spill at the Beverley mine, and when was he first advised of the Sunday 5 May spill?

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development):** I will have to look at my notes to ascertain the exact time when I was informed of that. I was certainly notified of the spill on 5 May within the 24 hour period that the company was required to notify me.

*The Hon. R.I. Lucas interjecting:*

**The Hon. P. HOLLOWAY:** There was another one, you may recall. Which one are you talking about? There was a spill on Wednesday 5 May at 11.08 p.m. The release was discovered at 11.38 p.m. on the same day, so I am informed by the company. My department was notified the next day, and I was notified some time between 6.30 and 7 p.m. last night.

**The Hon. R.I. Lucas:** And the 1 May one?

**The Hon. P. HOLLOWAY:** I will have to check the records about that one.

**The Hon. R.I. LUCAS:** I have a supplementary question. Does the minister support and has he followed the policy announcement by his colleague Mr John Hill of 13 January 2002 when he was publicly critical of the government in the following terms:

The public also deserves an explanation as to why this spill was kept secret by the Kerin liberal government for 24 hours.

**The Hon. P. HOLLOWAY:** One thing we do know about is the gross confusion that was apparent during the election campaign between the now Leader of the Opposition when he was acting minister and his predecessor. On that occasion there was quite clearly great confusion as to what was required by those two ministers. As a result of that confusion, the then government announced that it would have an inquiry into the reporting procedures for uranium spills but, on coming to office, the new government discovered that the previous government had not acted on that matter.

So, indeed, it was left to this government to announce that particular inquiry, which the Minister for Environment and I announced yesterday, in which Mr Hedley Bachmann, a respected former senior public servant, will look into the reporting of spills procedures. The fact is that the previous government did not act upon the promise that it made, and it was left to this government to act accordingly.

## PAROLE POLICY

**The Hon. R.D. LAWSON:** I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about parole policy.

Leave granted.

**The Hon. R.D. LAWSON:** The government recently announced that it was rejecting recommendations made by the Parole Board relating to the release of two prisoners, Stephen McBride and James Watson. The chair of the Parole Board, Frances Nelson QC, was widely reported as expressing the view that she was at a loss to know the reasons for the rejection of the recommendations of the board. She said that she believed that the government had adopted a new policy but that the government had not divulged to the Parole Board what the policy was, and is. She was reported in the *Advertiser* as saying:

If we are not given the criteria for a prisoner's release it makes our role impossible. If we do not know what the process is, there is no accountability. If the government wants to make these sorts of decisions it must have a proper legal basis for doing so.

In media interviews, the Premier refused to elaborate on the reasons for these decisions. Nor would he elaborate on any new policy that his government had allegedly adopted. He implied that the government had taken into account the very horrendous crimes which the applicants for parole had been convicted of, but he would not address the suggestion that the government appeared to be overseeing the role of the courts in relation to the determination of sentences.

The Parole Board is established under the Correctional Services Act, which the Minister for Correctional Services has committed to him. The board comprises persons of very extensive knowledge and experience in matters relating to parole. It is not suggested here that the Premier was incorrect to say that the government is certainly not a rubber stamp for recommendations of the Parole Board. As we are not privy to the facts, matters or circumstances which the government took into account, I am certainly not to be taken as criticising the government for the particular decisions. My questions are:

1. Will the minister inform the council of the new policy adopted by the government in relation to parole?
2. Does the minister agree that the Parole Board and the community are entitled to know of any major policy changes by government relating to parole?
3. Will the government make available to the Parole Board the terms of its new policy relating to parole?

**The Hon. T.G. ROBERTS (Minister for Correctional Services):** I thank the honourable member for the very important question which took up many centimetres of space in the media before the release date was announced and post the release date. I also thank the member for his support in the media for the government's position in relation to its decision. It appears that the government and the opposition were in agreement in relation to the two cases that came before Executive Council. I suspect that the reason for the delay was perhaps that the two cases before Executive Council were not straightforward cases: they were cases that were complicated by the nature of the crimes committed by the individuals. I accept the position that the honourable member has put forward that, if a new policy is to be developed, the community and broader society certainly need to know about it. If new policies were designed, they would be relayed to the Parole Board.

On 22 April 2002 Executive Council recommended to the Governor not to release two convicted murderers—Stephen Wayne McBride and James David Watson—on parole. The Governor accepted the recommendations. I do not intend—nor would it be appropriate to do so—to discuss at length the discussions in cabinet or in Executive Council concerning the decision to recommend to the Governor that Watson and McBride not be released on parole.

However, I wish to make two points. The Parole Board carries out a difficult task and the chairman of the Parole Board, Miss Frances Nelson QC, and the rest of the board are to be commended for the work that they do under difficult circumstances. The suggestion from some quarters that cabinet's decision in these two cases is in some way a vote of no confidence in Miss Nelson and the board is incorrect. As has been publicly said on more than one occasion since the decision was made, the government and I have total confidence in the board, but in this case we disagreed with its recommendation. Executive Council, informed by the deliberations of cabinet, has a different function from the Parole Board.

Crime and the fear of crime affect too many South Australians. All South Australians are entitled to be safe and to feel safe and secure in their homes, schools, on the streets, or wherever they may be. This government wants to ensure that South Australians are safe and secure and that the public interest is served in the decision to release a convicted murderer on parole. We exercised our judgment, as we are elected to do, and I make no apologies for that. It is our job and we will perform it to the best of our ability.

**The Hon. R.D. LAWSON:** I have a supplementary question, Mr President. Is there a new policy and, if so, what is it?

**The Hon. T.G. ROBERTS:** There is a role and responsibility for government, and there is a role and responsibility for Executive Council. There is no new policy. If the honourable member wants to work with the government to form a new policy for the release of convicted criminals and how the Parole Board operates, we would welcome his decisions and the suggestions he makes.

### WALKING TRAILS

**The Hon. CAROLINE SCHAEFER:** I seek leave to make a statement before asking the Minister for Agriculture, Food and Fisheries a question on walking trails.

Leave granted.

**The Hon. CAROLINE SCHAEFER:** On 25 March this year I received a letter from Mr Gary Burgess, Chair of the Community Services Committee of the South Australian Farmers' Federation, alerting me to the real danger of turning unused public roads into recreational walking trails. These unmade public roads are more often than not sited within the fenced boundaries of farmers' properties. They were mostly surveyed at the early settlement of the state and in most cases have never been used as roads. On the same day as I received this letter, 25 March, I wrote to the minister raising my concerns and those of SAFF arising from the possibility of making some unmade public roads on farms into walking trails.

I understand that the South Australian Farmers' Federation also wrote to the minister expressing its extreme concerns in relation to the proposal to make public walking trails traverse their properties. SAFF pointed out to Mr Holloway that there were obvious liability risks, with the chance of serious injury being done to either a walker or stock within paddocks. There were risks of spreading soil-borne diseases, weeds, an increased risk of fires and the potential loss of native plant species.

In my letter to Minister Holloway I reinforced SAFF's position and invited the minister to work with me as shadow minister to approach this issue in a bipartisan fashion. I offered to meet with him to discuss the matter. Mr President, I seek leave to table both my letter and the letter of the Farmers' Federation.

Leave granted.

**The Hon. CAROLINE SCHAEFER:** Six weeks later I do not even have an acknowledgment of that letter, let alone a response. I understand that SAFF, too, after six weeks of waiting and numerous attempts to contact the minister, has had no further communication with the minister on this urgent matter—and it is an urgent matter given the current situation in relation to public liability and escalating litigation.

Several insurance companies have already advised SAFF that they will be unwilling to cover property owners for

public liability under these circumstances. SAFF has rightly expressed its concerns, and these concerns need to be urgently addressed. Last week I was advised that part of the lengthy trail between Murray Bridge and Clare, to be known as the Federation Trail, was opened, and I understand that the landowners concerned have not been consulted in any way.

My questions to the minister are: why has he not replied to me and, more importantly, why has he not shown the courtesy to SAFF of a response and, most importantly, what exactly does he intend to do about walking trails on farming properties?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I will answer the last question first. The question of walking trails is, of course, one for my colleague the Minister for Urban Development and Planning, and also the minister responsible for lands who, I am sure, would be the Minister for Environment and Conservation. Clearly, that is a matter I will need to take up with them. I hardly think that the issue of walking trails or road reserves, as I think they probably were called originally, is a new one. I can recall this being an issue 25 or 30 years ago, when a number of groups including horse riding clubs, motorcycle clubs and so on tried to get access to what are essentially public road reserves.

I can understand the concern of primary industries and I share their concern that the future use of those road reserves needs to be carefully considered because it has implications for activities along there. In relation to having not given a response to the honourable member's question, perhaps part of the reason is that I am still answering questions that were sent to the previous government back in January this year. I have been signing dozens of them every day, the questions that were sent to the previous minister. I have had a considerable amount of catching up to do over the past couple of years, so I guess we will eventually get round to this. In relation to the Farmers Federation—

**The Hon. T.G. Cameron:** When will you have caught up?

**The Hon. P. HOLLOWAY:** Hopefully, very soon. In relation to the South Australian Farmers Federation—

*The Hon. T.G. Cameron interjecting:*

**The Hon. P. HOLLOWAY:** This is a matter, as I indicated earlier, that has to be—

**The Hon. T.G. Cameron:** When will you have caught up?

**The PRESIDENT:** Order! The Hon. Terry Cameron's question is out of order.

**The Hon. P. HOLLOWAY:** Obviously, I will need to seek the advice of my colleagues who, after all, are the ones who have the ownership of these particular lands. I would assume that the Minister for Transport would also have an interest in dealing with these matters. To get back to the Farmers Federation letter, since I have been minister I have already had two meetings with the Farmers Federation, including one last week. We had an extended meeting of well over an hour, at which they set the agenda with me and raised a number of priority issues. This was not one of them.

**The Hon. CAROLINE SCHAEFER:** As a supplementary question, has the minister referred my letter to the appropriate ministers and, if so, has a policy been developed on public walking trails in fenced farming areas? Is the minister planning to protect farmers or the caucus?

**The Hon. P. HOLLOWAY:** I am sure that, being a former Minister for Primary Industries, the honourable member would know the procedure whereby these letters are

assessed and referred to the relevant departments and/or ministers for correspondence.

### FOOD FOR THE FUTURE

**The Hon. CARMEL ZOLLO:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries about Food for the Future.

Leave granted.

**The Hon. CARMEL ZOLLO:** Will the minister provide the council with an update on the State Food Program 2001-04, which is a key initiative of Food for the Future?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** The Hon. Carmel Zollo has had a great interest in food. I had the good fortune recently to travel to Osaka to speak to the people of Food Adelaide, who are doing a wonderful job there. It was interesting that, when I asked them who else had been, the only person who had been there to see them was the Hon. Carmel Zollo, who had been there a couple of years ago. She was the only person, apart from me, who had been over to see the great work these people are doing over there. So, I know that she has had a long interest in the food industry and the potential of this industry for growth in this state.

The State Food Program 2001-04 is in its first year of implementation, and significant progress has been made in the program's four key initiatives. It would be appropriate for me on this occasion to acknowledge the work that was done by the previous government on this matter. In the area of value adding to commodity products, demonstration projects have been commenced with industry partners in the wheat, barley, pulses, meat, farmed seafood, dairy and native food sectors, and they are at various stages of development.

Approximately 30 new product development opportunities have been scoped, and business cases and product development activities have already been commenced in some of these areas. Work has also commenced on developing vertical alliances of regionally based companies in the horticulture, seafood, dairy and meat sectors. Transport SA has developed an export logistics training program to be delivered in collaboration with regional development boards, and additional partnerships have been developed with regional development boards to develop a series of food plans.

The program recognises the importance of global competitiveness and innovation and has developed a framework that aims at assisting companies through the process of product innovation and commercialisation which has been developed and which is operating. Assistance is being provided to companies to access funding from external sources and, to date, in excess of \$3.5 million has been obtained from commonwealth programs. In relation to export facilitation, a program has been developed which is aimed at fast-tracking the penetration of food and beverage products to international retailers and food service buyers in targeted export markets.

An Australian pavilion has been established with a major retailer in Singapore, and investigations are under way to determine the potential for new initiatives in Taiwan and the UAE (United Arab Emirates). A model that delivers in-country commercial representation for South Australian companies has been established and is operating successfully in Japan. That was the plan which the Hon. Carmel Zollo visited several years ago and which I visited recently. Plans to expand this model into London and Hong Kong are well advanced.

As I said, I recently had the opportunity to look at the great work that Food Adelaide has been doing overseas, and I looked at some of the successful importers of South Australian food products. I was extremely impressed with the interaction between the Food Adelaide office in Osaka and the local distributors and the increasing level of South Australian products appearing on Japanese supermarket shelves. I commend the work of the Food for the Future Program which was recently recognised nationally with a major award for innovation in produce at the Jaguar Awards for Excellence: this was in association with the *Australian Gourmet Traveller*. I congratulate the people involved with the Food for the Future Program on this very important award.

**The Hon. CAROLINE SCHAEFER:** A supplementary question. Given that the minister has just given a wonderful precis of the food plan which was published in October last year, can he also inform us when the Food Council and/or the Issues Group will next meet to give him further advice?

**The Hon. P. HOLLOWAY:** The Food Council is due to meet in June. I have sent some documents to the Premier. I am hoping for a response very soon in relation to those matters.

### SCHOOL CLASS SIZES

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Education, a question about junior primary school class sizes.

Leave granted.

**The Hon. M.J. ELLIOTT:** At the last state election the government promised to reduce the size of junior primary school classes. About five weeks ago, I heard an interview with the Minister for Education who, at that stage, seemed to imply that they would not do anything during this calendar year because of the potential for disruption to classes. That is as I understood what she was saying. I am not sure whether the minister is now aware that we have a continuous intake policy in junior primary school classes into reception and, as such, there are changes to those classes in any case in terms of what classes students are in and extra teachers do come into schools as class sizes grow.

If the minister is now aware of that, I ask the minister whether or not the government is prepared this year—perhaps as early as June when preparing for mid year intakes—to look at putting extra teachers into junior primary schools to start reducing class sizes as they promised at the last election.

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I will take up that matter with my colleague in another place, the Minister for Education and Children's Services, and bring back a reply.

### ARTS, MINISTER ASSISTING THE PREMIER

**The Hon. DIANA LAIDLAW:** My question is directed to the Minister for Aboriginal Affairs and Reconciliation, representing the Minister Assisting the Premier in the Arts, and it relates to payment to meet the minister. I seek leave to ask a question on that subject.

Leave granted.

**The Hon. DIANA LAIDLAW:** Last Saturday night I attended an excellent and well-supported celebratory banquet organised by the State Library Foundation to raise funds to



support the State Library's collection. Incidentally, I paid, whereas the Premier was offered two complimentary tickets. He did not attend, and nor was any representative of the government present. That was noted. Of greater interest and the cause of increasing hilarity through the night was how much one had to pay to meet the minister.

The silent auction to raise money included a dinner offered by the Minister Assisting the Premier in the Arts. As the minister would appreciate, at certain spots on the bidding form one could put their name and a dollar figure against it. The first person to bid in the silent auction for dinner with the assisting minister was Mr David Klingberg, the Chancellor of the University of South Australia. As he told me, he thought it was worth at least \$15 to try to get to see the minister, who had not answered any of his representations on behalf of the university to meet about water resources and environment issues.

I stood by this form for some time and was bemused to find that Dr Stephen Forbes, the Director of the Botanic Gardens of South Australia, which reports directly to the Minister for the Environment and Conservation (who, incidentally, is also the Minister Assisting the Premier in the Arts), was prepared to outbid Mr Klingberg simply to get a meeting with the minister to whom he reports. For some time he had been seeking to see the minister, and so had his chairman. Perhaps by paying there was some greater possibility that he, too, could see the minister. Anyway, there were about eight or 10 bidders by the end of the evening. The final bidder was Mr Perry Gunner at some \$300. He thought it was worth that money—

**An honourable member:** What was your bid?

**The Hon. DIANA LAIDLAW:**—a peppercorn—for his wife to formally be advised that she was no longer a member of the State Library Board. That letter (although she has read about it in the paper) has not yet been forwarded to Mrs Gunner. Her husband believes that some courtesies should be extended to her, considering she was eight years on the board, and that she deserved more than just reading about it on the front page of the *Advertiser*. He was prepared to fast-track this formal advice from the government by bidding some \$300 to meet the minister. Is this a new form of fund raising, or is it the new procedure that one must follow—namely, to outbid other members of the public and other statutory authorities—merely to see either the Minister Assisting the Premier in the Arts or, indeed, other ministers in this government?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I am very innocent in the ways of the arts world in relation to how it raises money and interacts with its minister. I will take the honourable member's question to the Minister for the Arts and the Premier and bring back a reply.

#### QUESTION TIME, CONDUCT

**The Hon. NICK XENOPHON:** My question is directed to the Minister for Agriculture, Food and Fisheries. In relation to clause 2.5 of the Peter Lewis-Labor Party compact for good government, which requires a revision of standing orders to ensure that ministers actually answer questions during question time or, if practically unable to do so, within six sitting days of the question being asked, and that non-government members have the opportunity to ask a minimum of 10 questions per question time, can the minister confirm that the revision of standing orders referred to also applies to

the Legislative Council? Further, pending such revision, will the government in this council abide by the spirit if not the letter of the clause referred to?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** Obviously the compact with Mr Lewis primarily refers to the House of Assembly because, of course, the situation here is quite different, given the number of Independents. And, of course, Mr Lewis in his compact is also seeking not to have any ministers at all in the upper house. I guess that would have obvious implications for question time anyway.

In relation to the spirit of the particular matter, I can answer that part of the question. Yes, it is the government's intention that we should honour that spirit. Given that there are two ministers in this council, it is likely that a number of questions will be referred on. I suspect that we will get through at least 10 questions, if not more, from non-government members during question time, and we will certainly do our best to ensure that where questions are taken on notice they will be answered as quickly as possible.

#### REGIONAL DEVELOPMENT

**The Hon. R.K. SNEATH:** I seek leave to make a brief explanation before asking the Minister for Regional Affairs a question relating to regional development.

Leave granted.

**The Hon. R.K. SNEATH:** In my discussions with people in country areas, I have been impressed by the commitment of regional communities to finding new economic opportunities and their desire to get the training and support that is needed for the future. Given that country people strongly feel that they should ultimately be the masters of their own destiny, can the minister explain how the government is assisting in building the capacity of regional communities to undertake economic development?

**The Hon. T.G. ROBERTS (Minister for Regional Affairs):** I thank the honourable member for the important question, and I am sure that members on both sides of the chamber will be interested in the reply because—

*Members interjecting:*

**The Hon. T.G. ROBERTS:** I worked very closely, in opposition, on regional affairs issues, as honourable members opposite know. I also would like to say that we will be carrying on the good work that was started by the previous government in relation to regional development. There are a lot of good stories to be told in regional areas in relation to the changes that have been effected not only by good seasons, good prices, good management and the low value of the dollar but also by the way in which a lot of these programs were put together and implemented in areas of the state.

Perhaps, where the engine room was not being driven by those market forces, the government did try, with the commonwealth, to put together programs that took into account the variations across the state in relation to some of the benefits that accrue in some regional areas—the South-East, for instance, as opposed to the West Coast, or in the northern regions.

I do acknowledge the good work that was done by the previous government in relation to trying to pull together a whole disparate section of the community in regional areas and to try to overcome those problems associated with distance and in some cases remoteness. As a new government, we hope to capture the goodwill that was set up particularly under the work done by the Hon. John Dawkins

and the Minister for Primary Industries. We hope to be able to capture the enthusiasm at a regional level to continue to do that sort of good work.

At the moment the government is looking at the issues associated with a shortage of housing in those areas where growth ran ahead of infrastructure support, and at this moment my department is working with the private sector to try to put together some programs in relation to the accommodation shortage and the other problem associated with growth, which is matching the skills development within particular regions.

The honourable member is right in relation to matching or developing programs for that; you must have cross-agency support through the education department, DEET and a whole range of other programs to try to get skills management to match the growth that is becoming a feature of value adding within this state. We hope to continue that and enthusiastically to continue to harness that goodwill that was started by the previous government. We hope to be able to work on that and continue to develop the building bricks that bring together the areas where natural growth is being driven by market forces, particularly in the wine and food industry and our ability to capture the benefits that come with investing, domestic consumption, pricing and export opportunities. We also hope to be able to expand into those areas of the state that are not blessed with the natural settings of some areas of the state so that that growth can be evened out. Our focus in particular will be to try to get those areas that have lagged behind to catch up and provide the opportunities and choice that are presented with those features I mentioned earlier in the rest of the state.

There is one word of warning. I mentioned indicators such as the value of the dollar, the seasonal boom and the good seasons we have had almost without exception across the state, where most regions have had the benefit of good growing seasons. As many on the other side of the chamber know, those features can change. Weather patterns, the value of the dollar and access to international markets can change. If you look at some of those indicators that are emerging now, you will see changes in three key indicators: the Australian dollar is starting to grow in value; there are indications that some markets in the United States in particular may close due to protectionist policies being introduced there; and, the seasons being as fickle as they are, we are now in the early stages of what some people would call a 'dry'. It is certainly not a drought, but if the season does not open in the next month or so we may have problems associated with that. The previous government had the benefits of those factors.

In relation to the question of managing growth put by the Hon. Robert Sneath, we are trying to put in place the infrastructure to capture that so it can apply to the primary industry sector of this state.

**The Hon. J.S.L. DAWKINS:** As a supplementary question: when will the Regional Development Council and the Regional Development Issues Group next meet, and will the government continue the successful regional infrastructure fund?

**The Hon. T.G. ROBERTS:** The operations of the Regional Development Council are being considered at the moment. An assessment into its future role will be conducted in consultation with the Regional Development Council.

**The Hon. A.J. Redford:** Is that another word for 'review'?

**The Hon. T.G. ROBERTS:** It is a democratic way of providing a—

*Members interjecting:*

**The Hon. T.G. ROBERTS:** The honourable member makes light of the government's right to have a review. In a Westminster transitional government you have to make an assessment of the previous government's policies.

**The Hon. Caroline Schaefer:** You just said how good it is!

**The Hon. T.G. ROBERTS:** I praised you all up and you gave me a bagging. I won't do that again; I made a big mistake. It comes from inexperience. I haven't been here long enough. I keep forgetting—

**The PRESIDENT:** If the honourable member addresses his remarks through me there will be less conversation.

*Members interjecting:*

**The PRESIDENT:** Order on my left!

**The Hon. T.G. ROBERTS:** Thank you, Mr President. Protect me from my friends and colleagues.

**The PRESIDENT:** Protect you from yourself.

**The Hon. T.G. ROBERTS:** We are in the process of assessing the way development bodies within regional areas integrate with each other. It is not only for government to make that assessment; it is also up to the regional development organisations, which exist within communities, to make sure that everyone is working in the right direction and not competing against each other to a point where the competition becomes unhealthy between and within regions. We are trying to get the policy settings right, get a cooperative spirit and, again, to capture the enthusiasm which is out there within those regions to get the best outcomes possible in the broadest possible way across the state while still maintaining our support for those regional areas that are able to drive ahead of some of the others.

Another instance is the relationship between the Upper South-East and, say, the Mallee, where the Mallee regions have to try a lot harder, with fewer resources, to get outcomes for their communities as opposed to the resources used in the Lower South-East. The Lower South-East is very lucky in relation to its climate, resource development and the management of its natural resources. The Mallee requires a lot more attention in terms of how they are able to—

*The Hon. A.J. Redford interjecting:*

**The Hon. T.G. ROBERTS:** Well, I could have said the West Coast. They have to try a lot harder to get the outcomes than a lot of other regional areas do to get those outcomes for their communities. The government is making an assessment of all the regional bodies and the way they work or integrate with each other. It is our intention to get the cooperation required and maximise the resources out there without duplication, or with a minimal amount of duplication, and the maximum amount of cooperation.

## MIDWIVES

**The Hon. SANDRA KANCK:** I seek leave to make an explanation before asking a question to the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Health, a question regarding indemnity insurance cover for midwifery students at Flinders University.

Leave granted.

**The Hon. SANDRA KANCK:** International Midwives Day, Sunday 5 May, celebrated the unique profession of midwifery and the progress the profession has made to become distinct from the medical profession in providing a

model of care which is set in the community and focused on pregnancy being a state of wellness. Despite some positive steps, such as the commencement of the Bachelor of Midwifery course at Flinders University and the University of South Australia this year, the profession has had some significant obstacles to overcome.

There has been a lot of concern expressed recently about what may happen to doctors regarding medical indemnity insurance. Equally concerning is the lack of indemnity insurance cover for midwives now. Since 3 July last year, independent midwives have not been able to offer a service of choice for South Australian women due to a lack of indemnity cover.

Despite an undertaking by the health ministers at their conference in Adelaide last September, indemnity insurance for midwives was not on the agenda at the national summit held two weeks ago in Canberra.

**The Hon. Diana Laidlaw:** Why is that?

**The Hon. SANDRA KANCK:** Well, I do not know why they gave that undertaking but did not keep it, unfortunately. The problem is now affecting midwifery students at Flinders University. The new Bachelor of Midwifery course commenced in February and the students are now in the ninth week of study. By this stage, the students should be undertaking practical experience in hospitals but, due to the lack of insurance cover, they are not able to do this. The university has been negotiating for some time with a broker who is trying to secure cover from an offshore insurance company, with still no quick resolution in sight.

Of the 75 students at Flinders University, 31 are registered nurses who have foregone full-time work to get their qualifications. Overseas students who are on temporary visas to complete their studies may face having to leave the country before they are qualified. By contrast, interstate postgraduate students, that is, qualified registered nurses, are being placed in some South Australian hospitals and are being covered by those hospitals' indemnity insurance. There are currently two La Trobe University midwifery students who work at Ashford Private Hospital, one at Flinders Private Hospital and one at Western Hospital who are covered by their hospitals. There is not a similar arrangement for midwifery students who study in South Australia.

On top of this, South Australia is experiencing a shortage of midwives and, with the average age of a midwife being 45 years, the shortage can only get worse. My questions are:

1. Will the minister guarantee insurance cover for the post-graduate midwifery students at Flinders University until an insurer can be secured?
2. Will the government investigate the implementation of a scheme similar to that currently in use by interstate tertiary institutions in South Australian hospitals?
3. Given the urgency of the situation, when will the government act to assist South Australian midwifery students?
4. Will the government look into an insurance scheme that will cover independent midwives in this state?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I thank the honourable member for her very important question and how it relates not only to the metropolitan area but also to regional South Australia. I know that the Treasurer has been attending meetings at commonwealth level in relation to this issue, but I will take this question to the Minister for Health and bring back a reply.

## SPEED CAMERAS

**The Hon. T.G. CAMERON:** I seek leave to make a brief explanation before asking the Minister for Regional Affairs, representing the Minister for Police, questions regarding speed cameras.

Leave granted.

**The Hon. T.G. CAMERON:** Victoria Police has announced plans to introduce a three km/h margin for issuing speed fines to drivers caught by speed cameras. The move to reduce speed camera margins means that drivers will no longer escape fines for travelling 10 per cent above the speed limit. Traditionally, police have not fined drivers in Victoria doing 66 km/h in a 60 km/h zone or 88 kilometres in an 80 km/h zone. It is claimed that the Victorian government would double its revenue from traffic fines from nearly \$100 million in 1999-2000 to an expected \$206 million in 2001-02.

The plan has been criticised as unfair and doing nothing to cut the road toll, and the government has been accused of pick-pocketing Victorian motorists. My questions to the minister are: is the state government or South Australia Police considering adopting similar plans to introduce a three kilometre margin for issuing speed fines to drivers caught by speed cameras and, if so, how many extra drivers could be expected to be caught and how much additional revenue would be raised as a result?

**The Hon. T.G. ROBERTS (Minister for Regional Affairs):** I am surprised that the honourable member has not made an appointment with the Minister for Police—

**The Hon. T.G. Cameron:** How much will I have to pay for that? That will cost me two bottles of Grange.

**The Hon. T.G. ROBERTS:** I know that if the honourable member did take two bottles of Grange—

**The Hon. T.G. Cameron:** He'd drink both of them.

**The Hon. T.G. ROBERTS:** I was about to say that before the second cork was popped the first bottle would be drunk by both members. I will refer the honourable member's question to the Minister for Police and bring back a reply.

## GOVERNMENT PROMISES

**The Hon. A.J. REDFORD:** My question is directed to the Leader of the Council, the Hon. Paul Holloway. Will the minister outline the broken promises of this new government today?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** If the honourable member wants to go through history lessons, I will be delighted to go back over the past eight years and give him plenty of history about broken promises. In particular, we could say a lot about the budget, as I am sure we will in the days ahead. This government intends to do its best to keep all the promises it made at the election.

**The Hon. A.J. REDFORD:** As a supplementary question, has the government 'within days of winning government' called together business leaders and the heads of the privatised electricity utilities to work together to tackle the electricity crisis facing the state, as promised in the media statement by the leader on 4 February 2002?

**The Hon. P. HOLLOWAY:** I will refer that question to the Minister for Energy and bring back a response.

**The Hon. A.J. REDFORD:** As a further supplementary question, if such a meeting has not been called, would the

government acknowledge that there has been a broken promise in relation to this example?

**The Hon. P. HOLLOWAY:** As I said, I will refer the matter to the Minister for Energy.

### FESTIVAL THEATRE

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for the Arts, a question about the Festival Theatre redevelopment project.

Leave granted.

**The Hon. J.F. STEFANI:** Members would be well aware that towards the end of last year the government announced that a contract was let to redevelop the Festival Theatre precinct. The demolition works were commenced and, unfortunately, they have progressed very slowly, causing great inconvenience to all Festival Theatre patrons, as well as all other users of the Festival Theatre car park. The dust and debris caused by the contract works during this period has invaded all areas of the car park, and most people who use the car park receive the bonus of a dusty car for their parking fee. My questions are:

1. Can the minister advise the council whether the government was provided with a program of the contract works at the time of entering into the contract?

2. Are the works proceeding in accordance with the original contract program and, if not, have the delays that require a legitimate extension of time been provided in accordance with the provisions of the contract?

3. Can the minister advise when the contract works are due to be completed?

4. Is the project running in accordance with the original budget costs? If not, why not, and what are the anticipated cost overruns, if any?

5. Finally, in view of the anticipated wet weather conditions, what action will the government take to ensure that mud and slush from the site is not distributed in the surrounding areas, including the remaining Festival Theatre buildings?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I thank the Hon. Julian Stefani for his very detailed question. Obviously the redevelopment of the Festival Theatre is an important issue and obviously it affects members in this place. I would hope that, as a result of the development being completed, we will all have a facility of which we can be proud. The honourable member has raised important questions. I will take them up with the appropriate minister and seek to provide a reply as soon as possible.

### GENETICALLY MODIFIED FOOD

**The Hon. IAN GILFILLAN:** I seek leave to make an explanation before asking the Minister for Agriculture, Food and Fisheries a question about genetically modified crops in South Australia.

Leave granted.

**The Hon. IAN GILFILLAN:** We recently heard the Governor deliver her speech to the opening of this session of parliament. In that speech she set out key initiatives for the new South Australian state government. It was notable that the issue of genetically modified crops was not addressed in this speech, despite being an area of great concern to many South Australians—

*The Hon. A.J. Redford interjecting:*

**The Hon. IAN GILFILLAN:** The former minister for transport needs no surrogate spokesperson on her behalf; I can assure members of that. I am not required to fulfil that role. I have a particular charter, and that is to represent the agriculture sector of South Australia concerning genetically modified crops. This is considered by many, including the Democrats, to be an important issue. The sensitivity of consumer markets to genetically modified foods should not be underestimated. Since 1995-96, the United States corn exports to the European Union have dropped from over 2 750 000 tonnes down to 68 000 tonnes in the year 1999-2000. This is due to the introduction of genetically modified corn in the United States.

Recently (within the past month), I attended a public meeting addressed by Professor Hardy Vogtmann who heads an important ministry of foods, agriculture and fisheries committee in Germany. At that meeting, he indicated that a recent survey in Germany indicated 86 per cent of consumers in Germany will not purchase genetically modified food-stuffs. It is very stark evidence that as international world exporters South Australia cannot afford to ignore what is consumer demand overseas. South Australia is well placed to capitalise on the market for genetically modified free food as our agricultural producers are not growing genetically modified crops at this stage. However, the random placement of test plots is putting that status at risk in the international assessment. However, if we want to maintain this particular status, the government will need to act.

The previous South Australian parliament saw the need to act and considered a Democrat bill (which I introduced) to allow the government to establish GM free zones in South Australia. In fact, it passed this parliament. Although the parliament dissolved before the bill could be fully dealt with by the House of Assembly, we passed it in this chamber with the support of the then Labor opposition. My questions to the minister are:

1. What action will this government take to ensure that South Australian farmers are not forced to lose their GM free status that currently exists?

2. What is the government's timetable for such action?

3. Will the government either introduce or support a five year moratorium on the commercial release of GM crops in South Australia as was the effect of my bill in the previous parliament?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** The issue of genetically modified crops is important. The government made certain undertakings during the election campaign, and I believe that we will implement them. Obviously, a number of issues need to be discussed in relation to this matter. A meeting of health ministers is to be held shortly in relation to this and other matters. At the primary industries ministers ministerial council, which met last week, an agreement was reached that the management of the risks posed by the new gene technology to agriculture production and trade primarily should be handled by industry self-regulation with government monitoring and support.

I make it clear that we are purely talking about the trade risks and the economic risks, not the health risks and the environmental risks, which, clearly, are matters for the commonwealth body, the Office of Gene Technology Regulator. At that meeting, the primary industries ministers decided that the success of this approach will be reviewed in two years. On the matter of gene technology free zones within Australia, the ministers noted that public consultations

have already taken place in the states, as well as the work that the commonwealth is undertaking on the management of genetically modified products in the supply chain. The ministers agreed that the results of these consultations and studies should be considered before any national policy on gene technology free zones is developed. That was the outcome of the meeting of Primary Industries ministers last week, and I believe that it shows where we are at nationally in relation to these matters.

**The Hon. IAN GILFILLAN:** Can the minister indicate to the council how that industry regulation could be effective as far as providing GM free zones in South Australia?

**The Hon. P. HOLLOWAY:** Clearly, a number of complications arise in relation to the matter, and that is what has to be worked through. However, primarily it is the industry; that is, the farmers in the particular regions are the primary people who will assess the risks that they are facing and make commercial decisions. Obviously, through the Office of Gene Technology Regulator we have a body which will protect the environmental risk and which will also protect any perceived health risk. However, in relation to the trade and market issues, clearly they are matters that the industry will have to decide; and what we need in any legislation, if we move down that track, is to allow for that to occur.

### CANE TOADS

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about cane toads.

Leave granted.

**The Hon. J.S.L. DAWKINS:** Recently, the *Murray Pioneer* newspaper featured an article highlighting the threat of cane toads infiltrating the Murray River. Concerns have been raised by the Murray and Mallee Local Government Association about the potential arrival of the introduced species which would wreak havoc on native wildlife and vegetation, as well as affecting the tourism industry. The article stated that the association has been supported by Adelaide University professor and leading amphibian expert Professor Mike Tyler. The article states:

Professor Tyler said. . . he believed it was inevitable that cane toads would migrate from northern Queensland along South Australia's river system.

'There's no doubt they will enter the River Murray system. . . it's a certainty,' he said.

Professor Tyler also said that a large flood would provide the perfect opportunity for the cane toads to migrate from the boundary of their current distribution, 100 kilometres north of the Murray-Darling Basin into the Murray-Darling catchment and use the Murray River as a pathway into South Australia.

The article also included some comments from the Chief Executive Officer of the Murray and Mallee Local Government Association, Mr Ken Coventry, who said the association was working towards getting more funding for research into ways of controlling cane toads. He was quoted as saying:

Once they make their way into the Murray Darling catchment area, which covers 1/7 of Australia, it won't take long for them to work their way through the river.

Will the minister indicate what action Primary Industries South Australia or other state government agencies are taking to investigate the potential threat to South Australia if cane toads infiltrate the River Murray?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I am aware that the cane toad poses a considerable threat to this state. However, that threat has been known for some years. I used to work for a federal member of parliament in the early 1980s, and I can well recall having discussions with Mike Tyler. At that stage, he was predicting that cane toads would reach the upper Northern Territory. Of course, they have now done that. They have now got into Kakadu and those areas, as well as into the Murray system. Just as he was right about Kakadu, I expect, sadly, that he will be right in relation to the Murray system. Clearly, as the honourable member has indicated—

*An honourable member interjecting:*

**The Hon. P. HOLLOWAY:** I don't know. Whether things would survive in a cooler climate is a matter for the experts to determine. Clearly, I believe it is Professor Tyler's—

*An honourable member interjecting:*

**The Hon. P. HOLLOWAY:** I expect he would. That is exactly what I was going to say. I would expect that Mike Tyler would believe that they might well be able to survive in the cooler climates. As the honourable member pointed out in his question, the cane toads are a threat in a number of ways. In some ways, they are closest to the fire ants in Queensland which pose a threat not only to agriculture but also to general living, to the amenity of life. Clearly the program to try to eliminate that pest goes beyond just the usual biosecurity issues that agriculture would consider.

I will take up this matter and see who has primary responsibility for it. My colleague John Hill, who has the new Department for Water, Land and Biodiversity Conservation, which includes the Animal and Pest Plant Commission, would be the principal person to ask about this matter. I will certainly get him to find out exactly what work has been done on this matter and bring back a response.

### TRANSPORT PRIORITIES

**The Hon. DIANA LAIDLAW:** I seek leave to make a statement before asking the Minister for Regional Affairs a question on the government's transport priorities.

**The PRESIDENT:** Order! Is leave granted to make a statement?

**An honourable member:** Yes.

**The Hon. DIANA LAIDLAW:** I was very interested in the—

**The PRESIDENT:** Order! I thought you meant to say 'a short explanation'.

Leave granted.

**The Hon. DIANA LAIDLAW:** Anyway, Mr President, you have given me leave to do something. I was most interested to hear the minister's answer to the question asked earlier today by the Hon. Bob Sneath regarding regional development and the minister's acknowledgment of the former government's good work and the government's intention to carry on that good work.

**An honourable member:** Subject to review.

**The Hon. DIANA LAIDLAW:** There was no qualification in the Minister for Regional Affairs' answer. He also went on to talk about the problems associated with distance and remoteness. It is this matter that I want to raise in my questions. I am having some difficulty—as is the transport sector—in trying to work out the government's priorities in terms of transport. I suspect the Minister for Regional Affairs would appreciate that there is not much point in having

regional development, growth and prosperity unless you can get your product efficiently and effectively to market.

Transport is the third largest—or it was under the former government—area of expenditure of taxpayers' funds in government. No reference was made in the Governor's speech to this major area of expenditure or major issue for infrastructure, including regional roads and railways. The honourable minister may be aware that this omission today comes on top of the Labor Party's failure during the election to release any transport policy—other than taxi policy—until two weeks after the election. What are the government's priorities in terms of transport in both a budget and infrastructure sense?

**The Hon. T.G. ROBERTS (Minister for Regional Affairs):** I thank the honourable member for her question.

*The Hon. Caroline Schaefer interjecting:*

**The Hon. T.G. ROBERTS:** No, it is to do with transport. Sorry. I understand exactly where the honourable member is coming from in relation to transport and transport management for regional infrastructure. It is an important question. I will refer the question to the Minister for Transport and bring back a reply.

### GAMBLING

**The Hon. NICK XENOPHON:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Gambling, a question on the link between problem gambling and crime.

Leave granted.

**The Hon. NICK XENOPHON:** I refer to the announcement of the Minister for Gambling on Sunday 5 May 2002, of a major study on the link between problem gambling and crime. The Productivity Commission's report on Australia's gambling industry and other Australian studies have made reference to some 60 per cent of those with a pathological gambling problem admitting the commission of a criminal offence to feed their gambling addiction, with some 20 per cent of pathological gamblers actually appearing before the courts charged with an offence. My questions to the minister are:

1. What are the terms of reference for such a study?
2. What input will be sought from the public, the Break Even network and other interested parties on the scope of the inquiry?
3. Who will conduct the inquiry?
4. What resources will be provided for the inquiry?
5. What involvement will the Independent Gambling Authority have in relation to such an inquiry?
6. What is the timetable for the inquiry and the handing down of its report?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I understand the honourable member's interest in the matter. The announcement has only just been made about the granting of \$4.4 million to address this problem. I do not have the detail sought by the honourable member regarding the terms of reference, who will be on that inquiry, what resources they will require or its timetable, as well as the other important information sought by him. I will ensure that an appointment is made either between him and me, or him and my officers, to assist in going through those questions. I can do both; I can bring back a reply as well as set up that meeting.

### TOURISM INDUSTRY

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Tourism, a question about public liability insurance as it affects the South Australian tourism industry.

Leave granted.

**The Hon. J.F. STEFANI:** I refer to an article in today's *Advertiser* dealing with a crisis which is threatening to affect the tourist industry because of the huge increase in costs in public liability insurance premiums. In particular, the article quotes Mr Stephen Mackay, a partner in the law firm Epsworth & Epsworth, saying:

Litigation will be swept along by the number of lawyers in Australia, presently numbered at 17 000, with another 17 000 students at university studying law.

Mr Mackay is also quoted as praising the New South Wales government for applying commonsense so that people have to take some responsibility for their actions. My questions are:

1. Will the Minister for Tourism enlist the assistance of the Attorney-General to ensure that the South Australian government will take a similar approach to the New South Wales government in relation to this problem?
2. Can the minister advise what action she has taken thus far in relation to this matter to protect the important tourism industry in South Australia?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer the honourable member's question to my colleague in another place and bring back a reply.

### WALKING TRAILS

**The Hon. CAROLINE SCHAEFER:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about walking trails.

Leave granted.

**The Hon. CAROLINE SCHAEFER:** Farmers across the state are being forced to spend thousands of dollars on public liability insurance in response to the establishment of walking trails across farm properties. The Local Government Act clearly provides that, when a public road has been leased by a land-holder, the land owners have exclusive use of it. Despite this, many in the Department of Sport and Recreation, certain councils and walking groups are pressuring land-holders who have leased roads from councils not only to open their roads for public use but also to cover the cost of insuring the roads, which is more than \$2 000 per year per title.

Land owners are not being properly consulted about their rights regarding the opening of walking trails across their properties. I ask the minister, again: will he support the farmers and put their needs ahead of those who are looking to utilise land for reconciliation purposes? If not, will the Rann Labor government reimburse those farmers who have to pay thousands of dollars for public liability insurance to cover members of the public who choose to use walking trails that traverse private property?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** The whole question about public liability is extraordinarily difficult, as I am sure the honourable member would be aware. Treasurers of all states are meeting with the commonwealth government to try to address

this issue. The Hon. Sandra Kanck has already asked another question today about it in relation to health. I guess that this problem will crop up all over the place in regard to public liability. Clearly we need to deal with the matter.

In relation to walking trails, I will refer that matter on to the appropriate minister, my colleague the Minister for Environment and Conservation, and seek his urgent response to it, because I appreciate the problems that the primary producers will be facing in this area. I guess that they, along with a lot of other people, are very nervous about the situation that now faces us concerning the escalating costs and the availability of public liability insurance.

### WALLAROO HOSPITAL

**The Hon. T.G. CAMERON:** I seek leave to make a brief explanation before asking the minister representing the Minister for Health questions about elective surgery at the Wallaroo hospital.

Leave granted.

**The Hon. T.G. CAMERON:** Elective surgery at the Wallaroo hospital is currently suspended because it has overspent its budget. Services were suspended from 22 April and will resume on 20 May. While emergency and community services are not affected by the suspension, a total of 70 people booked for elective surgery will be inconvenienced. The Wallaroo hospital has treated an additional 100 patients in the past year, and 34 per cent of the increase was elective surgery patients.

Regional health service officials have argued that the increase in residents in the Wallaroo and surrounding areas, the fact that the hospital treats additional patients who holiday in the area, and that it is one of the busiest hospitals in the Wakefield Regional Health Service area should entitle it to extra funding. It was reported in October 2000 that a \$300 000 shortfall was predicted for the last financial year for the hospital. What better start could the Labor government give to the people of South Australia than to assure them that the hospital crisis will be resolved and to restore elective surgery at Wallaroo? My questions are:

1. Will the minister immediately provide emergency funding for the hospital so that elective surgery can be restored?

2. Will the minister assure the people of Wallaroo that the hospital and its situation will be given the consideration it deserves when funding is reassessed?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer those questions to the Minister for Health and bring back a reply.

### PAROLE POLICY

**The Hon. R.D. LAWSON:** I seek leave to make a brief explanation before asking the Minister for Correctional Services a question about parole.

Leave granted.

**The Hon. R.D. LAWSON:** Mr Chris Kourakis QC, the President of the Law Society, was quoted in the *Advertiser* of 27 April 2002 as follows:

There are good reasons for leaving the responsibility of sentencing with an independent judiciary which sits in open court. Not since the 17th century Star Chamber has the administration of the criminal law been left to the secret execution of a political institution like cabinet.

He went on to say:

If the government thinks that prisoners sentenced to life imprisonment should serve a longer proportion of their sentence, or all of it, in gaol, then the government can introduce legislation to that effect.

Given this government's attempt to portray itself as tough on law and order, and given the fact, as the minister admitted a little earlier today in question time, that the government has not adopted a new policy in relation to parole, will the government have the courage of its convictions and introduce legislation suggested by Mr Kourakis to extend the non-parole period of prisoners, especially those whose non-parole periods were fixed before the Liberal government introduced truth in sentencing legislation?

**The Hon. T.G. ROBERTS (Minister for Correctional Services):** Is that a suggestion that is coming from the opposition in relation to—

*Members interjecting:*

**The Hon. T.G. ROBERTS:** We have a policy. We have a Parole Board in place in which we have full confidence. We have a justice system in which we have full confidence, but we do not have the correctional facilities that we would like, and that is the collective responsibility of a whole range of governments before us.

*Members interjecting:*

**The Hon. T.G. ROBERTS:** That is a question that we are looking at in relation to what we do with respect to our gaols, but it has nothing to do with our parole policy. The parole policy stands as is until there is either the recommendation for a review of the current policy or a collective response from the opposition and the government in relation to looking for a way to proceed. It may even be subject to a committee, if the honourable member wants to suggest that.

We are looking at the problems associated with overcrowding and the potential for the correctional systems to have more opportunity for options in relation to dealing with prisoners who have been incarcerated. As far as paroling prisoners with life sentences, there has not been a change in policy, although there may be in the future. We have to look at that in relation to determining an application of Cabinet's position in relation to future criminals who have a long sentence and have a history such as that of the previous two prisoners.

### FREEDOM OF INFORMATION

**The Hon. A.J. REDFORD:** I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Administrative Services, a question about freedom of information and ministerial councils.

Leave granted.

**The Hon. A.J. REDFORD:** Over recent times we have heard repeatedly from Mike Rann when in opposition and since he has been in government espousing the importance of open government. Shortly after his elevation to government, he announced that the freedom of information legislation would be amended, securing more open government. I note with some alarm that there was a complete absence of any reference to the concept of open government and no mention of amendments to the freedom of information legislation in Her Excellency's speech this morning.

A cynic might think the government was merely sending out platitudes in order to satisfy members of the press.

Notwithstanding the fact that we passed legislation on freedom of information very late in the last parliament, it would concern me that, at least at some stage over the next few days, the government could outline what it proposes in relation to amendments to freedom of information legislation and the establishment of more open government.

One might also consider what the government's approach might be in relation to the issue of ministerial councils. The *Commonwealth State Ministerial Councils Compendium* issued by the Department of the Premier and Cabinet in December 1999 and signed off by various state governments contains a list of general principles for the operation of ministerial councils. Clause 13 of that document provides:

Subject to the applicability of the relevant commonwealth, state or territory freedom of information legislation, unless council approval is received, any discussion by, or document of the council, or any committee, subcommittee, working party, officer or agent of the council, shall be confidential.

One might wonder whether or not the government proposes to make sure that freedom of information legislation would be amended to ensure that the extent of such confidentiality would be kept to an absolute minimum and consistent with the public interest. Indeed, in my view ministerial councils are one of the last great bastions of secret government in this country, where important decisions are made and important policy discussions are conducted, all in the absence of any public or media scrutiny. Indeed, significant documents are generated by these ministerial councils, including agendas, submissions by respective states and the commonwealth government, and the discussions that take place in relation to that—all of which, if subject to the parliamentary environment, would be public and open to scrutiny. Indeed, one would be hard pressed to compare the position of a ministerial council with that of a cabinet, where confidentiality of discussions is an important part of our Westminster system of government. In light of that, my questions are:

1. Will the minister outline the details of what the government proposes in relation to amendments to freedom of information legislation and when the government will bring those amendments forward to this parliament?

2. Will the minister—

*The Hon. R.K. Sneath interjecting:*

**The Hon. A.J. REDFORD:** When you were on the Legislative Review Committee nothing happened; when you got off it we produced a report. You needn't talk about that. I have nothing to be ashamed of in relation to this topic, but you have a few things to be ashamed of in relation to this topic. You sat on the committee and did nothing for the time you were there.

*Members interjecting:*

**The Hon. A.J. REDFORD:** I am responding to a rather ill-informed interjection. My questions continue:

2. Will the minister also undertake to determine whether or not the agendas and submissions from recent ministerial councils, such as the Standing Committee of Attorneys-General, the minister's conference in relation to insurance and the recent ministerial conference on the Murray-Darling, will be released?

3. Will the minister give an undertaking that submissions made by this government to those recent ministerial councils will be released to the public and to the media for appropriate public scrutiny?

4. Will the minister undertake to respond to this question within the six days, as promised to members of the lower

house in accordance with the compact with the current Speaker?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer the question to the minister in the other place and bring back a reply—within the six days.

## BEVERLEY MINE

**The Hon. R.I. LUCAS:** I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about the Beverley mine.

Leave granted.

**The Hon. R.I. LUCAS:** Members will recall that, earlier this year after the 11 January spill at the Beverley mine, a number of statements were made by now ministers of the Labor government, in particular the then Leader of the Opposition, now Premier, and the then spokesperson on the environment, now Minister for Environment and Conservation, Mr John Hill. In reference to various press statements (amongst many) issued, dated and released on 13 and 14 January, the Labor Party, now the government, set down its policy clearly. I will refer to those statements quickly. On 13 January Mr Hill said:

The public also deserves an explanation as to why this spill was kept secret by the Kerin liberal government for 24 hours.

On 14 January the press release stated:

The state opposition has called on Premier Kerin to explain why he failed to inform the public about the Beverley mine radioactive spill for almost 24 hours after he was made aware of the accident.

Mr Hill stated:

The government waited until the news services went to air almost 24 hours later before it informed the public.

Later, Mr Hill also stated:

As Premier and head of government, tell us Mr Kerin, who knew about this spill and when, why the cover up . . . ?

He went on to make further statements. I will not waste the time of the council by going through all subsequent references made by the Labor Party at the time in relation to that incident. To refresh members' memories, the company first advised the government of the spill late on Friday evening. I recall the incident relatively well, because I was acting minister. I was first advised on Saturday at lunchtime and within 24 hours had issued a public statement—by late Saturday afternoon. Well within 24 hours and certainly less than four hours after I was first advised, I issued a public statement in relation to the spill, yet the government and I as acting minister were comprehensively criticised by the Labor Party in putting down its position that ministers ought to be making public statements within 24 hours of these incidents.

Earlier today the Minister for Mineral Resources Development refused to support the statement made by Mr Hill, his colleague, now minister for the environment, that that indeed should be the policy. One can check the *Hansard* record for that. He also refused to answer the question as to whether he or other ministers had adopted the policy that was laid down by the then Labor spokesperson on the environment on 13 and 14 January. Given that refusal by the Minister for Mineral Resources Development, my questions are:

1. When was the minister for the environment first advised of the two spills to which I have referred of 1 and 5 May?



2. What public statements, if any, have been issued on these two spills by Rann government ministers?

3. Will the minister concede that there is just a faint touch of hypocrisy in relation to this issue and the earlier statements?

**The Hon. P. HOLLOWAY (Minister for Mineral Resources Development):** The reporting policy in relation to uranium spills needs review. That was conceded by the previous government. If the previous government and the acting minister at the time, now the Leader of the Opposition, were happy with it, why did the then government itself call for a review? I would have thought that that clearly indicated acceptance that there was confusion in relation to the reporting of uranium spills, and that is exactly why the current government has done the same. The council might be interested to know exactly what the current procedures are in relation to the notification of spills, because one of the problems we have here is that they have never been clearly spelt out.

Perhaps it is worth briefly discussing what they are: if there is a spill in the wellfield or a plant outside bunds, which involves raw groundwater, and if the spill is less than 2 000 litres, there is no action; a spill between 2 000 litres and 10 000 litres is to be recorded in the operator's log book and a verbal report made to the quarterly meeting; and if a spill is greater than 10 000 litres, it must be recorded with a fax report to the department within 24 hours. In relation to leach liquids: if the spill is less than 200 litres, if it is part of a planned procedure (e.g. replacing a valve), there is no action. Otherwise, if it is greater than 50 litres, it must be recorded in the operator's log book if recognised. A verbal report to the quarterly meetings is made only if it constitutes a part of a pattern, for example, a repeated failure of a component.

If the spill is between 200 litres and 2 000 litres it should be recorded in the operator's log book with a verbal report to the quarterly meeting. In relation to these spills, I advise the council that, of course, there are reporting procedures that involve the commonwealth in relation to uranium mining as well as the Department of Primary Industries and the EPA. So, there are regular meetings in relation to receiving these reports.

If the leach liquid spill is greater than 2 000 litres, it must be recorded and a report must be faxed to the government within 24 hours. If it is a spill with plant bunds process liquid, the spills are to be reported by fax within 24 hours if the spillage exceeds the capacity of the bund or operators are contaminated as a result of the spillage or a total of 2 000 litres is lost in an uncontrolled spill, as opposed to a plant released to a bund. The faxed reports are to be sent to the Chief Inspector of Mines in the first instance. The information is to include the time and date, etc., the quantity and nature of the leaked liquid, the length of time the leakage occurred, remedial action and so on. PIRSA is to inform the agencies, as necessary. They are the procedures that exist at present and which we are asking Mr Bachmann to review in his report to see whether they are appropriate.

My colleague John Hill, who issued a joint press release with me in relation to this matter, supports this inquiry in relation to uranium spills. We also both support an inquiry into the in situ leach mining method, which my colleague John Hill announced yesterday. That inquiry will provide greater information. There is no question of hypocrisy. It was quite clear at the time of the last election that the current government had no idea of its own requirements in relation to the reporting on uranium, and that is why it called for a

report—which it never delivered. It never got around to actually getting the report. The government hung around in office for well over a month but it still did not get around to doing it. This government is doing it and, as a result of the inquiries, we will set guidelines which will be fair to the companies, the public and the government. That is what the government intends doing.

#### MINISTERIAL STAFF

**The Hon. A.J. REDFORD:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Premier, a question about ministerial staff.

Leave granted.

**The Hon. A.J. REDFORD:** On Saturday 9 March 2002, at great expense to the South Australian taxpayer, an almost half page advertisement appeared in the *Advertiser* advertising for South Australian Government ministerial staff. It sought appointments for chiefs of staff, personal assistants to ministers, ministerial advisers and media advisers. The advertisement said that further information was available on a web site and further suggested that inquiries and applications should be directed to a Ms Marion Brooks on a telephone number. I understand that Ms Marion Brooks is a senior public servant in the Department of Premier and Cabinet.

We are all well aware of the importance of the public sector in this state and the fact that we all, generally speaking, have a great deal of confidence in the political independence and integrity of the public sector. Indeed, governments, generally speaking, have sought almost uniformly, until the date of this advertisement, to keep the public sector away from the political process. We also know that the appointment of chiefs of staff, personal assistants and ministerial advisers are no more or no less than political appointments. It has been suggested to me that this process has had the capacity to either compromise or at least create the perception of compromise on the part of the public sector in relation to the political process.

One might consider that an appropriate course of action to be taken in this case would have been to engage independent consultants if members of the Labor Party were not confident enough to make their own choices about who would be appropriate staff rather than seek to compromise the public sector. Of course, we are all aware of the continued statements by Mike Rann when in opposition and since taking office in government that, at all costs, consultants are not to be used and, indeed, in this case, even if it does have the effect of compromising the public sector.

I also understand from sources that the government was given advice to that effect that the appropriate course of action, if it did not feel confident enough to select its own staff—

*The Hon. T.G. Roberts interjecting:*

**The Hon. A.J. REDFORD:** I must admit that that thought did cross my mind but, when I look across at the other side of this chamber, I can understand why one might consider the engagement of consultants. The difficulty with the lack of talent on the other side of this chamber is a matter for them.

It has also been reported to me that, in fact, the government got to the point of engaging consultants to do this, but someone said, 'Whoops, you can't do that. We have this policy of not engaging consultants. So, irrespective of the

outcome or good public policy, we will stick with this policy. We will compromise the public service by getting them to vet our appointments.' Indeed, someone in the Labor Party told me that this was merely a means by which they could burn off some of the less talented people who have been working around the Labor Party during its long period in opposition. In the light of this, my questions are:

1. Does the minister agree with me that this has the capacity to compromise the public service or, if it has not compromised the public service, at least create the perception that it has been compromised?

2. Why is it that government members did not make their own appointments or, if they felt incapable or incompetent in terms of dealing with their own appointments, why did they not engage consultants, even at the expense of themselves or the expense of the Labor Party, rather than compromise the public service?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** Given that the staff appointments were made through the Premier's office, I will refer the question to the Premier for a detailed reply. However, I think I should make some comments in relation to the matter. First, I think the honourable member's objection seems to be the advertising of staff positions in the *Advertiser*. If the honourable member really wants to raise this issue, I am sure that the Premier's office will be delighted to look at some of the precedents. If the honourable member wants to talk about compromising the public service and open up that history book, I would be only too pleased to have a look at it.

In relation to ministerial staff and the cost to the taxpayers, it will be very interesting, during the estimates committees later this year, to look at the number of staff and the cost to the taxpayer of staff under the current government, compared to that of the previous government. I think that the public will be pleasantly surprised.

**The Hon. R.D. LAWSON:** As a supplementary question: first, will the minister indicate how many applications were received in response to that advertisement; secondly, how many people were appointed to positions who had actually applied through the advertisement; and, thirdly, how many were appointed who had not applied in response to the advertisement?

**The Hon. P. HOLLOWAY:** I will have to take those questions on notice and bring back a reply.

**The Hon. A.J. REDFORD:** As a further supplementary question, during the course of the interview process were any applicants asked questions about their political affiliations and, if so, what was the nature of those questions; and how did government members determine whether or not they were employing a current member of the Liberal Party as a member of their personal staff?

**The Hon. P. HOLLOWAY:** I decline to answer that question.

**The Hon. A.J. REDFORD:** Is the minister going to answer that question?

**The PRESIDENT:** The minister has declined to answer that question. There being no further questions, I declare question time concluded.

## QUESTION TIME, CONDUCT

**The PRESIDENT:** We have completed our first question time, which has been unlimited, for the session. There was a question about question time in the Legislative Council and a suggestion that there ought to be a fixed number of questions. I remind honourable members that the Legislative Council is in control of its own affairs. Standing orders have provisions for questions and question time and, whilst there has been some accommodation to allow some order in the questions, unless there is a change in the standing orders they will prevail.

However, in the future question time will not be unlimited but will be for one hour. From my observations of today's question time, there were some members who wanted to debate the issue, and there were some members—probably out of habit—who wanted to give ministerial replies in their explanation of questions. It was not helped on some occasions by some ministers engaging in cross-conversation. I would be pleased if honourable members, when asking for leave to make an explanation, would stick to the formula if they want to make a brief explanation before asking a question. Seeking 'leave to make a statement' is very broad, so if we are trying to get 10 questions in I would ask members to make brief explanations and ministers to give brief answers. I ask both questioners and those giving answers to desist from debating either the explanation or the answer.

## SESSIONAL COMMITTEES

Sessional committees were appointed as follows:

Standing Orders: The President and the Hons P. Holloway, R.D. Lawson, R.I. Lucas and Carmel Zollo.

Library: For this session not appointed.

Printing: The Hons G.E. Gago, J. Gazzola, Diana Laidlaw, R. Sneath and T. Stephens.

## STANDING COMMITTEES

Standing committees were appointed as follows:

Environment, Resources and Development: The Hons M.J. Elliott, J.M. Gazzola and Diana Laidlaw.

Social Development: The Hons T.G. Cameron, G.E. Gago and D.W. Ridgway.

Legislative Review: The Hons I. Gilfillan, A.J. Redford and Carmel Zollo.

Statutory Authorities Review: The Hons. A.L. Evans, Caroline Schaefer, R.K. Sneath, T.J. Stephens and Nick Xenophon.

Occupational Safety, Rehabilitation and Compensation: The Hons. M.J. Elliott, J.M. Gazzola and A.J. Redford.

Statutory Officers: The Hons M.J. Elliott, P. Holloway and R.D. Lawson.

## ADDRESS IN REPLY

The President having laid on the table a copy of the Governor's opening speech, the Hon. Paul Holloway moved:

That a committee consisting of the Hons G.E. Gago, J.M. Gazzola, D.W. Ridgway, T.J. Stephens and the mover be appointed to prepare a draft address in reply to the speech delivered this day by Her Excellency the Governor and to report on the next day of sitting.

Motion carried.

**ADJOURNMENT**

At 4.39 p.m. the Council adjourned until Wednesday  
8 May at 2.15 p.m.