

LEGISLATIVE COUNCIL

Monday 15 July 2002

The **PRESIDENT (Hon. R.R. Roberts)** took the chair at 2.15 p.m. and read prayers.

QUESTIONS

The **PRESIDENT**: I direct that written answers to the following questions on notice be distributed and printed in *Hansard*: Nos 8, 9, 12 to 14, 17, 19, 21, 24, 26 and 27.

WEST LAKES, CADMIUM CONTAMINATION

8. The Hon. T.G. CAMERON:

1. Is the West Lakes Consultative Committee being supported and resourced adequately by the Department of Human Services and the Environmental Protection Authority with regards to cadmium contamination at West Lakes?

2. (a) Is it the committee's responsibility to inform local residents and the general public on this issue; and
(b) Who is the spokesperson for this committee?

3. How many private residences and what percentage of those invited have taken up the Department of Human Services' offer to have their soil tested?

4. How many homes had readings above acceptable levels?

5. Will there be compulsory testing where homeowners refuse to have their land tested because of resistance due to possible reduction in re-sale values, but where there is an indication that there could be contamination?

6. Will there be blood testing by the Department of Human Services for residents who are living in areas where readings are above acceptable levels?

7. Has a plan been developed for cleaning up or treating areas that are affected by significant cadmium contamination?

8. (a) Will there be tests for heavy metals other than cadmium; and
(b) If not, why not?

9. Who is responsible if personal loss arises, the government or Delphin, the developer?

The **Hon. T.G. ROBERTS**: The Minister for Environment and Conservation has advised the following information:

1. The West Lakes Consultative Committee was formed by the Environment Protection Authority to ensure that residents' concerns were properly addressed and to ensure that residents had access to all the information available. The investigation of the extent and severity of cadmium contamination at West Lakes was completed last year and the Authority provided residents with all the necessary information to allow residents to decide what, if any, further action was necessary. Accordingly, and with full consultation, the committee was wound up.

The committee agreed that Professor Julieanne Cheek should act as spokesperson for the committee.

Authority testing was carried out to determine the geographic extent of the sludge affected areas, the only houses tested were approximately 50 SA Housing Trust properties tested at the request of the Housing Trust.

The authority and DHS jointly prepared an information booklet that was distributed to residents. The information was provided to assist property owners to determine their preferred course of action with respect to the contamination.

Following the investigation and public consultation carried out by the Environment Protection Authority, it was clear that the cadmium contamination at West Lakes required a whole of government response. The Department for Administrative and Industrial Affairs was designated the lead agency and has taken over responsibility for day to day management of the matter.

The Minister for Health has advised the following information:

2. (a) The government has taken responsibility to inform local residents and the general public on relevant issues. This has been done through several avenues including letters, public meetings, telephone calls and private visits involving EPA and DHS staff. Ongoing issues of site management strategies are being handled by a major projects group within the Department of Administrative and Information Services (DAIS).

(b) The committee was chaired by the chair of the Environment Protection Authority. Professor Julian Cheek was the nominated spokesperson for the concerned residents making up that committee.

3. The offer of soil testing on private residences was initially provided by DHS but subsequently by the EPA and DAIS. To date, 1 private and 2 part-private Housing Trust residences in the Newport area and 4 private residences in other parts of West Lakes have so far taken up this offer. The SA Housing Trust has tested its 53 Trust homes in Newport.

The offer of soil testing was originally made to an area incorporating about 1 800 homes. More recently, the specific sludge-affected areas have been delineated and soil test offers have been made to the 191 homes in these targeted areas.

4. There is no 'acceptable' level for cadmium in soil. Urban background levels for Australian capital cities are usually less than 3 parts per million (ppm). The health-based investigation level for cadmium in soil is 20 ppm. Levels which exceed this do not necessarily pose a health risk, but will prompt further investigation and risk assessment. Of the 56 present and former trust homes in the Newport area where limited testing was conducted, 17 had cadmium levels exceeding 20 ppm.

5. Soil testing on private properties is voluntary and must be approved by the property owner with full understanding of the consequential obligations for the EPA to provide a positive response to the Regulations under Section 7 of the Land and Business (Sale and Conveyancing) Act 1994. The government has no powers to enter private properties and take samples, nor any powers to enforce owners to do this unless it is proven that there is environmental harm to others arising from the contamination on their property.

6. Apart from the Housing Trust area and a few private residences where soil samples on properties were taken for testing, areas with cadmium above 'acceptable levels' can only be inferred from soil testing conducted on road reserves outside private properties. In such identified areas, urine testing (not blood) was offered to residents by DHS as a measure of cadmium exposure. To date, 65 residents have been tested, with no evidence of adverse effects from cadmium.

7. The principal approach available to householders with concerns over potential soil contamination is to take simple and practical steps to minimise soil exposure. These steps have been outlined in an EPA information brochure posted to residents in areas affected by sewage sludge. This brochure also outlines a range of remediation-management options that can be considered by homeowners. In the most recent initiative, DAIS is offering to cover the costs of implementing basic management strategies on private properties. A small number of public reserves have indicated cadmium contamination, and the City of Charles Sturt is actively pursuing plans to manage these sites in order to provide adequate protection to the public. This has been done in consultation with DHS and the EPA.

8. Some testing on road reserves has also involved analysis for arsenic, chromium, nickel, lead, copper and zinc. While minor exceedances of their respective health-investigation levels have been found in some samples, these are not considered to pose a health risk. Adequate management of soil to account for any cadmium contamination will also minimise exposure to other metal contaminants which may be present. It is not proposed to conduct any further tests for other metals.

9. The issue of liability in this circumstance is currently being examined by the government.

HENSLEY INDUSTRIES

9. The **Hon. T.G. CAMERON**: Will the Minister for Industrial Relations list all prosecutions and convictions that have been undertaken against Hensley Industries (formerly Mason & Cox Pty. Ltd.) for reported industrial accidents and WorkCover claims?

The **Hon. T.G. ROBERTS**: The Minister for Industrial Relations has advised the following information:

Mason & Cox Pty Ltd has been prosecuted and convicted twice (2) under the Occupational Health Safety & Welfare Act, 1986. Once in 1989 and again in 1998. On 22 June 1989 Mason & Cox Pty Ltd was convicted and fined \$5 000 plus \$80 costs for a breach of its general duty of care to employees contained in section 19 (1) of the Occupational Health Safety & Welfare Act. This conviction stemmed from a worker being burned after attempting to oxy-cut a 200 litre drum in half.

On 8 May 1998 Mason & Cox Pty Ltd was convicted and fined \$11 000 plus costs of \$251 for a breach of section 19 when a worker was undertaking maintenance tasks, namely cleaning the sand muller machine preparatory to rectifying a mechanical failure. Whilst this task was being performed, the normal safety features of the sand muller, such as lock out mechanisms and interlocking devices, were disabled.

Currently one (1) matter is being heard in the Industrial Relations Court against Hensley Industries Australia Pty Ltd for breaches of the *Occupational Health Safety & Welfare Act, 1986*.

The company has pleaded not guilty to these charges and the matter is set down for trial later in 2002 (not expected before October 2002).

The current matter is in regards to an alleged dangerous occurrence, on 8 September 1999, at Torrensville, where it is alleged molten metal leaked from the side of a ladle. No one was injured.

In this matter Hensley Industries has been charged with a breach of section 59 (1) (a minor indictable offence). This is an aggravated offence, where it is alleged a person has contravened the employers general duty of care, knowing that the contravention was likely to seriously endanger the health or safety of another.

Hensley Industries has also been charged under section 19(1), with an allegation that it has breached its employers general duty of care to provide a safe and healthy working environment.

In addition, a director of Hensley Industries has been charged under section 61, Offences by Bodies Corporate, with an allegation that the responsible officer failed to take reasonable steps to ensure compliance by the body corporate of its obligations under the Act.

WorkCover Corporation has advised that there have been no prosecutions or convictions under the Workers Rehabilitation and Compensation Act 1986.

SPEED CAMERAS

12. **The Hon. T.G. CAMERON:**

1. Precisely when was the operation of speed cameras handed from 'ordinary' police to the Police Security Services Branch (PSSB)?

2. What is the status of the people who operate the cameras, e.g. serving police, 'pseudo' police, private citizens, company employees or something else?

3. What are the contractual arrangements between the police and the speed camera unit, i.e. exactly who does SA Police pay to operate the cameras?

4. On what basis is the company or operator paid, i.e. what precisely is meant by 'fee for service'?

5. Is it a flat fee, a rate based on hours of camera operation, a set amount per fine, a percentage of fines, or something else?

6. (a) Who processes the photos;
(b) Who decides which photos to reject; and
(c) On what basis are photos rejected?

The Hon. P. HOLLOWAY: The Minister for Police has provided the following information:

1. 25 March 1996.

2. Speed Cameras Operators are Public Sector Management Act employees employed by South Australia Police.

3. The Speed Camera Unit is part of the Operations Support Service within the South Australia Police. Costs of operating the cameras are met from the SAPOL budget

4. The Speed Camera Operations Unit under the Police Security Services Branch is paid by SAPOL to provide staff to operate speed camera equipment throughout the State.

5. The Speed Camera Unit fee for service to SAPOL covers operating costs including wages for operators and administration, ongoing costs such as long service leave, Workcover, superannuation, uniforms, travel and accommodation expenses for intrastate travel.

SAPOL directly provides equipment such as vehicles, cameras and film processing. SAPOL requires the Speed Camera Unit to provide an average of 86 kerbside detection hours per day. The budget estimate for the Unit and the entire Police Security Services Branch is submitted each financial year to the South Australian Police Executive Budget Committee for approval.

6. The photos are processed by the South Australia Police. The discretion to issue or reject a photographic detection offence has been delegated by the Commissioner of Police to the Manager, Expiation Notice Branch.

Photographs are processed in accordance with Part 3 Photographic Detection Devices, Road Traffic (Miscellaneous) Regula-

tions 1999, Manufacturers Specifications and Standard Operation Procedures. Examples of reasons for rejecting notices include:

- Two vehicles travelling in the same direction within the detection zone.
- Unreadable number plate
- Tow bar etc obstructing number plate
- Front detection—motor cycle (front number plate not required)
- Sun glare / weather conditions
- PSSB operator error
- Matter forwarded for police inquiry concerning unassigned plates, tampered number, stolen vehicle etc
- Calibration shot.

DRUGS, COMMUNITY CONFERENCE

13. **The Hon. T.G. CAMERON:**

1. What were the costs of organising, advertising and running the 'Community Drug Conference Public Meetings' during May 2002?

2. How many people attended each public meeting?

The Hon. P. HOLLOWAY: The Premier has provided the following information:

1. Existing resources were used to organise and manage 23 community meetings held during May 2002. Twenty one meetings were organised by the South Australian Police Drug Action Teams which are located in 13 local service areas across the State and work with their local communities to fight drug related problems. Two other meetings were organised in consultation with SA Police local Drug Action Team coordinators for the South East Asian community members in Adelaide's western suburbs.

A teleconference was held with all Drug Action Team coordinators prior to the community meetings to work through the details for the meetings including information about the Drugs Summit in June 2002, the purpose of the public meetings and how the information collected from meetings would be used. One advertisement per meeting was placed in local papers and an advertisement providing details for all meetings was placed in the Advertiser prior to their commencement. Each meeting was assigned a budget of up to \$500 to cover advertising, hiring of local venues and refreshments. Payments will be made on receipts received.

2. A total of 837 people attended meetings across the State:

Locations of public meetings	Number of people attending
Adelaide	30
Ceduna	7
Christies Beach	36
Christies Beach	30
Elizabeth	104
Enfield	33
Kadina	1
Modbury	22
Mount Gambier	60
Mt. Barker	42
Murray Bridge	5
Naracoorte	36
Nuriootpa	18
Port Adelaide	63
Port Augusta	26
Port Lincoln	26
Port Pirie	30
Riverland	40
Sturt	79
Victor Harbor	20
Whyalla	23
Two specific South East Asian meetings	90

EYRE REGIONAL HEALTH SERVICE

14. **The Hon. SANDRA KANCK:**

1. (a) Is it correct that the Eyre Regional Health Service spent \$15 000 last year on a digital projector for regional office presentations; and

(b) If so, how often is this projector used?

2. (a) Is it correct that the money came from funds allocated for mental health; and

(b) If not, from what portion of the Eyre Regional Health Services' budget did this come?

3. (a) Is the Eyre Regional Health Service holding any allocated funds for supported accommodation for people with mental health issues; and
- (b) If so, how much and why is this money not being spent?
4. (a) Is the Eyre Regional Health Service holding any allocated funds for self-help groups for people with mental illness; and
- (b) If so, how much and why is this money not being spent?
5. Does the minister consider that such financial management is to the betterment of the health of the people of the Eyre Region?

The Hon. T.G. ROBERTS: The Minister for Health has advised the following information:

1. (a) In March 2001 the Eyre Regional Health Service (ERHS) received funding for the establishment of a mental health promotion service within the Mental Health Team. Steps commenced immediately to recruit an appropriately skilled person and an appointment was made in May 2001.

As part of the establishment of this position the Mental Health Team requested the purchase of certain infrastructure items including a computer, desk, chair, promotional pamphlets etc. The Mental Health Team also requested the purchase of a multi media projector to facilitate mental health promotion presentations across the Eyre Region. The projector was purchased in April 2001 at a cost of \$14 800.

It was thought that such a resource would have considerable use in health units across the whole region. Accordingly, the ERHS office manages a region wide booking system for the projector.

This has proven to be an outstanding resource for the whole region and is an excellent example of efficient utilisation of DHS assets.

- (b) The projector is frequently used by health units and other DHS agencies across the Eyre region. The booking system for the period 21 January 2002 to 31 May 2002 indicates 25 individual bookings totalling 52 days from the following areas:
 - Mental Health Team
 - Mid West Health (Wudinna and Elliston)
 - Lower Eyre Health Services (Tumby Bay Hospital)
 - Port Lincoln Community Health
 - Ceduna District Health Services
 - South Australian Housing Trust—Pt Lincoln
 - Port Lincoln Health Services
 - ERHS Regional Office
 - Eyre Peninsula Division of General Practice
2. (a) The projector was originally requested by the Mental Health Team and was purchased from funding provided as part of the establishment cost for a mental health promotion service. Funding for mental health promotion in the 2001—2002 financial year is fully committed to the mental health promotion officer position.
- (b) N/A
3. (a) The ERHS has received no funding for supported accommodation. \$7000 was allocated within the Mental Health Team to do some preparatory work, in terms of mapping existing services and need and to identify possible providers of accommodation. A project officer has been employed for this purpose and the project should be completed by 30 June 2002.
- (b) N/A
4. (a) Yes
- (b) The ERHS received funding of \$30 000 this year for Steps to Ease Personal Suffering (STEPS—consumer group) & Open Mind (carers and mental health promotion group). To 30 April 2002 STEPS have \$6 200 unspent while Open Mind have \$9 800 unspent.

On the recommendation of the Mental Health Advisory Committee a further \$6 000 has been committed from the Open Mind allocation to fund three small grants to community mental health promotion activities. It is anticipated that this money will be spent this year.

Both groups are looking for a base to operate from, and have not been able to find a suitable location. They are holding funds for the purpose of setting up such a

location when it becomes available. A proposal is currently with Port Lincoln Health Services to use a building on the grounds of the hospital that is under-utilised.

5. The financial management of mental health services in the Eyre Region is robust and reliable. The resources are closely monitored and utilised in accordance with the needs of local communities. With a number of small communities spread over a wide geographical area, the emphasis on training of general staff, mental health promotion, and a consultancy approach by mental health staff is considered the most effective way to manage services.

Grant funding is often difficult to manage when it is for specific purposes. The opportunities are limited by the conditions of funding and there are sometimes quite long lead in times required to recruit suitable staff and establish the project.

The ERHS has utilised an \$80 000 allocation for child and adolescent services from the Department of Human Services to establish two full time mental health positions in Ceduna. The Region has contributed an additional \$50 000 from its own resources and Ceduna District Health Services has committed \$20 000 to enable the employment of two mental health workers, one specifically targeted at children and youth. Ceduna was identified as the area in most need within the region and particularly so in relation to services for adolescents.

The mental health service in the Eyre Region is regarded as proactive in terms of service development and, while based predominantly in Port Lincoln, has good relationships with all of the local units. There are specific outreach services currently based in Ceduna and Streaky Bay, and the planned establishment of counselling and youth development positions in Eastern Eyre, Mid West and Lower Eyre (as part of the Commonwealth Regional Health Service Program) will all have professional and supportive links to the team.

SPEED CAMERAS

17. **The Hon. T.G. CAMERON:**

1. What is the current kilometre per hour tolerance margin for motorists caught by speed cameras in South Australia?
2. Are speeding expiation notices issued to motorists caught doing speeds less or equal to the current tolerance margin?
3. Is the current kilometre per hour tolerance margin for motorists caught by speed cameras the same as for laser guns or any other detection devices?
4. If not, what are those tolerance margins?

The Hon. P. HOLLOWAY: The Minister for Police has provided the following information:

1. The road safety strategy employed by SAPOL is one of education, enforcement and working with the community to make our roads safer and to reduce road trauma. SAPOL does not have a designated tolerance margin for motorists caught by speed cameras. It does however, as a consideration of fairness to motorists and to allow for minor inaccuracies of vehicle's speedometers and to avoid ambiguity, generally allow a 9 km/h margin above posted speed limits before an expiation notice is issued. This allowance, for obvious reasons is not publicly discussed to discourage drivers setting an artificial speed limit above the legal limit.
2. Police have discretion when taking action against speeding drivers. That discretion includes either cautioning, reporting or arresting and is made taking into account a number of factors including fairness and reasonableness.
3. Police officers who detect speeding motorists by the use of other detection devices including laser guns and vehicle follow and time, use their discretion as to whether or not the manner of driving and/or speed of the vehicle is, in the circumstances, reckless or dangerous. This discretion can be for any speed above the posted speed limit.
4. There are no designated tolerance margins for motorists detected speeding. Speeding motorists are a safety hazard on our roads and all motorists should always abide by the posted speed limit. All speed detection devices are deployed as part of a strategy to reduce excessive speed and to establish a firm base for long-term change in driver attitude to speeding. Achieving these aims should lead to a reduction in the general level of speed resulting in a reduction in the number and severity of road traffic crashes.

BIO-REGIONS**19. The Hon. M.J. ELLIOTT:**

1. Has the State Government assessed what percentage of land is currently protected in the 15 bio-regions within this State?

2. If so, what proportions of land are currently protected from mining and pastoral activities within each of these 15 bio-regions?

3. What is the target date set by the Minister for the Environment to have a minimum of 15 per cent protection for each of these 15 bio-regions?

The Hon T.G. ROBERTS: The Minister for Environment and Conservation has advised:

1. Yes. The bioregions in Australia were recently reviewed and South Australia is now covered by 17 bioregions. Currently, 21.67 per cent of south Australia is covered by the National Parks and Wildlife reserve system.

2. The proportions of land currently protected from mining and pastoralism are outlined in a table, which is solely based on public protected areas created under the National Parks and Wildlife Act 1972, Wilderness Protection Act 1992 or the Crown Lands Act 1929.

IBRA name	Per cent of IBRA protected from mining or pastoralism in reserve system
Broken Hill Complex	0.10
Central Ranges	0.00
Channel Country	0.00
Eyre Yorke Block	4.49
Finke	0.00
Flinders Lofty Block	2.06
Gawler	0.31
Great Victoria Desert	9.32
Hampton	0.99
Kanmantoo	15.07
Murray Darling Depression	11.44
Naracoorte Coastal Plain	4.29
Nullarbor	10.44
Riverina	17.07
Simpson Strzelecki Dunefields	5.82
Stony Plains	0.17
Victorian Volcanic Plain	0.06

3. The government's election policy states that a Labor Government will adopt a long term goal of a minimum of 15 per cent protection of each of these bioregions, or the appropriate proportion thereof, where they cross State borders. In some bioregions there is not enough remaining remnant vegetation to reach the goal of 15 per cent.

In other bioregions, the best method for meeting the conservation outcomes will be through private land conservation efforts and Indigenous Protected Areas. This is consistent with the government's policy commitment to support the efforts of conservationists to introduce the Wildcountry philosophy to produce an comprehensive system of interconnected core protected areas, each surrounded and linked by lands managed under conservation objectives.

MOTOR VEHICLES, SPEEDOMETERS**21. The Hon. T.G. CAMERON:**

1. Have any studies been undertaken by Transport SA, or any other government department, into the accuracy of South Australian motor vehicle speedometers?

2. If so, how many South Australian motor vehicles are estimated may have an inaccurate speedometer?

3. What is the current allowable variance on motor vehicle speedometers by the South Australian Police Force?

The Hon. P. HOLLOWAY: The Minister for Police has provided the following information:

1. No studies have been undertaken by the South Australia Police (SAPOL).

2. Not applicable

3. SAPOL does not test speedometers.

SPEED CAMERAS**24. The Hon. T.G. CAMERON:**

1. How many speed camera photographs were sent to motorists caught speeding for the years—

(a) 1999-2000;

(b) 2000-2001;

(c) 2001-2002?

2. How many motorists caught by speed cameras and issued with expiation notices subsequently took their case to court for the years—

(a) 1999-2000;

(b) 2000-2001;

(c) 2001-2002?

The Hon. P. HOLLOWAY: The Minister for Police has provided the following information:

1. SAPOL does not capture data regarding photographs sent to motorists. Information can be supplied regarding the number of expiation notices issued over the same timeframe. That information is:

Speed camera notices issued for speeding offences committed between

(a) 1 July 1999 and 30 June 2000 255 057

(b) 1 July 2000 and 30 June 2001 244 338

(c) 1 July 2001 and 31 May 2002 240 582

2. (a) between 1 July 1999 and 30 June 2000 86

(b) between 1 July 2000 and 30 June 2001 112

(c) between 1 July 2001 and 31 May 2002 26.

SPEEDING OFFENCES**26. The Hon. T.G. CAMERON:**

1. During the financial year 2001-2002, how many people were issued speeding fines that then incurred late fees or court levies?

2. How much revenue was raised as a result of each of these levies or fees?

The Hon. P. HOLLOWAY: The Minister for Police has provided the following information:

1. 240 582 speed camera notices had been issued for speeding offences committed between 1 July 2001 and 31 May 2002.

2. 51 062 reminder notices had been issued adding a \$30 reminder fee.

15 964 of the reminder notices had been expiated generating \$478 920 reminder fee revenue.

26 437 of the reminder notices had not been expiated and were forwarded to Courts Administration Authority for enforcement proceedings.

8 661 reminder fees have either been waived or notice withdrawn following submission on statutory declaration.

Inquiries concerning outcome of enforcement proceedings need to be directed to the Courts Administration Authority, Fines Payment Unit.

BIRTH RATES**27. The Hon. SANDRA KANCK:**

1. What are the rates of vaginal births in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

2. What are the rates of elective caesarean births in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

3. What are the rates of emergency caesarean deliveries in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

4. What are the rates of forceps deliveries in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

5. What are the rates of Ventouse deliveries in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

6. What are the rates of episiotomy in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

7. What are the rates of induced labour in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

8. What are the rates of epidural anaesthetic administration in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

9. What is the ratio of births per midwife in:

(a) Public maternity hospitals; and

(b) Private maternity hospitals?

The Hon. T.G. ROBERTS: The Minister for Health has advised:

The rates provided in response to all questions are for the year 2000.

1. The rate of vaginal births was:
 - (a) 64.1 per cent in public maternity hospitals and
 - (b) 50.0 per cent in private maternity hospitals
2. The rate of elective caesarean births was:
 - (a) 7.9 per cent in public maternity hospitals and
 - (b) 17.3 per cent in private maternity hospitals
3. The rate of emergency caesarean deliveries was:
 - (a) 15.7 per cent in public maternity hospitals and
 - (b) 16.3 per cent in private maternity hospitals
4. The rate of forceps deliveries was:
 - (a) 5.2 per cent in public maternity hospitals and
 - (b) 12.0 per cent in private maternity hospitals
5. The rate of ventouse deliveries was:
 - (a) 7.1 per cent in public maternity hospitals and
 - (b) 4.4 per cent in private maternity hospitals
6. The rate of episiotomy was:
 - (a) 15.7 per cent in public maternity hospitals and
 - (b) 23.7 per cent in private maternity hospitals
7. The rate of induced labour was:
 - (a) 27.5 per cent in public maternity hospitals and
 - (b) 31.2 per cent in private maternity hospitals
8. The rate of epidural anaesthetic administration during labour as well as delivery was:
 - (a) 34.7 per cent in public maternity hospitals and
 - (b) 52.0 per cent in private maternity hospitals

The rates for pain relief during labour alone were 33.1 per cent in public maternity hospitals and 50.0 per cent in private maternity hospitals.
9. The Pregnancy Outcome Unit of the Department of Human Services, which provided the statistics in response to all questions, does not collect statistics on the ratio of births per midwife. The Unit has statistics on the number of births at each hospital but would have to contact each individual metropolitan hospital to find out the number of midwives who deliver babies. Some hospitals would find it difficult to provide this figure as some midwives work part-time, and others are involved in education or administration or perform other nursing duties in the hospitals.

PAPER TABLED

The following paper was laid on the table:

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

Juvenile Justice Advisory Committee—Report, 2000-2001.

GLENSIDE HOSPITAL

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a ministerial statement made by the Minister for Health on the Glenside Hospital.

DUNCAN, Dr G.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a copy of a ministerial statement relating to the death of Dr George Duncan made earlier today in another place by my colleague the Hon. Michael Atkinson, Attorney-General, Minister for Justice, Minister for Consumer Affairs and Minister for Multicultural Affairs and move:

That the statement be published.

Motion carried.

CORNWALL, Dr J.

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I table a copy of a ministerial statement relating to Rowan v Cornwall and Others made earlier today in another place by my colleague the Minister for Justice, Attorney-General, Minister for Consumer Affairs and Minister for Multicultural Affairs.

QUESTION TIME

STATE BUDGET

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make an explanation before asking the Leader of the Government a question about the issue of broken promises.

Leave granted.

The Hon. R.I. LUCAS: On 26 January this year, the now Treasurer, Kevin Foley—then shadow treasurer—after consultation with the then leader of the opposition (Hon. Mike Rann) wrote a letter to the Australian Hotels Association. I am sure there will be another opportunity to go through all the detail of the letter on another occasion, but I refer to one paragraph of this letter from, as I said, Kevin Foley to Mr John Lewis of the Australian Hotels Association, drafted after discussion with the now Premier, Mike Rann. The letter says:

Importantly Labor will not raise taxes or charges from current levels or introduce new taxes and charges to fund our modest spending program and to achieve a balanced budget.

I emphasise the words 'and to achieve a balanced budget' to make it quite clear that the explicit commitment given to the Hotels Association was that Labor would not increase taxes or charges, or introduce new taxes and charges, either to fund its modest spending program (as it portrayed it) or to achieve a balanced budget.

My question to the Leader of the Government, answering on behalf of the government, is: will he acknowledge in this chamber today that the announcements last Thursday in the budget explicitly breaks that written commitment given by Kevin Foley on his and Mike Rann's behalf to the Hotels Association?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I think we all know the details of the budget and the particular taxation change in relation to poker machines which was introduced by the Treasurer last Thursday, and I believe that that particular measure has been fairly well received by the public. Under this particular structure, the new tax structure introduces additional tax thresholds and rates above \$945 000. As an example, hotels earning in excess of \$2.5 million will now pay a marginal tax rate at 65 per cent on net gaming revenue, while clubs and not-for-profit entities earning the same levels will pay 55 per cent. The new tax structure also provides tax relief totalling around \$5 million to small clubs and hotels, allowing them to earn \$75 000—

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: —I am—net gaming revenue per annum before paying tax—

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: I want to make sure the figures are correct, and I want to make sure the Hon. Angus Redford is aware of the figures in the budget. That means that 76 community and sporting clubs will be winners under that change. This government has listened to the concerns of community clubs and it has acted. I am sure all members in this parliament who have been here over the last few years will be well aware that for many years now the small sporting clubs and the small hotels in this state have been writing to and lobbying members of parliament in relation to the situation that they face and asking for relief from the government. Well, this government has delivered it.

The Hon. A.J. Redford interjecting:

The Hon. P. HOLLOWAY: This government has delivered to the people of South Australia a budget that deals with the question of sustainability. The honourable member who is the ex-treasurer is the person who put the finances of this state into a massive black hole.

The Hon. T.G. Cameron interjecting:

The Hon. P. HOLLOWAY: Yes, we do, that's right. Who left the budget?

The PRESIDENT: Order! There are too many interjections on both sides of the council. The minister has the floor.

The Hon. P. HOLLOWAY: Thank you, Mr President. This government has had to deal with a very difficult financial situation that it inherited from the previous government. The way the previous government fiddled the budget and the forward estimates by pulling things in and out of them just to get these nominal surpluses into the future is a disgrace, and I am sure that over coming days, and when we have the estimates in the House of Assembly, more of those will come to light. But in relation to this particular tax the people of South Australia will be the ultimate judge of the government's action, and I believe that the policies that were introduced in the last budget have been well received by the people of South Australia.

SELF-FUNDED RETIREES

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Social Justice, a question on the subject of broken promises.

Leave granted.

The Hon. R.D. LAWSON: Before the election the South Australian government entered into an agreement with the federal government under which self-funded retirees, namely, those who are holders of a commonwealth seniors health card, would receive a range of concessions. Those concessions included \$70 per annum for electricity, water and sewerage rates of up to \$185 per year, council rate concessions up to \$190 per year and motor vehicle registration concessions, depending upon the size of the vehicle but ordinarily about \$56 per year. These concessions were extended for the first time to self-funded retirees, having previously been available to pension recipients. The funding for these concessions was to come partly from the state government but mainly from the commonwealth government and would benefit some 18 000 self-funded retirees in South Australia. No mention is made of these concessions in the budget papers. My questions to the minister are:

1. Will she confirm that these concessions will not be paid from 1 July 2002, that being the date which the state and commonwealth governments agreed that they would commence?

2. Will the minister confirm that under the agreement with the commonwealth government that government would have paid most of the expense of this particular concession?

3. Will the minister confirm that during the election campaign Labor promised that this particular concession would continue?

4. Would she agree that this is yet another broken promise?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Social Justice in another place and bring back a reply.

CROWN LAND

The Hon. CAROLINE SCHAEFER: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs a question about broken promises.

Leave granted.

The Hon. CAROLINE SCHAEFER: On Thursday 11 July the minister failed to answer my question regarding increases in pastoral lease rental on the grounds that further details would be announced in the budget. I now ask the minister: do the increases in Crown land rental include leases granted in perpetuity? If so, does this contravene the convention of perpetuity and, if so, will the minister provide full details as to how the rents will be applied, who they will be applied to and what possible justification is given for this action?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important matters to the Minister for Environment and Conservation and bring back a reply.

The Hon. Caroline Schaefer: You don't want to have a crack at them yourself, as Minister for Regional Affairs?

The PRESIDENT: Order!

FOOT AND MOUTH DISEASE

The Hon. G.E. GAGO: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about foot and mouth disease.

Leave granted.

The Hon. G.E. GAGO: The outbreak of foot and mouth disease in the UK last year and the subsequent outbreak in South Korea has increased Australia's awareness of how easily it is spread and how painfully devastating its effects can be. Foot and mouth disease is a highly contagious virus that can affect cloven-hoofed livestock such as cattle, pigs, sheep, goats and deer, but it does not affect horses or household pets such as cats and dogs. Despite having no public health significance, an outbreak of one of these diseases would, nevertheless, have a major adverse effect on rural Australia and the national economy. Can the minister explain to the council what measures are being put in place to ensure Australia's foot and mouth disease-free status continues?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I am pleased to say that the state budget reinforces the government's commitment to the protection of South Australia's primary industries from an increasing number of bio-security risks. It recognises the need to increase South Australia's ability to respond to and manage major livestock disease outbreaks such as foot and mouth and mad cow (or BSC).

A commitment of \$9 million has been made in the budget, over five years, for proactive animal disease management including the establishment of the state's own capacity to screen viruses, stepped up security—especially in regional areas—high-level training for livestock specialists to improve their preparedness for livestock disease outbreaks and the establishment of a permanent livestock identification and trace-back system.

Regardless of whether or not a major livestock disease such as FMD or BSC occurs in South Australia, it is vital that the state increases its capacity for early detection so that it can deal with such an event directly or, indeed, to provide assistance elsewhere. An outbreak of FMD or BSC in South

Australia would devastate the livestock sector and have a significant flow-on effect throughout the community. It is estimated that an outbreak of FMD alone would result in the loss of export revenue for livestock industries in this country of around \$9 billion in the first year.

Part of the budget allocation will be spent on greater efforts to protect primary industries against an increasing number of bio-security risks with extra animal surveillance, additional auditing processes and the establishment of new virology testing facilities in Adelaide. This government is committed to ensuring that South Australia has a system of early detection and rapid response to bio-security risks including livestock diseases, fruit fly, *calerpa taxifolia*, locusts and phylloxera.

GLENSIDE HOSPITAL

The Hon. SANDRA KANCK: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Health, a question about patients absconding from Glenside Hospital.

Leave granted.

The Hon. SANDRA KANCK: In July and October 2000 I asked the then minister for human services, the Hon. Dean Brown, questions about the number of people absconding from Glenside Hospital and the reporting procedures for such incidents. The reason I asked the question twice was that on the first occasion the minister responded that there had been 105 absconders for the year 1999-2000, but staff had indicated to me that this was far below the number who had actually absconded. I asked the question again, giving that information, and the answer came back that in fact 190 people had absconded. Members may also recall that at the time I raised the fact that the nurse specials were being chosen, at least in part—in fact, as much as possible, as I was told—to work in those wards because of their capacity to chase the absconders when they escaped from the wards.

Members will have heard of four people escaping or absconding from Glenside Hospital since Friday of last week, and they may also have heard comments from the former minister for human services suggesting that the break-outs on Sunday could have been prevented by the health minister. I note again that Mr Brown was the minister in 1999-2000 when there were 190 reported absconders from Glenside. In the answers to my questions then, it was pointed out that the department recognised different definitions and that the term 'absconding' should be used only to describe detained patients who are absent without leave. Voluntary patients who absent themselves from the hospital without the knowledge of staff are not considered absconders. My questions to the minister are:

1. Is pressure for secure mental health beds at Glenside being caused by an overflow of patients from the forensic mental health service facility, James Nash House?
2. What plans are there to accommodate the existing and future needs of the forensic mental health service for secure beds?
3. How many closed beds in locked wards are available at Glenside Hospital, and how many forensic mental health beds are available at James Nash House?
4. How many absconders and absentees from Glenside Hospital have there been for 2000-01 and from 2001 to the present time?

5. Is this number of absconders and absentees acceptable to the minister?

6. Will the minister investigate the need for a secure detoxification unit where people who may or may not be suffering from mental health issues but who are under the influence of non-prescription drugs can be assessed?

7. Will the minister be implementing the recommendations of the Brennan Report into Mental Health in South Australia?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Health and bring back a reply. I indicate that the problems referred to in the honourable member's question are being discussed in government at this time. Some answers to the questions that the honourable member has asked will be included in the ministerial statement that I have just tabled, so it might pay the honourable member to get a copy of that. I will refer the other questions to the Minister for Health and bring back a reply.

RAILWAY CARRIAGES

The Hon. T.G. CAMERON: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, questions about new train carriages for South Australia.

Leave granted.

The Hon. T.G. CAMERON: People in three of Australia's growing cities—Sydney, Melbourne and Perth—have got or are about to get new metro trains that will take their transport systems into the 21st century. Perth is seeing the dawning of a new era for commuters. The EDI Rail and Bombardier Joint Venture is supplying 31 three-car electric multiple units to the Western Australian government at a cost of \$437 million. Delivery is scheduled to start in mid 2004, with the last to be delivered in 2006. In Melbourne, the French owned Connex company has unveiled its X-Trapolis train, the first new train to operate in that city for 23 years. Connex plans to have 58 of these three-car sets operating by the end of 2004 at a cost of more than \$500 million. In Sydney, EDI rail is introducing 81 new double storey carriages at a total cost of \$220 million, and the government is considering ordering 60 more.

In South Australia, the current 2000 series railway trains have been in operation for more than 20 years, with the first coming on line on 28 February 1980. I am informed that the cost of replacing them in today's dollars would be about \$90 million. My office has received complaints from passengers about the 2000 series carriages, including problems with their intercoms, air-conditioning, general comfort and their tendency to shake and rattle. I am aware that the carriages are currently undergoing a facelift and that they are going to get a new coat of paint, carpets and windows. However, it is time that the new government bit the bullet and brought our trains into the 21st century and commenced planning to replace these rapidly ageing trains. My questions to the minister are:

1. Has TransAdelaide yet prepared or commenced any planning for the retirement and replacement of the 2000 series railway train?
2. Considering that the rest of the country is already rolling out trains that are state of the art in safety, comfort and technology, when can the South Australian commuter expect to see new carriages on our lines?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Minister for Transport in another place and hope that the shaking and rattling turns into rolling.

STATE BUDGET

The Hon. A.J. REDFORD: I seek leave to make brief explanation before asking the Leader of the Government a question on the topic of broken promises.

Leave granted.

The Hon. T.G. Roberts: Yours or ours?

The Hon. A.J. REDFORD: You're in government; some people haven't noticed that, but we certainly have. Last Thursday's budget is now being called the broken promise budget, and I have had many calls about the budget in the context of Labor's honesty and accountability in government legislation imposing honesty on public servants and not on ministers in Labor governments. Not only have I had calls about the integrity of this government's honesty but I have also had calls about the way in which this government has targeted country people and old people.

The Hon. T.G. Roberts interjecting:

The PRESIDENT: Order! The minister will come to order.

The Hon. A.J. REDFORD: Let me give some examples. The aged and self-funded retirees have lost \$500 each. The promise of no new taxes has been replaced by a \$300 million increase in taxes and a \$120 million increase in charges over the next four years. Land-holders on Crown leases will now have a completely new and fresh tax, levy or rent, or whatever you want to call it, imposed upon them. There are \$34 million of cuts in education and, of the schools in which capital works have been cancelled, nine of them are in country areas.

The Hon. T.G. Roberts interjecting:

The Hon. A.J. REDFORD: Nine out of the 10. In health, 8 300 fewer patients in country hospitals will be treated and 15 out of 16 country hospitals have had their aged care facilities cut. Country hospitals have received an increase in budget, not taking into account inflation, of 2.4 per cent—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Redford has the call.

The Hon. A.J. REDFORD: —and city hospitals of 7.1 per cent. I understand why the Hon. Terry Roberts is hiding at this point: it will be a hard road back to Millicent next weekend. Stamp duty targeted—

The Hon. CARMEL ZOLLO: I rise on a point of order, Mr President. I believe there is debate in this question rather than explanation.

The Hon. A.J. REDFORD: I am sorry, Mr President. I responded to an interjection.

The PRESIDENT: Order! There is a fair amount of opinion in the honourable member's explanation and I ask him to make his point and ask his question.

The Hon. A.J. REDFORD: As I was saying, city hospital budgets were increased by 7.1 per cent and country hospitals by 2.4 per cent. Stamp duty increases have been targeted directly at country people and in particular the farming community, who will be liable for \$7 500 in most cases. The promise about no sacking of public servants other than fat cats went out the window and, indeed, inspection services in a range of areas in the country have also been attacked by this government. In light of that, my questions are as follows:

1. Will the minister acknowledge that this government has broken promises in the areas of taxation, health, education and public servants?

2. Will he acknowledge that last Thursday's budget targeted country areas, particularly in relation to cuts concerning health, education and Crown leases?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I certainly will not acknowledge that this government has broken promises in key areas: in fact, far from it. This government has delivered its promises in the health and education sectors. I cannot see how anyone could possibly look at last Thursday's budget without coming to the conclusion that, notwithstanding the very difficult budgetary situation left to us by the previous government, this government was able to deliver on key promises in health and education. If you look at what has happened, there have been significant contributions in the health budget for dealing with such things as waiting lists in hospitals, extra hospital beds, and so on. In relation to education, there has been considerable delivery on promises in relation to additional teachers, particularly in the early education sector. This government has delivered by making those areas its priority. That is what we said during the election campaign we would do. We said that we would make those areas our priority, and that is exactly what has been done.

As we move into the budget debate, I think we need to put everything into the perspective of the budget we inherited from the former government. As I have said, the former treasurer was a master at fiddling with the future budget estimates. There were things that were put in and taken out. We will have a debate on this later, but we saw the amendments that the ex-treasurer put where he showed how he budgeted for the future by shuffling amounts in and out to get these nominal cash surpluses that we subsequently found were completely worthless.

Of course, during the eight years of the former government there were more than \$8 billion worth of asset sales to reduce debt by \$6 billion, and that means that at least \$2 billion was contributed to debt during that term from within the budget and other decisions. That is unsustainable. The whole purpose of this budget was to try to bring some sustainability back into the finances of this state, because they were clearly going nowhere. You just have to look at the budget figures to see what happened to the debt of this state over the last 12 months—about \$200 million was added to debt. While the former treasurer was fiddling around getting these nominal cash surpluses there were considerable accrual deficits, and the ex-treasurer showed a complete inability to bring them under control.

The new government has taken some very hard decisions and no-one denies that there will be cuts right across the board—not just in the country, as the ex-treasurer has said, but right across the board. There are some hard decisions, because we inherited a very difficult budget position left to us by the previous government. The public of South Australia accepts that point; they are relieved that, finally, there is a government that can not only deliver on its promises in health and education and that not only gets its priorities right but can also deal with the underlying financial problems facing this state. This is what the government has done, and I am sure that the people of this state appreciate it.

The PRESIDENT: The Hon. Mr Redford has a supplementary question. There is an over-abundance of enthusiasm today.

The Hon. A.J. REDFORD: In light of that answer, how can government members keep a straight face when debating their honesty and accountability in government legislation?

The Hon. P. HOLLOWAY: When we debate that bill it will be a very good opportunity for members on this side of the council to point out some of the deception that the previous government had within its budget figures before its budget. I am sure that my colleagues will welcome—

Members interjecting:

The PRESIDENT: Order!

The Hon. P. HOLLOWAY: —debate on this matter when those bills are debated in this chamber. Hopefully, after those bills are passed in the future, figures put forward by the government of the day during an election campaign will actually mean something, unlike some of the figures put forward by the former government.

REGIONAL DEVELOPMENT

The Hon. J.S.L. DAWKINS: 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. J.S.L. DAWKINS: On 7 May this year, I asked the minister a question about the future of the Regional Development Council and the regional development issues group. The minister responded that an assessment of the Regional Development Council would be conducted in consultation with that council. In this place he has also put considerable emphasis on the formation of a new Office of Regional Affairs as a major plank in the government's handling of the Regional Affairs portfolio. My questions are as follows:

1. Given that the budget included an allocation to establish the Office of Regional Affairs, can the minister now indicate whether the Regional Development Council and the Regional Development Issues Group will continue to operate?

2. Can the minister also indicate the level of consultation that has taken place with the Regional Development Council?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): The honourable member has asked some important questions in relation to regional development, and it is a good time to put on the record what the general restructuring will mean, particularly to regional development restructuring within the regions, and how it will report to the Treasurer, the Premier, and the Economic Development Board. The Premier has announced that I will establish offices in Port Augusta and Murray Bridge. These will provide a point of contact for members of the public, as well as encourage stronger relationships between the minister, local government, community leaders, business and any other organisations in communities, including those that provide services—that is, human services—and will be a contact point for them to organise, in whatever way they want, methods in relation to dealing with the government at a regional level.

Where these offices do not exist, there will still be structures for reporting and for regions to have input into the Economic Development Boards within those regions, and that will be encouraged. Whilst there will be strong emphasis on regional development issues by the ministerial officers, these officers will also focus on the provision of state government services and provide feedback directly to government agencies, ministers and the Premier. These offices did not exist previously. They will be staffed by two staff members,

who will take on board not only the queries in relation to making contact within regions but also across regions and into the state development bodies. They will also act as a conduit or an agency for across-agency problems. I will be working with local members in those areas, regardless of party—whether they be National Party, Liberal Party or Labor Party members—to take on board the questions that, obviously, will be raised in relation to structuring development programs within those regions.

The offices will each be staffed by a project officer, called a ministerial officer, and employed on a ministerial staff contract. An administrative officer will also be employed under the PSM Act. As Minister for Regional Affairs I will be consulting with and visiting communities all over the state, and the locations of the offices will not limit the government's focus but, rather, aim to enhance its overall approach to country consultation. In relation to Upper Spencer Gulf, I think even members opposite will agree that a central focus with regard to organisational structure is required.

This is a new initiative. There are many officers who have been placed in regional areas in relation to regional development, but there is now an opportunity for this government to provide a focus for two areas in particular: the Spencer Gulf region and the Murray Bridge region for the Murraylands, the Lower Murray and the Upper South-East. The only phone calls I have received in relation to the offices and the structure are that other regions are now saying, 'Offices have been placed as points of focus within those regions. We would like to see you extend the provision of servicing through regional services into our regions,' and that is something that I will be discussing with government.

We will certainly be looking at results produced by the provisioning of a focus within those communities, and they will certainly be very focused on regional development issues to provide the growth and jobs we expect to occur if the international and national economic indicators are favourable. That will occur over the next few years by rationalising some of the programming—not the focus for the issue based programming but for those structures that exist in country areas that perhaps do not get the servicing they require. We will be encouraging a whole range of bodies and organisations that involve themselves in regional development and service provisioning to cooperate, amalgamate and streamline those services so that the points of contact become more focused and we are able to influence the ministerial agencies that have the ability to fund the programs that hopefully will be suggested and instigated from those regions.

The Hon. J.S.L. DAWKINS: I ask the minister again: has there been any consultation with Regional Development Council members about the future of that body?

The Hon. T.G. ROBERTS: The answer to that question is: not at this time.

The Hon. CAROLINE SCHAEFER: By way of supplementary question, what will be done with the other \$14 million in additional spending to finance ministerial offices after the \$1 million allocated for the two new regional offices?

The Hon. T.G. ROBERTS: I am not sure about the \$14 million.

The Hon. Caroline Schaefer: It was in the paper.

The Hon. T.G. ROBERTS: I will need more detail in relation to the \$14 million. I will have a chat with the honourable member and try to get more detail.

ABALONE FISHERY

The Hon. IAN GILFILLAN: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question relating to the abalone fishery in South Australia.

Leave granted.

The Hon. IAN GILFILLAN: Abalone has become a very lucrative export market for South Australia. We contribute about 20 per cent of the total national catch of abalone, with 95 per cent being exported to Japan. I understand that the fishery generates some \$25 million annually from that trade. The long-term sustainability of the fishery is of great importance to the state. Concerns have been raised over the sustainability of the fishery, given current practices. In December 2001 two articles appeared in the *Journal of Shellfish Research* (Volume 20, No.2) relating to the abalone fishery in South Australia. The papers were written by a number of researchers from the South Australian Research and Development Institute (SARDI). I have the papers: if the minister is interested in looking at further detail I can make them available.

One paper, entitled 'A chronicle of collapse in two abalone stocks with proposals for precautionary management', explores the collapse of two South Australian abalone populations at Backstairs Passage and Avoid Bay. The article advocates a precautionary approach to the management of the fishery. The other paper, 'Sustainability demands vigilance: Evidence for serial decline of the greenlip abalone fishery and a review of management', discusses the decline of the fishery in general in South Australia and provides arguments supporting the assertion that the decline in the fishery is due largely to overfishing. The paper states:

... the overfishing hypothesis provides a common explanatory mechanism for the decline of catch on many disparate reefs. . .

The collapse of the abalone fishery in South Australia would have serious implications on the marine environment and the economic well-being of the state.

In this state the allocation of quotas for the total allowable catch of abalone, as with each of the state's fisheries, rests with the minister. Under the Fisheries Act 1982 management of the fishery is undertaken by the Abalone Fishery Management Committee. The AMFC consists of representatives from each of the fishery zones, as well as the fishery manager from PIRSA, a research scientist from SARDI and a representative each from the South Australian Fishing Industry Council and the South Australian Recreational Fishing Advisory Council.

Of these, only the zone representatives, the fishers, are voting members of the committee. This is the body that advises the minister on quota allocation. In contrast, the New South Wales model for fixing the quota of total allowable catch is the function of an independent committee of experts, the committee consisting of a series of people appointed by the minister on advice and with criteria set out in the act, which I will not go into now. However, there are no actual hands-on fishers on that committee. While the New South Wales minister can ask the committee to consider matters when making its determination, the decision on the total allowable catch is for the committee to make. My questions are:

1. Does the minister agree that the decline of the abalone fishery is a matter of serious concern in need of action?

2. Does the minister agree that the structure of the South Australian abalone fishery management committee could lead to a bias towards the over fishing of abalone?

3. Will the minister establish an independent committee, similar to that established by the New South Wales Labor government, to establish or allocate the total allowable catch?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I am not aware of the papers to which the honourable member referred and I will ensure that my department looks at them and provides me with a briefing on those particular matters. In general terms, it is worth commenting that abalone is one of those areas where aquaculture has been fairly successful. Over the last few years, a big growth has occurred in this state in the amount of abalone being produced through aquaculture ventures. I, as perhaps have other members, have had the opportunity to look at some of those ventures on Eyre Peninsula. In fact, if any members are travelling to that area, I would advise them, if they can get the opportunity—and perhaps I can arrange it—to look at some of the ventures being conducted into the aquaculture of abalone. I think they have great promise for this state.

Of course, as well as this growth in aquaculture, certainly there is a significant wild catch fishery in abalone. The honourable member is correct that the management of that is through the fisheries management committee for that particular sector. Fisheries management committees have been used over a number of years now and, on the whole, I would have thought fairly successfully in terms of managing fisheries. The fisheries management committees have to deal with some very difficult situations, but it has been the view of most governments of all persuasions that the fisheries management committees are a good way to go because they do involve a broad cross-section of the industry. They provide the research and the departmental input, as well as recreational and industry wide input, and they provide the opportunity for the industry to be involved in management decisions for their fishery.

The second question asked by the honourable member was: do I agree that there is a bias towards overfishing in fisheries management committees? I would say that, if you overfish a fishery and wipe yourself out of business, that is not really an incentive to overfish. I would have thought that one of the benefits of fisheries management committees is that, through having industry representatives, they are well aware that their future depends on a fishery being sustainable. Indeed, if one looks at what has happened since fisheries management committees have been in charge of various fisheries such as rock lobsters and so on, I would have thought that there has been an improvement in management practices because the fishers in that industry have seen the benefits of sustainability. Certainly the stories that I hear are that often industry people will take a conservative view towards the exploitation of resources because they are well aware that their future depends on sustainability.

Finally, in relation to the last part of the honourable member's question about new committees, I can say that for some time now there has been a plan to review the Fisheries Act, which covers fisheries management committees. I am hopeful of being in a position to announce something very shortly in relation to a review of the Fisheries Act, and that will include perhaps looking at some of the matters raised by the honourable member. Again, I make the point that I believe that fisheries management committees with their independent chairs have, on the whole, provided successful

management of fisheries and, while the odd problem may have cropped up here and there, they have been a success.

To return to the first point the honourable member made, I will ask the department to look at reports in relation to what the honourable member was alleging were particular problems in relation to abalone. Of course, one should also point out in any answer about abalone that there is a significant problem with poaching in that fishery. That is an issue that also has to be taken into consideration. So, even if a fishery is being well managed in terms of the commercial sector, if there are problems with poaching—and that poaching may well be recreational or commercial in intent—I guess that can have a serious impact on fisheries. Whether or not that is the case here I will look at when I investigate the honourable member's question.

The Hon. IAN GILFILLAN: I have a supplementary question. Does the minister believe that the structure of the South Australian Fisheries Management Committee in which the fishers are the only ones able to vote is a better system than the New South Wales Fisheries Management Committee system in which all members have a vote?

The Hon. P. HOLLOWAY: As I indicated in answer to the honourable member, a review of the Fisheries Act is overdue and I hope that any review—and I hope to give details fairly shortly—will include those sorts of issues, particularly a comparison with practices interstate. But, again, I make the general comment that by and large the South Australian fisheries, I believe, have been well managed, and I think that is accepted across the board. However, if there is a particular problem in this fishery, I will look at that and come back with a reply.

YOUTH SERVICES FUNDING

The Hon. A.L. EVANS: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, on behalf of the Treasurer, a question concerning the budget.

Leave granted.

The Hon. A.L. EVANS: There appears to have been a decrease in the amount of funds allocated in the portfolio area of education, training and employment. The estimated expense for 2001-02 for youth services is \$2 947 000. This expense is solely allocated to fund and support youth initiatives. The current budget has allocated a lesser amount of \$2 930 000. The government's support of youth initiatives is essential. Active8 is a program generally available to youth that substantially assists its participants to gain a sense of self-worth to build self-esteem and motivate them. My questions to the minister are:

1. Why has there been a reduction in funding in this crucial area?

2. Have any additional funds been allocated elsewhere to compensate for this drop in funding?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer that question to the Minister for Education and bring back a reply. There has, of course, been a number of changes in the portfolio arrangements. The training and employment sector, of course, is now under the ministry of my colleague the Hon. Dr Jane Lomax-Smith. I am not sure to what extent the figures used by the honourable member take that into account. I will refer the question to the relevant minister and bring back a reply after a proper analysis of those figures.

BRANCHED BROOMRAPE

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about branched broomrape fumigation.

Leave granted.

The Hon. D.W. RIDGWAY: I thank the minister for the response from the Minister for Environment regarding my question of 28 May, and I quote from the reply:

The program's preferred option is to maintain native vegetation but where the destruction of the seed of branched broomrape is a priority and fumigation necessary appropriate processes are followed. Approval for clearance is obtained from the Native Vegetation Council. In many situations native vegetation is replaced, e.g. on road verges grass species are sown into the fumigated area.

As I mentioned earlier, fumigation using methylbromide destroys all plant pathogens and seeds—and that may also help the Hon. Gail Gago and the Hon. Terry Roberts in their difficulty with *Phytophthora cinnamomi* last week. The Hon. Gail Gago mentioned that it is a fungi and the Hon. Terry Roberts replied that it is a plant. I am not sure who is correct but, in any case, that particular pathogen would be destroyed.

It is a wonderful opportunity, with the soil free of any seeds or plant pathogens, to try to replace the entire spectrum of all the native plants that were there—not only the trees but the understorey as well. Can the minister tell the council what grass species have been sown and whether both the trees and understorey will be replanted?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer the question to the Minister for Environment and Conservation who of course has the Animal and Plant Control Commission and responsibility for that program under his jurisdiction.

MULTICULTURAL AFFAIRS

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Attorney-General, a question about the multicultural and ethnic affairs portfolio.

Leave granted.

The Hon. J.F. STEFANI: I refer to Budget Paper 4, volume 1 of Portfolio Statements for 2002-03, released last Thursday by the South Australian Labor government. Pages 5.1 to 5.89 outline, in detail, the areas of the ministerial portfolio responsibilities covered by the Attorney-General, the Hon. Michael Atkinson MP, and their financial budgets for 2002-03.

I note with interest that his responsibilities include Attorney-General, Minister for Justice, Minister for Consumer Affairs, Minister for Volunteers, Minister for Police, Minister for Emergency Services, Minister for Correctional Services and Minister for Gambling. A notable omission is his ministerial portfolio responsibility for multicultural affairs.

Firstly, can the Attorney-General advise whether he has relinquished his ministerial responsibilities for the multicultural affairs portfolio? If not, why has this important portfolio been completely omitted from the budget papers covering his ministerial responsibilities? Thirdly, will the Attorney-General issue a public apology to the ethnic communities for such a serious omission which creates the perception that ethnic affairs under a Labor government has been downgraded or forgotten?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I will refer those important questions to the Attorney-General in another place and bring back a reply.

SOLAR ECLIPSE

The Hon. T.J. STEPHENS: I seek leave to make a brief explanation before asking the Minister for Regional Affairs a question about the impending solar eclipse.

Leave granted.

The Hon. T.J. STEPHENS: There are only two towns in the world—Ceduna and Lyndhurst—that will experience a total eclipse on 4 December, with tens of thousands of people expected to converge on them and on other remote vantage points. Ceduna alone expects some 19 000 visitors to the town. This will undoubtedly put great strain on traffic management, water supplies and effluent treatment works, power supplies and so forth. On 12 June, the Labor government was clearly warned that there was a need for action in relation to infrastructure in these regional towns.

South Australia's Astronomical Society President, Steve Cook, on ABC radio, warned the Labor government that he feared that, 'Thousands of visitors will face chaos at this year's total solar eclipse in SA's outback,' and 'shortages of medical staff and equipment are among many serious problems looming'. He also cited a lack of planning by the state government. He went on to say:

People worldwide will come regardless and what's going to happen is the towns are going to be overrun. They're going to run out of supplies, there are going to be all sorts of problems. I am deeply concerned about the influx of people. I think the Government is going to be in for a hell of a shock.

Towns are going to run out of water, [people will suffer] heatstroke, there won't be toilet facilities, hospitals will be overloaded.

On the same ABC radio broadcast the tourism minister, the Hon. Jane Lomax-Smith, strongly rejected these claims saying, 'Planning on many issues is being done with military precision.' She said:

We've been working on ways to manage effluent and water supplies and I'm confident that since we have six months to go, that with our resources, we'll be able to welcome the visitors and give them an opportunity of a lifetime to see a very special event. Although it's a terrifying prospect, I'm confident that when it happens, we'll be ready.

I understand a submission from the District Council of Ceduna was put to the Labor government seeking assistance with funding of between \$350 000 and \$500 000.

My questions to the Minister for Regional Affairs, who I am sure has been working closely with his colleagues on this regional issue, are as follows:

1. What action has been taken to ensure not only that these two regional towns cope with the tourism influx but also that the international tourists return to their home countries praising their South Australian Eyre Peninsula visit?

2. What provision was made in the Labor budget last week to manage this enormously important international tourism opportunity?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): I thank the honourable member for his important question. The Ceduna council gave me a briefing on the possible problems associated with the eclipse some 2½ years ago when I was serving on the Environment, Resources and Development Committee. When the issue of the possible

numbers of visitors to the area was raised it threw the scarers into me, and if I had been the minister involved and those figures were being projected then certainly alarm bells would have been ringing. I would have said that as a state we would be hard pressed to resource it, let alone an isolated area such as Ceduna, which does not have access to the service provisioning that the metropolitan area might be able to provide. In recent times people living in the area and associated with the programming have said that they are still concerned about the possible shortages that might result from a possibly underestimated influx. The problems that local government and state governments have (and to some extent the federal government has responsibilities) are in being able to give an accurate assessment on how many people will be coming into Ceduna over that period of time.

I am also reliably told that the astrological societies may be counting on a wider area for the viewing of the eclipse. Our first formal briefings were that Ceduna would be the place to watch it, whereas I am told that the radius around Ceduna may be increased somewhat to get the same results as being in Ceduna. That does not improve the situation dramatically, because if you draw a 200 kilometre radius around Ceduna still not much human resource support is available. I would say that all the accommodation would be booked. I know that people on farms and stations are doing up a whole range of emergency accommodation within their properties. I understand there are whole contingents of people working on tent and temporary accommodation in and around Ceduna and even in and around areas within the radius of Ceduna, but again that does not take into account the problems the honourable member raised in relation to food and water, which will have to be brought in for a period of time.

Again, the period of time that people will stay is not generally known across the board. Some people will fly in just prior to the event and fly out if they are able to get onto a plane. Therein lies another problem: I am told that the spirit the planes use will be in short supply because of the number of planes that will be flying in and out and that the avgas suppliers will have trouble keeping up the supply, so a lot of contingency questions remain unanswered. I am confident that, working in conjunction with the Minister for Local Government and others, the Minister for Tourism will be able to wrestle adequately with the problems that Ceduna faces.

I hope that the numbers that are being predicted are kept within manageable limits but, again, that is very difficult with such an event that will attract an unpredictable number of international tourists, and I suspect that a bit of guesswork will go on. I can only hope that the management programs that are put in place in conjunction with the local member and with the Legislative Council representation will make use of the information that people on the ground can supply to the organisers.

As to the issue of hospitals, emergency accommodation, food, water and accommodation—people certainly will not be getting five-star accommodation anywhere within a radius of 500 kilometres, or more, of Ceduna. In most cases they will have to expect that their accommodation ratings will be down to one or 1½ stars, but people who are interested in following solar eclipses and other such events are used to putting up with some form of deprivation because of the geography of the areas where they have to stay.

I hope that a tripartisan approach is taken to the problem, that we adequately cater for the requirements of the international tourists and that they become ambassadors for the

state. It is important for us that we do it in an adequate manner and that we do not have a chaotic situation that impacts on our ability to attract a lot of these visitors again because, particularly in remote regions, we are after their support in looking at other features in our locations, and we want to bring them back to the state. The importance of introducing visitors to this state for this event is to make sure that the people who attend make the decision to return so that they can see the rest of the state.

REPLIES TO QUESTIONS

CALLANNA STATION

In reply to **Hon. CAROLINE SCHAEFER** (30 May).

The Hon. T.G. ROBERTS: The Minister for Environment and Conservation has advised the following:

1. Is the minister aware that the Hon. John Hill has informed the proprietor, Mr George Morphett, of Callanna Station in writing that he is allowing a camel trek to traverse his property in spite of Mr Morphett's expressed wishes that he not do so?

2. What, if any, conditions has the Hon. John Hill imposed on access, or has he simply given carte blanche approval?

3. Is this lack of consultation indicative of the treatment that pastoralists can expect from the Hon. John Hill's department now that responsibility has shifted to his office from PIRSA?

4. Will the minister intervene to have the Hon. John Hill at least meet with the protagonists to try to broker a more satisfactory outcome?

5. Will the government indemnify the proprietors of Callanna from any third party liability arising from these people and camels being on their property?

6. As a supplementary question, will he do that as a matter of urgency, because I understand that this trek is to take place next week?

1. Yes, I have been informed by my colleague in the House of Assembly, the Hon John Hill, Minister for Environment and Conservation, that he has informed Mr Morphett of his decision to allow a camel trek across Callanna pastoral lease on the 6th and 7th of June 2002. The minister's decision was in response to an appeal from a tourism operator pursuant to section 48 (6) of the Pastoral Land Management and Conservation Act 1989. The decision to approve was based on a recommendation provided by the Pastoral Board.

2. As the Hon Caroline Schaefer is aware this dispute has a long history. In fact there have been two occasions when previous ministers have over ridden Mr Morphett to allow the same appellant access to Callanna for purposes of historical research. On those occasions the ministers imposed conditions.

Subsequent to those earlier decisions, advice has been received indicating that it may not be appropriate for the minister to attach conditions to decisions made pursuant to Section 48 (6) of the Act.

However, the appellant did not receive carte blanche approval to access Callanna at any time to go anywhere. The approval applied only for the 6th and 7th of June 2002 and the traverse is confined to the old telegraph line and bullocky track.

3. There has been ongoing consultation with both Mr Morphett and the appellant by departmental officers for several months prior to the decision. This included a special visit to Callanna in early April.

The Minister for Environment and Conservation and the Department of Water, Land and Biodiversity Conservation certainly intend to maintain close working relationships with the pastoral community.

The minister has also advised that he is working closely with the Pastoral Board and its public access committees to continue to provide advice on issues relating to access to pastoral lands.

4. The minister has advised that he has asked the Pastoral board to offer independent mediation between the parties to broker a satisfactory outcome.

5. As the Hon. Caroline Schaefer would be aware, under section 48 (8) of the Act, the minister incurs no liability for any damage arising from the taking of access by the trekker and his tour group.

However, such immunity is not extended to the trekker. In that regard, the appellant has provided evidence of public liability insurance cover for camels being operated on pastoral land.

RIVERPARK ESTATE

In reply to **Hon. M.J. ELLIOTT** (4 June).

The Hon. T.G. ROBERTS: The Minister for Environment and Conservation has advised the following:

1. *Did the previous state government enter into a contract late in 1993 to provide financial assistance for the consolidation and upgrade of the Mason & Cox foundry's Torrensville operations?*

2. *If so, will the minister explain why the EPA has no record of an EIP or an EMP, or if Mason & Cox have repaid the grant?*

3. *Will the minister also detail what scientific testing has been conducted by the state government, its departments or contractors since 1993 to ensure that original concerns about air quality and other matters have been addressed?*

4. *If so, what do these tests reveal about the ongoing impact of nearby industry on the environment and residents of Riverpark Estate?*

1. and 2. I am unaware of any contract entered into by the government with Mason and Cox; the provision of financial assistance to private enterprise is not within my portfolio area. I have referenced this matter to my colleague, the Minister for Industry and Trade.

3. The Environment Protection Authority advises that in 1998 the Department of Human Services tested water from rainwater tanks in the vicinity of the foundry, specifically the suburbs of Torrensville, Underdale, Flinders Park, and West Hindmarsh. Laboratory analysis of the samples showed that traces of the metals manganese and nickel and the chemical formaldehyde were detected in some rainwater tanks. In all cases levels were below the National Health and Medical Research Council and the Agriculture and Resource Management Council of Australia and New Zealand, Australian Drinking Water Guidelines for health.

The Department of Human Services recently carried out testing of rainwater tanks again and I understand that as a result of this testing residents have been advised that there is no evidence of rainwater exceeding health based guidelines for the measured substances.

Exhaust stack emission testing has been carried out by an independent analytical consultant on behalf of Hensley Industries, as required by a direction pursuant to the Environment Protection (Air Quality) Policy 1994.

Hensley has carried out 'field sampling' of detectable odours by surveying the residential areas around the foundry and, with the assistance of the EPA, a consultant and residents, evaluated the odour intensity

This survey revealed that significant odour is emitted from the foundry and this is the focus of recent efforts by the agency.

Between December 2000 and May 2001, the agency carried out air quality monitoring in the residential area at Flinders Park opposite the foundry. Pollutants including nitrogen oxides, ozone, sulphur dioxide, carbon monoxide, benzene, toluene, formaldehyde, and particulates were measured on a continuous basis. None of these parameters were found to be in concentrations exceeding known health criteria.

The EPA carried out continuous, unmanned, noise monitoring between September and October 2001, validated by spot noise measurements carried out at key times. Noise levels were found to be sufficiently high to warrant further investigation. Accordingly, Hensley has carried out an audit of noise sources to identify options for noise reduction.

4. The results of the testing indicate that there is environmental nuisance from odour and noise emitted from the foundry. The Environment Protection Authority is currently ensuring that these matters are addressed by the company.

BEVERLEY MINE

In reply to **Hon. J.F. STEFANI**: (8 May).

The Hon. P. HOLLOWAY: Fines are not applicable under the Mining Act 1971. There appear to be no fines applicable to spills under these circumstances under the Environment Protection Act, 1993 ('EPA') or the Radiation Protection and Control Act 1982 ('RPCA').

As a result of concerns raised about the suitability and integrity of plant and equipment at the Beverley Uranium Mine after the spill on 11 January 2002, the chief inspector of mines instructed Heathgate to undertake a complete Hazard Operability Study (HAZOP). A HAZOP study is a structured and systematic review of a chemical plant to evaluate how the physical plant will react to

conditions not envisaged by the designer. Such a study identifies weak points in a plant such as inadequately rated valves.

Heathgate Resources contracted a reputable external risk management consultant to facilitate the HAZOP study. The HAZOP study documentation was inspected by the team of government investigators from the Office of Minerals and Energy Resources, the EPA, DHS and Workplace Services during the investigation of 10 May 2002, requested by the Minister for Environment and myself.

The investigating team report was tabled in parliament on 16 May 2002 and in it reported that the HAZOP study resulted in 13 recommendations which are to be actioned by September 2002.

These actions and the actions resulting from the investigating teams recommendations are directed towards greater security of process solution and continuous improvement.

Neither the HAZOP nor the investigation identified any deficient plant or equipment that would warrant suspension of any part of the operation.

FISHERIES (CONTRAVENTION OF CORRESPONDING LAWS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 9 July. Page 417.)

The Hon. CAROLINE SCHAEFER: The opposition supports this bill, which, as the government has said, is well overdue and largely results from the Victorian government's decision to bring a quota system into its rock lobster fishery in late 2001, in much the same way as South Australia has had a quota system for many years. Approximately 19 people who fish out of Port MacDonnell in the South-East of this state hold dual licences, that is, they are licensed to fish for rock lobster in both South Australia and Victoria.

I was kindly offered a briefing, which I took, and I must admit the more questions I asked the more bizarre and amusing fishing licensing became. I found out that these 19 Victorian fishers—12 of whom have joint licences—have to, in fact, use Victorian pots in Victorian waters and South Australian pots in South Australian waters. There is a fictitious line that is dutifully patrolled by compliance officers from both Victoria and South Australia. The fishers have to put their Victorian pots in the waters first then remove them before putting their South Australian pots into the water, simply to comply with the two different sets of laws.

This practice also partly results from an abundance of rock lobster in the southern waters of South Australia due to self-management by the fisheries over a long period of time and the self-imposed quota system. This allows for a minimum size rate of 98.5 millimetres for rock lobster in South Australia. The minimum size in Victoria, which has parity with Tasmania, is 105.1 millimetres. I have this vision conjured up of South Australian-born rock lobsters, when they reach about 97 millimetres, rushing quickly over to Victoria so that they can grow out for a couple more years and then come back home.

There are two separate sets of bins. Victorian rock lobster must be delivered to Victorian bins at Port MacDonnell and South Australian rock lobster must be delivered to South Australian bins at Port MacDonnell—all of which, as I have said, I found quite amusing. We do not need to worry that people with joint licences are getting anything cheaper than they should: in fact, they have to pay for both sets of licences. Any member who has spoken to rock lobster fishermen in recent years would know that it is very expensive to purchase

a rock lobster licence anywhere in Australia, particularly anywhere where southern rock lobster can be fished.

Nevertheless, the real losers, if we do not correspond with Victorian law and introduce this complementary legislation, will be those 19-odd families who fish from Port MacDonnell, and the associated processing industry at that small south-eastern town. The opposition will be supporting this legislation.

The Hon. CARMEL ZOLLO secured the adjournment of the debate.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) (REFERENDUM) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 10 July. Page 455.)

The Hon. J. GAZZOLA: The opposition in another place has attacked the Nuclear Waste Storage Facility (Prohibition) (Referendum) Amendment Bill as a cheap political stunt and a waste of taxpayers' money. We refute this and the people of South Australia will refute this. It is an issue that we need to look at again. Even though a decision by the Howard government to dump 'S' type or higher-level waste may be some time away, now is the time to re-examine the issue—not when nuclear waste is piled up on our northern border or rumbling through our city streets.

It is pleasing to note that a member in the other place acknowledges that the Labor government accepts responsibility for South Australia's own waste. We produce waste, but should we have to take responsibility for the category A, B or C waste, 'S' type or high-level nuclear waste of others? Do we wish to become, by stealth, the dumping ground for the nuclear waste of the whole country as the commonwealth would like? And would it stop there? The proposed amendments to the bill, and the threat of a referendum, would send a strong message to companies such as Panagea Resource Company, a company that has identified Australia as the best place in the world to store international waste. Sites such as those in the Woomera and Roxby Downs area, for example, are seen as profitable dumping grounds.

If the amendments to the bill are denied, what resistance will future commonwealth governments have to lucrative offers from international holders of high-level nuclear waste? Are South Australians to have no further say in this? Is this what the opposition is proposing? Criticism has been directed at the government over the possible cost of a referendum, should a referendum be necessary. The preoccupation of the opposition in another place, in reducing debate to a squabble over money, does a disservice to the concerns of all South Australians. South Australia is being forced into a corner by the bullying Howard government, and a referendum is the point of last resort. What other choices does the Rann Labor government have in the face of an intransigent Howard government?

South Australia, as we know on this side of the Legislative Council and as opposition members seem to conveniently forget as they crawl to their masters in Canberra, has suffered a long history of abuse with regard to nuclear waste. The area seems to have a special attraction for the Howard government; it wants to dump all its problems here. If it takes a referendum to get it right this time, then the cost certainly will not be the fault of this government; and, if members on

the opposition benches want to make a song and dance about the question of hypocrisy, the answer is that the public is more concerned and informed about nuclear waste issues than ever before, and the Rann government is listening to their concerns and wishes.

This is certainly an issue that should go to a referendum. In the past we have rested on the act, together with the powers of section 14 and the potential to investigate, to bring this issue to public attention—together with the existing bipartisan agreement in this parliament—and to dissuade the commonwealth government from acting against the interests of South Australians. However, the real possibility exists that the commonwealth government will force its right to establish a repository. As was discussed on 9 May in another place, the commonwealth has identified a number of sites in the central north of South Australia and it is awaiting the findings of a draft EIS.

The commonwealth budget measure for 2002-03 for radioactive waste management for the period 2002-03 allocates \$9.9 million for repositories and infrastructure. Do these actions suggest a mere interest, a casual testing of the water with regard to its intentions in South Australia? The commonwealth's arrogance and intransigence towards South Australian interests and the level of investigation it has already undertaken indicates its intention.

We must make sure that, under the veil of so-called 'national good', South Australia does not become a dumping site in an out-of-sight and out-of-mind policy. We must make sure for the next generation that a volatile economic and political climate does not allow international clients with large holdings of nuclear waste to persuade commonwealth governments of any persuasion to accede to their request. The only way the state government can do this is through the power to embarrass. Is this so wrong when the issue is of such importance and the state has little power in this regard?

The opposition claims that the Rann Labor government is playing politics in this matter. We claim that the Howard government is playing politics. The commonwealth government has been feeling the heat over its proposal to build a nuclear reactor at Lucas Heights. This has been discussed before in this parliament in another place. The commonwealth government needs to establish a repository before Lucas Heights can proceed. We maintain that Lucas Heights' waste should be stored there, because that is where the expertise, knowledge and security exists. We do not want the waste here.

A fact sheet distributed by Mayor Ken McDonnell of the Sutherland Shire Council regarding the commonwealth's debate for a new reactor is interesting, especially the article on the commonwealth's tactic of secrecy in regard to the approval process in the face of opposition. In March 1998, a senior commonwealth government bureaucrat stated on ABC Radio National's program *Background Briefing*:

The government decided to starve the opponents of oxygen so that it could not dictate the manner of the debate. Because the government couldn't win it on rational grounds, it decided, 'Right, we'll play the game and, in the lead-up to the announcement, catch them totally unawares, catch them completely off guard, and starve them of oxygen until then. No leaks, don't write letters arguing the point, just keep them in the dark completely.'

We saw this tactic used by the Howard government on the boat people issue prior to the last federal election. The Howard government is consistent on the big issues: it is secretive and keeps the public in the dark. Why should we

think it will be any different when it comes to its final decision on the nuclear waste repository issue?

We need to send the strongest possible message to the commonwealth government. The previous state government said, in July 2000 in another place, that the government does not support the need for a referendum at this time—I repeat: at this time. This state needs a better guarantee than this and we need to do all in our power to achieve a better outcome. The inclusion of the possibility of a referendum in the amendment bill 2002 recognises that there may indeed come a time when we need to test the will of the commonwealth government.

The Hon. D.W. RIDGWAY secured the adjournment of the debate.

NATIONAL WINE CENTRE (RESTRUCTURING AND LEASING ARRANGEMENTS) BILL

Adjourned debate on second reading.
(Continued from 11 July. Page 477.)

The Hon. CARMEL ZOLLO: I rise to support this legislation and congratulate the Treasurer in the other place for this initiative. I also support the Winemakers Federation of Australia in taking over responsibility for the National Wine Centre, with a transition from government to industry under a 25-year leasing arrangement with the government. The federation is well respected and very much the appropriate body to take on this challenge. This bill primarily makes provision for the restructuring of the National Wine Centre, the leasing of the centre land and other dealings with assets and liabilities of the centre and other purposes, as well as repealing the National Wine Centre Act 1997. As is to be expected, the interests of the government are protected in the bill.

The centre is well placed in South Australia: it certainly fits in well with our promotion as the wine capital of Australia. I noted that in the other place this legislation was expedited with probably the greatest amount of cooperation I have ever witnessed in my time here. I believe that is very much in recognition of two factors: first, the need to find a resolution for the financial haemorrhaging resulting from previous legislative arrangements and, secondly, the recognition of the importance of the wine industry to this state.

Interestingly, at the same time in question time in this chamber last week we had the opposition trying to point score over semantics with the government's initiative in relation to the National Wine Centre. I would have thought that, like their colleagues in the other place, they would be grateful that the government has been able to work out an agreement with the Wine Federation which, hopefully, will ensure the future of the centre and work out for the best for government and industry alike and for the whole community. Tactics were clearly not well matched when you had the Deputy Leader of the Opposition immediately adding his support for the government's actions and then you had the nonsense tactics used in this chamber last week.

The wine industry has been South Australia's great success story in terms of growth, and those involved in the industry have worked well to see this expansion and success. Nearly 50 per cent of Australian wine production comes from South Australia, with 65 per cent of total wine exports being sourced from this state. Given those statistics, it is appropriate that the National Wine Centre be housed in South Australia.

Besides contributing to export dollars, the wine industry has brought wealth, prosperity and much needed employment to the wine regions in rural South Australia. The industry is our billion dollar industry.

South Australians themselves have embraced the industry with great pride, knowing that we have a world-class industry. One of the best promotions we have for our state is that of our quality of lifestyle: food and wine go hand in hand in that promotion. As the convener for Food South Australia and the Premier's Food Council, I can say that one of the strategies being progressed is the synergy of tourists visiting our beautiful wine growing regions and being able to enjoy the food and wine produced in these regions. The Premier's Food Council has many dedicated and committed people to further the vision of the State Food Program—people like Maggie Beer, who is passionate to see such plans come to fruition.

I believe, as I am certain all members do, that the National Wine Centre is a great place to start that journey. In fact, the bill says just that, encouraging people to visit the wine regions of Australia and their vineyards and wineries and generally promoting tourism associated with the wine industry. The tourist potential is endless: with the rose garden next door the theme of wine and roses is one already promoted by the wine industry. Very many vineyards already grow roses at the end of each row in many of our regions. Where else in the world could you visit a tropical conservatory and a wine centre and enjoy good food and wines?

I am told that at the Canberra wine centre, a much smaller version of our beautifully designed National Wine Centre here in Adelaide, as well as people visiting for wine tastings and food, a regular feature is a jazz afternoon. Visitors can soak up the atmosphere whilst drinking good wines and food to live music. If our wine centre is not already inviting live music on the premises, no doubt it will because it is a fabulous idea. I am certain that with the support of the wine industry we will see very many promotional activities at the National Wine Centre.

The promotion of our wine industry overseas needs to be matched at home as well. I was at a business lunch at the Central Districts Football Club last week and Doug Lehmann, the special guest, emphasised the need to continue to promote our wines and have confidence in the industry. He rightly made the point that when one takes up drinking wine one very rarely stops.

The Hon. Caroline Schaefer: You usually stop for breakfast!

The Hon. Carmel Zollo: I mean as a drink. When drunk in moderation, particularly with meals, it is very good for you—I think we all agree on that point. All of us have great pride in our exports. In this global market and in my limited travels, I was thrilled when I was in Okayama Prefecture several years ago, at an official dinner, when our host served a bottle of Kingston Estate chilled white. Whilst I think I recognise that this is part of the host culture of the Japanese, it also indicates just how far our wine industry has penetrated. If only we could get all of Asia to appreciate the benefits of wine, as we do in western culture, the potential for exports would be endless. The UK and European markets are our major importers.

On a lighter note, I was astounded some time ago when watching a Swedish movie on SBS TV, where a person in a small town restaurant asked the owner for a bottle of good red. The owner replied along the lines—and, not speaking Swedish, I was looking at subtitles—'I have got the best; it

is very expensive though—all the way from Australia—Jacob's Creek.' The Jacob's Creek label is one of the most recognised in the world, and I noted a report in the *Advertiser* last week which said:

The Jacob's Creek label from the Barossa Valley remains one of the most consumed Australian wines in the world. More than three million people worldwide sample it each day.

That is incredible when you think about it. We should not hesitate to be part of the wider market. We can learn from each other. We are a huge country with so many climatic conditions. Different varieties can be planted for different regions to capture different markets. Like all members, I welcome Australia's milestone of reaching \$2 billion in export sales on 3 July 2002. With the wine industry a huge contributor to our state economy and the Australian economy, the National Wine Centre based in Adelaide needs our support and I am pleased to support this legislation.

The Hon. CAROLINE SCHAEFER secured the adjournment of the debate.

LIQUOR LICENSING (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 11 July. Page 478.)

The Hon. Carmel Zollo: I am pleased to add my support for this legislation. It is an important bill and one that has been facilitated by this government because of the importance of the live music industry. I made a contribution to the bill last year. In the last session the bill was a longer one dealing with a number of other issues and, because of industry opposition with a part of that bill dealing with appeals, it came to a standstill. The government has now split the bill so that the uncontroversial part can go ahead. In my previous contribution I acknowledged the then government for its development of the legislation and, in particular, the commitment of the Hon. Angus Redford, who chaired the working party in the previous government which made suggestions for legislative change to protect the interests of live music.

This bill before us implements some of those suggestions and also, as I understand, makes some technical amendments to the act in light of Supreme Court comments in a recent matter. In particular, the bill amends the objects of the act to refer to live music as one of the fields associated with the liquor trade; that is, it will be an object of the act to further the interests of live music amongst others. This provision ensures that the furtherance of the interests of live music is protected and joins tourism and hospitality as associated industries to the liquor industry. The working group made the strong point that it is vital for South Australia to promote and enhance the live music industry because it plays a key role in maintaining a vibrant entertainment and cultural environment and generates employment for a significant number of people such as musicians, promoters, sound engineers, security firms, recording studios, booking agents, PA and other hire companies that provide equipment, and retailers who sell music equipment.

With that in mind, there was agreement that licensed entertainment venues play a critical role in the ability of the live music industry to perform its important role in the South Australian community. The bill before us has a provision to recognise the value and importance of live music in this state

and to make its interests a relevant consideration in licensing matters. The legislation also recognises that processes need to be established to deal with noise and disturbance complaints, and adds new provisions designed to balance the interests of local residents and licensees. It clearly sets out that, if a complaint is lodged, the commissioner must give the hotel licensee a copy within seven days and allow 14 days after that before calling a conciliation meeting. This allows the parties to resolve the complaint directly when possible.

The bill also permits the parties to agree that the complaint be determined by the commissioner rather than referred to the court, if they wish to. It also sets out the matters that the authority must consider in determining a complaint. In particular it requires that the authority take into account the history of the licensed premises in relation to other premises in the vicinity; the unreasonableness or not of the noise; and the desired future character of the locality under any relevant development plan. The bill does not deal with the Development Act and approval of accommodation and so on near live music venues: it only deals with noise complaints and the Liquor Licensing Commissioner.

I was interested to learn that music is Australia's sixth largest export industry. The Australian Hotels Association President, Mr John Lewis, says that more than 21 000 live band performances are held—

The Hon. Caroline Schaefer interjecting:

The Hon. CARMEL ZOLLO: Right, okay; I always thought he was the president—I must have got it wrong. More than 21 000 live band performances are held in hotels each year. Amongst other information on the music industry, the Australian Bureau of Statistics states that a cultural activities survey in 2001 found that in South Australia 20 300 people are involved as live performers, both paid and unpaid, and 3 400 are involved in back stage, lighting and front of house. Attendance at music performances is a significant aspect of the cultural life of Australians. Statistically in the 12 months to April 1999, almost 3.8 billion people (or 25.4 per cent of the Australian population aged 15 and over) attended at least one popular music concert.

Adelaide has also been the city where some now prominent names in the music industry have gotten their first break: top Australian bands or acts such as the Masters Apprentices, the Little River Band, Cold Chisel and, more recently, artists such as Kasey Chambers. I was pleased recently to speak to a motion in this chamber congratulating Kasey Chambers on winning the Australasian Performing Right Association 2002 Music Award as songwriter of the year. We must also remember that, without venues such as the Governor Hindmarsh, the Stag and the Grace Emily, live music would not get the break it deserves in South Australia.

The Hon. T.G. Roberts: I've sung in a few pubs, but I've been thrown out.

The Hon. CARMEL ZOLLO: The Hon. Terry Roberts has sung in a few pubs apparently.

The Hon. T.G. Roberts: I've been thrown out, though.

The Hon. CARMEL ZOLLO: You've been thrown out—how dare they!

The Hon. T.G. Roberts: The Somerset.

The Hon. CARMEL ZOLLO: Can we get the name on the record so that we won't go there! We have so many venues full of atmosphere to continue their traditions and, hopefully, many more to join them. I know the Hon. Nick Xenophon, when he does make his contribution, will add his support—or I am assuming he will—to this legislation, so I will say before him how important it is for people to be

offered to be entertained and interact in a vibrant hotel atmosphere, rather than just being offered the opportunity to sit at a poker machine for many hours. There are so many benefits in ensuring that we have a vibrant local music industry in South Australia.

I appreciate that, at the same time, there needs to be a fair recourse for noise and disturbance complaints and provisions designed to balance the interests of local residents and licensees. The legislation also has the support of the Australian Hotels Association SA, which says it is a historic piece of legislation and an important step in meeting the needs of the live music industry without disadvantaging the local residents with legitimate concerns. We have seen a fantastic and welcomed residential boom in the city and inner city area in the last few years. In some cases, it has caused pressure on the business activity of venues because of complaints of nearby residents.

This bill seeks to remedy noise complaints by finding that fairer balance than now exists under the Liquor Licensing Act. Live music is a form of art which brings employment, pleasure and entertainment to a great many people. I am certainly pleased to see this legislation before us. As the Attorney-General in the other place pointed out, the previous legislation in the last session could have been dealt with before parliament rose and was prorogued but the offer was not taken up. I am certain that no such tardiness will occur on this occasion, and in particular in this chamber.

The Hon. G.E. GAGO: I also support this important bill. I do not intend to speak at length on this issue as it has previously been before parliament in both this and the other place, although clearly some changes have been made to the bill. As my colleague the Hon. Carmel Zollo has pointed out, the section that we are dealing with at present has remained fairly unchanged. However, other parts have been hived off to be dealt with on another day. There was extensive debate at the time of its previous submission and I do not believe that I can add a great deal more to what has already been said on this bill. The bill deals with the issue of complaints about noise and other disturbances associated with licensed premises. I understand that this bill originated from work done by the former government which referred concerns regarding the future of the live music industry to a working group and which, in turn, recommended a number of changes to protect the interests of live music.

I have it on good authority that the Hon. Angus Redford made a significant and valuable contribution to this working group and the progress of the previous bill. I have also been informed that the eight or so recommendations that came out of that working group—one of which is dealt with by this bill—continue to be considered and progressed by the relevant ministers. In fact, a progress report on these recommendations was given by the Hon. Terry Roberts late in May this year in response to a question by the Hon. Diana Laidlaw. I look forward to future developments on the progress of this issue.

I expect that there would be few amongst us who would not have had the distressing experience of being kept awake at night or, often, as the case may be, the wee small hours of the morning with the pounding of music and the general raucous nature of a neighbour's party. Having been a shift worker for many years, I am able to appreciate that even a fairly typical Saturday night get-together next door can be incredibly frustrating and disturbing when one has an early shift the following Sunday, often meaning a 5 a.m. or 5.30

a.m. start the next day. I simply cannot begin to imagine how difficult it is for those householders who are exposed to loud noise regularly when they are trying to sleep.

Even though I acknowledge these difficulties, I place on the record the important role that I believe the live music and other contemporary music industries contribute economically and culturally, particularly those events which are provided through licensed premises. Live music performed in pubs is an Australian icon. It is a significant part of the social and cultural diet of many Australians and South Australians, particularly the young, but far from exclusively so. It is critical to the vibrancy of our city that we continue to provide such entertainment.

I am sure, also, that members are aware of the important nexus between this sector and our tourism and hospitality industries. These industries collectively generate significant revenue for this state as well as provide employment opportunities associated with the wide range of services both directly and indirectly involved with those industries. Venues such as the Governor Hindmarsh Hotel have not only contributed in providing fabulous entertainment to many South Australians over many years but I am sure they have also provided a springboard for the successful careers of a number of South Australian musicians and entertainers.

This bill is designed to provide a better balance between the interests of local residents and those of licensed venues when dealing with complaints about noise and associated disturbances. As we are aware, current legislation does not adequately cover those situations where a new residential housing development, for instance, is built close to an established entertainment venue, and residents proceed with complaints about noise and other disturbances and attempt to have the facility either closed down or the entertainment options of that facility significantly restricted in some way.

We have seen many examples of this over the past few years in particular, and I know that many of us—particularly, I personally know, many of us in this chamber—see this as grossly unfair. This bill sets out a list of matters which would be fair and reasonable for the licensing authority to take into account when considering complaints about licensed premises. These matters include: the relevant history of licensed premises; the period of time over which the activity being complained about has occurred; the unreasonableness of the activity being complained about; the character and trading hours of the business of the licensed premises; and the desired future character of the area in which the venue is situated. These are listed in the bill. It is worthwhile noting that no priority or weighting is given to any one or more of these matters on this list. Rather, each complaint will be dealt with or assessed on a case by case basis. In determining a complaint, environment protection policy must also be taken into consideration.

The bill attempts to increase protection of the live music industry by amending the objects of the act to include the live music industry as one of the industries that the act seeks to further the interests of. The industries currently included are, as my colleague has already stated, liquor, tourism and hospitality. This means that, when a licensing authority is regarding any matter before it, it must do so in light of the objects of the act.

As we have also been informed, the bill allows for conciliation between the parties involved in the complaint and for a copy of the complaint to be served on the licensee so that they are made aware of the nature of the complaint and given an opportunity to address those concerns. The bill also

covers those matters which cannot be successfully addressed at the stage of conciliation, with the option of the parties agreeing to have the issue dealt with by the commission rather than by the more formal Licensing Court, as it is known. The benefit of this is that it is generally cheaper and faster to have matters dealt with by the commissioner. However, either party can still insist that the matter go to the Licensing Court.

One other new initiative which is incorporated into this bill is the provision for the licensing authority to grant an application on an interim basis effective for a specified period. This allows for a trial to take place which would enable the practical evaluation of the likely consequences of a decision being considered by the licensing authority. The real life effects of the noise and other disturbances can be evaluated by the parties before a decision is actually made or finalised.

As I said, I do not think I can add more to the lengthy and, I must say, high quality debate on this issue which has previously been before parliament. This is an important issue, and I believe the bill before us is fair and reasonable in balancing the interests of the different parties affected by this legislation. I commend the bill to the council.

The Hon. J. GAZZOLA secured the adjournment of the debate.

GAMING MACHINES

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I lay on the table a ministerial statement made by the Treasurer in another place today on the topic of changes to revenue measures for gaming machines.

EDUCATION (COMPULSORY EDUCATION AGE) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 11 July. Page 475.)

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): First, I thank all honourable members who have contributed to this debate. A number of issues have been raised, many of which will be addressed in more detail during the committee stage. I will briefly summarise some of those issues.

The bill before us is not a stand-alone initiative: it is a starting point in the redevelopment of the options available to young people who might otherwise have left school for any number of reasons, not least of which is the apparent relevance of the curriculum and their own personal circumstances. Members on many occasions during this debate have referred to these issues. Education is the key vehicle to ensuring that all citizens have access to the full range of opportunities that are available to them, and it is essential that we encourage all young people to make a successful transition through the vital years of secondary schooling.

That means paying attention to the needs of young people who might otherwise choose to leave school, not just those who more explicitly want to be there. It means putting into place strategies that resource and support schools and teachers in their endeavours to increase the engagement of these young people in education. It also means putting into place initiatives that will increase the range and the relevance of pathways for young people and the support for them to

navigate these options and to make good decisions for the future.

So, in short, this bill is a starting point, but an essential starting point in Labor's commitment to social justice for young people. I thank members for their indications of support and I look forward to the committee stage.

Bill read a second time.

ADJOURNMENT

At 4.06 p.m. the council adjourned until Tuesday 16 July at 2.15 p.m.