LEGISLATIVE COUNCIL

Wednesday 17 July 2002

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

LEGISLATIVE REVIEW COMMITTEE

The Hon. CARMEL ZOLLO: I lay on the table the eighth report of the committee 2002-03.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. J. GAZZOLA: I lay on the table the report of the committee on the Hills Face Zone.

QUESTION TIME

ESTIMATES COMMITTEES

The Hon. R.I. LUCAS (Leader of the Opposition): I seek leave to make an explanation prior to asking the Leader of the Government a question, both in his own right and as representing the Premier, on the subject of estimates committees.

Leave granted.

The Hon. R.I. LUCAS: Both houses of parliament are in the throes of trying to establish the estimates committees and the process of those estimates committees, which will meet for two weeks at the end of July and the start of August. They are a vital part of parliamentary scrutiny of the budget process and one of the few opportunities the opposition has to question at length ministers and senior officers within their departments. The suggested program from the government for the estimates committees has now been released. Contrary to recent practice, there have been significant changes in both the process and procedures for arriving at the estimates committee arrangements, and I will outline the facts of the Treasury portfolio as one example.

When the cabinet under then Premier Brown comprised 13 cabinet ministers, each cabinet minister was answerable to an estimates committee for up to a full day from mid morning through to 10 p.m. They did not always go for that length of time, but the opposition always had that opportunity. For each of those ministers, certainly in 1994 and 1995 when there were 13 cabinet ministers, a separate day was allocated for each cabinet minister. In recent times when there have been 10 cabinet ministers and either four or five delegate ministers, again each cabinet minister was available for questioning for a full day and generally the estimates committees have comprised some 10 days.

Under the new government, there are 13 cabinet ministers and, consistent with past precedent, the parliament could have expected 13 full days being available for the questioning of ministers. We have now been advised that that has been slashed to just 11 days, the justification being that it is similar to what occurred under the last Liberal government. The last Liberal government had only 10 cabinet ministers and a number of delegate ministers. The more appropriate comparison is with the early Dean Brown cabinets when there were 13 cabinet ministers.

In relation to Treasury, which is, one would have hoped, an important part of the budget estimates program, in the past, in negotiating the program as Treasurer (and I understand the same occurred under Stephen Baker as Treasurer before that), I always had discussions with the shadow treasurer and his officer, if required, in terms of trying to negotiate a program acceptable to the opposition for that day.

I indicate that there has been no discussion with me as the shadow treasurer at all on this particular issue. There has been negotiation between the Leader of Government Business in the House of Assembly and the Deputy Leader of the Opposition. As a result of there being continuing problems through the whip in another place, I asked whether the whip and I could meet with the Treasurer to express concern about the Treasury program. The Treasurer indicated that he was too busy to meet with me, and again last evening he indicated that the opposition should realise that Kevin Foley is in government now and we are in opposition. As I said, that is contrary to the practice arrived at in recent times. I go back to 1994 and 1995 as good examples of when there was a 13 person cabinet. In relation to Treasury, the shadow treasurer was able to question from mid morning through until about 6 o'clock (the dinner break), and then in the evening Stephen Baker was questioned on his other portfolios of information technology and, on one occasion, state services.

It is true to say that in the last three years, because I had responsibility for the electricity portfolio and because it was a controversial portfolio, the opposition wanted to have significant questioning on the electricity section of my portfolio; and so from around mid afternoon until the dinner break the opposition wanted to ask questions on electricity and it was given that opportunity. Electricity is no longer part of the Treasury portfolio, but it is the opposition's wish to be able to question the Treasurer until 6 o'clock and then do industry and trade in the evening. Given that it is question time, I do not want to take an excessive period in indicating the facts of this position—

Members interjecting:

The Hon. R.I. LUCAS: I am delighted that I have taken only 30 seconds to explain that—

Members interjecting:

The PRESIDENT: Order! Let us not take up the time with interjections.

The Hon. R.I. LUCAS: On the discussion on the motion to allow ministers to move to another house for the estimates committees, I intend to explain perhaps in more detail the strength of the concern the opposition members have about this particular issue. My questions are to the Leader of the Government in the council in his own right, as I said, and then, secondly, to be taken up with the Premier, because the Treasurer has indicated to the whip of the House of Assembly that he is too busy and not prepared to meet to discuss this issue. They are as follows:

1. Will the government explain why it has broken the convention in relation to a separate estimates committee meeting day for each cabinet minister?

2. Will the Leader of the Government and the Premier explain why the conventions that have been certainly followed by me as Treasurer in relation to discussions with the shadow—

The Hon. Diana Laidlaw: And me as transport minister.

The Hon. R.I. LUCAS: And other ministers, according to my colleague the Hon. Ms Laidlaw. Why have those conventions where there was discussion with the opposition

as to how their particular day might be divided up not been adhered to by the Premier and his ministers?

3. Is it because the Treasurer is scared to face intense questioning on a budget which is littered with broken promises?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I am sure that the Treasurer will certainly be looking forward to the estimates committees both to defend his budget and also to put on the record some of the failures of the past. I am sure that he will be anything other than frightened about that. The first question the shadow treasurer asked was: why have we allegedly broken the convention? The leader pointed out that, in the last year at least, there were 10 days on which estimates committees were conducted in the House of Assembly, 10 days where ministers were available; and that is exactly what will happen during the estimates this year, that is, there will be 10 days of questioning.

This budget has been considerably delayed because of the change of government and that interregnum period when the previous government would not go—that sums it up pretty well. That has necessarily delayed the budget process and so it is much later this year than it normally would be. There has been some reallocation of portfolios and departments, and that has presented some difficulty in terms of having questions in the budget estimates for ministers who represent a number of different departments. The estimates committee format in the way that it is this year will take that into account. But, as I again point out, there is the same amount of time for scrutiny of the government available over 10 days as there has been in previous years. I scarcely see that as breaking convention. There will be changes—

The Hon. R.I. Lucas: Thirteen days under Brown.

The Hon. P. HOLLOWAY: Well, that was 1994 and 1995. What about 2000 and 2001? It was 10 days in 2000 and 2001, and that is the reality. So, if we are going to talk about conventions—

Members interjecting:

The Hon. P. HOLLOWAY: Conventions disappear when they are changed, and they were changed in 2000 and 2001. How ever the leader puts it, he cannot get around the fact that there were 10 days of estimates scrutiny during that time. I remind the leader that a full day on each of those 10 days was not set aside to scrutinise only the 10 cabinet ministers, because the junior ministers also appeared before those estimates committees. So it was the same amount of time for what was in fact 15 ministers. It was 10 days of estimates committees for 15 ministers, and now it will be 10 days for 13 ministers.

But, looking to the future, next year we will return to the more usual budget format in May and, as there are changes to departmental scrutiny, I believe it is the government's intention to change the nature of estimates committees to reflect that. To some extent this is an interim measure reflecting the fact that changes have been made.

The second question asked by the leader was in relation to discussions with the opposition. The leader indicated that there had been discussions between my colleague, the leader of government business, Pat Conlon, in another place, and the deputy leader, and I presume that is how the preliminary timetable was devised. My understanding of the convention is that it is up to individual ministers within the area to discuss—

The Hon. R.I. Lucas: Foley won't meet. Kevin Foley says, 'Tell Lucas I'm in government now and he's in opposition'.

The Hon. P. HOLLOWAY: Well, I don't necessarily accept that that is the case. That is the leader's allegation. What I can say is that, from my experience in opposition, there were certainly some ministers who refused to cooperate. I am aware of one or two ministers in the previous government—not those whom I dealt with, I must say—

The Hon. R.I. Lucas: Kerin absolutely bent over backwards to accommodate the opposition.

The Hon. P. HOLLOWAY: That's right; he did, and that is why I said, 'Not in my portfolio.' But there were others who did not, and I am well aware of the fact. So, I think it is up to individual ministers and, as far as I am aware, that is the convention. I guess that there are some particular difficulties this year because we have ministers appearing on a number of days: some ministers will be appearing on two or three days of estimates, which is most unusual. Again it reflects the late changes in the budget. It is because of the unusual circumstances this year and I do not believe it will be repeated in the future.

To sum up, I do not believe that conventions have been broken. The Treasurer has certainly been very busy this week in the aftermath of the budget, but there is still a week or two before the estimates, so I suggest that the leader tries again and speaks to the Treasurer after this week's parliamentary session is completed. I believe that covers all the questions that were asked by the honourable member, but if there are other relevant factors that have come out in negotiations with my colleague in another place, the leader of government business, Pat Conlon, I will bring back a reply on those.

The PRESIDENT: Order! Members are obviously very enthusiastic today. There is a great deal of interjection which honourable members would understand is out of order. However, if members are going to interject, would they use parliamentary terminology, because Hansard is recording proceedings. When addressing a member, whether he be a minister in this or the other house, members should use titles, not surnames.

CORRECTIONAL SERVICES, FUNDING

The Hon. R.D. LAWSON: I seek leave to make a brief explanation before asking the Minister for Correctional Services a question on the subject of service cuts.

Leave granted.

The Hon. R.D. LAWSON: Over the last few days the minister has confirmed that three programs within the Department of Correctional Services have been either abandoned or truncated as a result of budget decisions, they being Operation Challenge, the provision of two psychologists to the Adelaide Women's Prison and the association between the department and the University of South Australia in the provision of training, education and research programs. This is set to save $264 000 per annum.

There is another program called the Intensive Drug Program which is run through the Therapeutic Unit. This unit has been operating at the Cadell Training Centre and assists offenders who have longstanding problems relating to drug use and who make a commitment to minimising those problems. The most recent annual report of the department speaks highly of this program and notes:

participants are separated as much as possible from mainstream prisoners and are assisted to make choices to lead more constructive lives.

The association between the department and the University of South Australia has led to the funding of the Forensic and Applied Psychology Research Group with Professor Kevin Howells as its head. The group provides training for correctional officers, and two of its lecturers provide psychological services to the community corrections system. The group conducts a postgraduate course and a masters in forensic psychology, and the first graduates are emerging from that program. Evidence based research into offender rehabilitation programs in correctional systems has indicated that some programs are highly beneficial and that trained psychologists are best able to ascertain which programs to pursue and which to abandon. My questions to the minister are:

1. Will he confirm that the therapeutic unit at Cadell has been de-funded?

2. Will he explain to parliament how that decision fits in with the recommendations of the Drugs Summit and the rhetoric of the Premier concerning a commitment to implement strategies to reduce drug use?

3. Is he aware that in the United Kingdom, in New Zealand and in Victoria correctional departments are making greater investments in offender rehabilitation and reducing the rate of recidivism rather than, as we are in South Australia, making less investment?

4. What steps will the minister take to ensure that the rate of recidivism in South Australia, namely, the rate of re-offending among those people who are released from our penal institutions is reduced?

The Hon. T.G. ROBERTS (Minister for Correctional Services): I thank the honourable member for his very important questions. I have to say that the therapeutic drug unit programming the honourable member mentioned has been cut and that the savings for that program run through the Cadell centre will be $72 000 a year. As with the psychological services programs, I indicated yesterday that it was one of the hard decisions that had to be made in dealing with correctional services programs. Just as this program was set up in the Cadell Training Centre to service the exiting of prisoners who had drug problems, the government is now putting together a cross-agency approach that will hopefully deal with pre-emptory incarceration and exiting prisoners who have drug problems. At this stage I am not able to put together a detailed assembly of the suites of programs that will be constructed, and again I apologise for the gap between the cutting of one program and the start of other programs.

The Hon. M.J. Elliott: Are you going to cut the old programs before the new programs are ready?

The Hon. T.G. ROBERTS: Unfortunately, that is how the budget cycle has worked and operated. The difficulty that we have—

The Hon. M.J. Elliott: Don't worry boys, we'll be back!

The Hon. T.G. ROBERTS: The program that was running out of Cadell had not been operational for 12 months. It was not that we stopped the program: the program had not been operating for the past 12 months. An assessment is being made of how best to service the needs of those prisoners who are affected in two ways when they are at the prison entry point. One is that we have a difficulty with people who have a psychiatric problem, and in some cases the entry into prison or the nature of the psychiatric problem has to be assessed to find out the degree of treatment that is required.

Another problem is that many prisoners—in fact, I think about 70 per cent of prisoners—who enter the correctional services system have some sort of drug related problem associated with the offences they are involved in. As a government we certainly have to deal with this issue. In the government's view, it is the responsibility of not only correctional services but also cross agencies to be involved. Some good programs are still running in pre-exiting assessments for employment suitability and to assess whether an individual is capable and able to return to a normal life within society, and one would hope that the programs that we set up will have the confidence of the community and opposition parties.

The Hon. M.J. ELLIOTT: I have a supplementary question. I ask the minister why, in preparing the budget submission, he did not ensure that old programs continued until the new programs were ready to replace them?

The Hon. T.G. ROBERTS: This program had not been running for 12 months. The budget was drafted after we came into power. The program had been picked up by the Cadell Training Centre, I understand, and run as part of the management program there. I am not saying that there will be a gap in the program. What I am saying is that the program has already ceased. In relation to psychological services—

The Hon. M.J. Elliott: How long ago?

The Hon. T.G. ROBERTS: It had not been operating for some 12 months. Again, the assessments that need to be made in relation to prisoner support and assessment within the system are still being debated and discussed. South Australia has had quite a good record for incarceration entry and exiting programs, even though we have not spent a lot of money on those programs. Some of them are being copied in other states, but we certainly will not be leaving gaps in the programs that we have. It is just that we will be adjusting the way in which Correctional Services is seen as a separate organisational budget line or as a separate organisation that deals with problems alone. The opposition will be pleased if there are cross-agency programs or support programs put in place to assist Correctional Services with its very small budgets.

The Hon. R.D. LAWSON: I have a further supplementary question. What steps will the minister take to reduce the rate of recidivism amongst prisoners exiting our correctional institutions?

The Hon. T.G. ROBERTS: Recidivism is a philosophical debate that most prisons—

The Hon. R.I. Lucas: I thought it was about prisoners escaping, not a philosophical debate.

The Hon. T.G. ROBERTS: No, recidivism is about prisoners returning, not escaping. There are—

The Hon. A.J. Redford: Because it is philosophical, does that mean there goes question time?

The Hon. T.G. ROBERTS: I have 3½ minutes to make up on the clock, which was not on when we started. Some people in the community would take the view that it is not the responsibility of Correctional Services to iron out all the problems of the people who enter our system and that the only responsibility they have is to keep them behind the security of the walls or the fences. That is not a view that this government takes, nor is it a view that I share. We have a responsibility to make sure that, if drug affected or psychologically disturbed prisoners enter the system, with the cooperation of the individuals concerned, if and when they

leave those institutions they have the best possible start to re-enter society as normal people in the community.

To cure them of their drug habits is very difficult in a lot of cases because many prisoners go in with hardened heroin addiction and other hard drug addictions and sometimes alternative drug therapy must be used. That is a case management issue for each prisoner and, just as psychological services are targeted to individuals, these programs must be put in place and remain. However, it is a matter of how those services are delivered. As a government, we are looking at a suite of programs that can be run by both governments and voluntary organisations, with their support and assistance, for assessment before entry into the prison system, programs to run inside the system to increase the opportunities for curing prisoners of drug habits, to stop drugs from coming into prisons, which is the other challenge for Correctional Services, and to see that people are clean when they leave.

One responsibility is to make sure that re-offending (recidivism) at least gives an opportunity for those individuals to get their lives in order so that the habit they had before they were imprisoned that largely revolved around a cycle of offending to support their drug habit is broken. Employment and training opportunities in prisons is another way of doing that, and that is what we as a government will be doing to try to get those problems fixed.

CROWN LAND

The Hon. CAROLINE SCHAEFER: My question is directed to the Minister for Regional Affairs. Was a regional impact statement prepared before cabinet made its decision to increase rents on crown leases by up to 10 per cent and, if not, why not? Why was no regional statement presented with the budget as in previous years?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): Regional impact statements on the restructuring of rents on crown lands have not been done.

The Hon. A.J. Redford interjecting:

The PRESIDENT: Order! The Hon. Angus Redford will remember what I said earlier.

The Hon. T.G. ROBERTS: A committee is being set up to deal with that problem and we will investigate—

The Hon. Caroline Schaefer: The minister said that regional impact statements would be prepared: that is a broken promise.

The Hon. T.G. ROBERTS: We are putting out regional statements and papers will be prepared—

Members interjecting:

The Hon. T.G. ROBERTS: Regional impact statements will be released publicly when cabinet considers a proposal which would result in a variation of a state government service in regional South Australia. This will give people a chance to weigh up the benefits or otherwise of the government's decision. Having said that, cabinet documents and deliberations will continue to remain confidential, as has always been the case. Regional statements will be prepared over time and papers will be circulated broadly through regional media and organisations associated with regional development.

AQUACULTURE

The Hon. CARMEL ZOLLO: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question on the aquaculture industry.

Leave granted.

The Hon. CARMEL ZOLLO: In the Treasurer's recent budget speech, he acknowledged the importance of the state's aquaculture industry by announcing funding of $2.8 million over four years for the regulation and management of aquaculture. Can the minister inform the council of the nature of this regulation and management program and its likely role in the further development of the industry?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank the Hon. Carmel Zollo for her question on this important subject. A fundamental objective of the new Aquaculture Act is the maintenance of a healthy, diverse and productive environment while maximising the benefits to the community from the state's aquaculture resources. The policy framework, established under the Aquaculture Act, will play a significant role in ensuring the sustainable development of the aquaculture industry. This new system provides for a flexible and transparent basis for regulating the aquaculture industry.

The new funding will complement continued policy planning management of the aquaculture industry that will be required to secure a balance between the utilisation and protection of the resources and the environment. The funding will assist in achieving the following: development of performance standards for best environmental and management practices in order to provide practical help for fish farmers to comply with the new legislation; research and investigation to address the lack of baseline data regarding the marine environment that is currently seen as an impediment to the determination of ecologically sustainable development strategies for the aquaculture industry; and it will enable government to meet its responsibilities under the new Aquaculture Act of delivering an integrated and efficient licensing and resource management framework.

Further technical investigations, which form the basis for the preparation of future aquaculture zone policies under the Aquaculture Act, will be conducted. There will also be a commitment to the completion of comprehensive management planning investigations and consultation in those areas identified as having potential for aquaculture growth. The investigations are an essential part of the introduction of aquaculture policies under the Aquaculture Act. In addition, the investigations support the policies that are required for the industry to grow in an orderly and sustainable manner. The aquaculture policies stemming from the investigations will determine the future availability of sites for aquaculture activities in the state.

The release of additional appropriate marine sites will be critical for the future development of the industry. Further industry expansion will broaden the base from which to recover costs associated with the resource and the regulatory management of aquaculture in South Australia. Accordingly, the key focus of the new initiatives will be to provide adequate information to support effective long-term decision making and risk management for government and the industry.

EDUCATION DEPARTMENT, INVESTIGATIONS UNIT

The Hon. M.J. ELLIOTT: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Education, questions about the education department's investigations unit.

Leave granted.

The Hon. M.J. ELLIOTT: The investigations unit of the education department was established to monitor and investigate allegations of misconduct by departmental staff. It is well known that under the previous CEO, Mr Geoff Spring, directives were sent out warning departmental employees that talking to unions or the media would be deemed misconduct and that those participating in these actions could face the sack.

This was followed by an initiative within this parliament by the previous government to introduce a code of conduct that enshrined a similar principle. I am informed that these moves were supported by a 'beefing-up' of the education department's investigations unit. I have been told of a number of examples where investigations were carried out on individual teachers who had, on some occasions, spoken to the union—for example, where there was tracing of telephone records and other forms of surveillance in attempts to identify employees. My questions to the minister are:

1. What was the brief and operational guidelines of the DETE investigations unit?

2. Will these change with the creation of the Department of Education and Children's Services and, if so, in what way will they change?

3. How will the minister ensure that the unit is only used to investigate misconduct other than where members of the department may speak to members of the public, the media or their own union?

4. What is the operating definition for 'misconduct' that will now be used by the unit?

5. How many people have been employed by the unit in each of the past five years, and what was the cost of the unit's operation over that time?

6. Does the unit contract investigation work outside the unit and, if so, at what cost for each of the past five years?

7. Is it possible to identify those investigations or resources which were devoted specifically to identifying staff that perhaps may have been deemed to be politically active?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer those questions to the Minister for Education and bring back a reply.

MALE SUICIDE

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 Health, questions about levels of male suicide.

Leave granted.

The Hon. T.G. CAMERON: Research conducted by the Queensland Griffiths University found that in a study of 4 000 suicides at least 70 per cent were associated with relationship break-ups. Recent studies also showed that men have always committed suicide at greater rates than women. Suicide in men peaks in the 20 to 45 year age group, with the most at-risk group being separated men. In 1996, the rate was 27 per 100 000; in 1998, the rate had climbed to 37 per 100 000—an increase of almost 30 per cent.

Government studies show that separated males are almost six times more likely to commit suicide than married men and that the rate of suicide for separated men aged 29 and under is 150 per 100 000. Of the 40 Australian male suicides committed each week, it has been estimated that as many as 75 per cent of these are committed by men who have become separated.

There are 1.5 times more deaths by suicide in Australia than road accidents, yet we spend tens and tens of millions of dollars a year on programs designed to reduce road deaths. If similar figures are correct for South Australia, urgent government action is required. My questions are:

1. Is the government aware of the high number of suicides among men, particularly men who have become separated?

2. What actions is the government taking to reduce the rate of male suicide in South Australia, particularly for those who fall into the separated category?

3. Have any recent South Australian studies been undertaken on the causes of male suicide in this state? Can they be made available publicly and can we have the details in relation to their cost?

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

MURRAY RIVER FISHERY

The Hon. D.W. RIDGWAY: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question on river fisheries.

Leave granted.

The Hon. D.W. RIDGWAY: The ABC News online today reports claims of a major increase in the number of gill nets and drum nets stolen from the Murray River recently. Commercial fishermen believe that illegal fishers have been stocking up on gill nets prior to the ban. The latest incident took place last week when 13 drum nets worth $200 each were stolen from the river north of Swan Reach. My questions are:

1. Is the minister aware of the recent increase in the theft of fishing equipment?

2. Can the minister give an indication of the size of the black market in fish?

3. Will the minister provide more compliance officers to discover illegal fishing activity now that commercial fishermen are no longer on the river and able to report such illegal fishing?

4. What is the expected likely increase in fish stocks with the removal of commercial gill net fishing, and can the minister assure us that illegal fishermen will not simply move in, resulting in little or no appreciable increase in fish stocks in the River Murray?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I thank the honourable member for his question: it is an important one. Certainly there have been allegations of illegal fishing along the Murray River, as indeed in other parts of this state, for a long time now—for as long as there has been fishing. The point I make is that gill nets are now illegal for all fishers on the river. They were always illegal for anyone who was not a licensed commercial fishermen, but now that commercial fishermen have lost the endorsement to use gill nets they are illegal for any user on the Murray. I have put out some press releases in relation to that matter, calling on anyone within the Riverland who sees the use of gill nets in the river to report them, should they see them in operation, so they can be confiscated and removed.

I am not aware of the particular report to which the honourable member refers. If he has any evidence in relation to the increased activity, I will certainly get the fisheries section of PIRSA to look at any such activity that might need to be investigated. Certainly it is the department's intention

to stamp out any illegal net fishing in the river. I think the honourable member said there were drum nets. I am not aware of those. If drum nets are taken, that should be reported to the police. If people are using those illegally, they being non-licensed commercial fishers, it should be reported to the PIRSA officers concerned through Fish Watch.

The honourable member also asked questions in relation to the size of the fishing market. Clearly there is some dispute. If one believes the claim of commercial fishers now operating on the river that the removal of gill nets will effectively remove their total livelihood, one would therefore expect that the entire catch formerly taken by those commercial fishers would be available within the river for other fishers to catch or would remain there for environmental purposes. But from the information provided to the department from catch records, not all fishers were completely reliant on gill nets for their catch. The records show that a number of fishers did not, according to their returns—at least prior to the 2000-01 year—use any gill nets at all for their catch. One would expect that, if they continue in the river using the traditional methods of drum nets, hooks and lines, in theory they should be able to catch the same number of fish as they did previously and that it would have no impact. It depends on who you believe as to what the impact will be over the next 12 months.

Beyond 30 June next year, when commercial fishing for native fish species will cease—at least for callop and Murray cod, anyway—obviously that will have a greater impact on the amount of native fish that are taken. Obviously, one could obtain the figure for the catch that was taken, on average, over the past few years and say, 'If that amount was caught commercially, we would then expect that that amount would therefore be available after 30 June next year for other fishers on the river.' I will obtain those details and give them to the honourable member so that we have the statistics.

I think the honourable member also asked a question in relation to a black market. Of course, if people were catching fish for sale, then the offence is really at the point of sale. Effectively a commercial fishing licence not only gives the operators the right to use certain gear to increase the efficiency of their catch but it also gives them the right to sell those fish commercially. There are large fines for people who sell fish without a licence. If people are catching fish illegally and selling them, the officers of my department will be vigilant (as they always have been) to ensure that people are not undertaking that activity—and there are very large fines in relation to that activity. Again, I will obtain more information on that for the honourable member.

OFFICE FOR RACING

The Hon. A.J. REDFORD: I seek leave to make an explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Racing, a question about the Office for Racing.

Leave granted.

The Hon. A.J. REDFORD: During the course of the last election campaign, the opposition criticised the government for, amongst other things, the corporatisation of the South Australian racing industry. As part of its election campaign it promised the following:

> . . . prioritise existing resources into a clearly defined Office for Racing to assist the minister and to assist the industry in such matters as encouraging the formation of partnerships with other states in a collaborative manner on issues such as internet gambling, wagering and other emergent technologies. . . and provide effective and consultative leadership where appropriate.

The policy also said:

> . . . establish a Racing Industry Council with the appointments being made by and from the racing industry. The council will be given the opportunity to meet with the minister on a regular basis.

Following the introduction of the budget last week, the Minister for Racing issued a press release. He announced the establishment of an Office for Racing at a cost of $451 000 per annum. Yesterday the minister reannounced the establishment of the Office for Racing. In describing its function he said that it will:

> . . . put in place something that will complement what is already in existence. . . provide advice to the government with respect to racing that will complement. . . the activities which currently exist.

He went on to say that this body will 'try to assist the racing industry where appropriate with regard to policy'. Under laws that we passed last year, each of the racing codes agreed to a structure for each of them. They were democratically elected and these laws were passed by the parliament.

It was disappointing to see that Labor would not tolerate its being given a privileged position in negotiations as set out in its policy about the future of the racing industry. Indeed, some within the industry are not sure why the minister implies that he will not negotiate with a democratically elected industry body, that is, Racing SA, yet he will appoint a Racing Industry Council to deal with. In the light of that, my questions are:

1. Will the minister outline how the $451 000 will be spent, that is, the actual budget for the expenditure of $451 000?
2. Does the minister recognise Racing SA as the peak body of the racing industry or will his Racing Industry Council now be the peak body?
3. Will the minister tolerate criticism of the government by his Racing Industry Council?
4. Will the minister, similar to his promise to meet the Racing Industry Council regularly, also meet representatives from the democratically elected Racing SA regularly?
5. Why does he need to put something in place that will complement what is already in existence?
6. Does he agree that the provision of advice to government with respect to racing by the Office for Racing will duplicate that same role that Racing SA currently performs?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I thank the honourable member for his very important questions. I will refer them to the Minister for Racing in another place and bring back a reply.

PRISONS, CAPACITY

The Hon. G.E. GAGO: I seek leave to make an explanation before asking the Minister for Correctional Services a question about additional capacity for our prison system.

Leave granted.

The Hon. G.E. GAGO: The matter has been reported in the media, and the minister has made reference in parliament this week to extra prison capacity in this year's budget. Can the minister outline what extra funding has been made available for extra prison capacity?

The Hon. T.G. ROBERTS (Minister for Correctional Services): The reference I made in answer to another question recently was that there would be $3.8 million in capital funding over the next two years and recurrent funding of $850 000 for staffing and operations for an extra 50

medium security prison beds. That raised questions of where the capacity would be placed, and that is still being discussed. Mobilong looks like an option but, as I said, the discussions around placement are still subject to finalisation.

There is a feeling in the Mount Gambier region that any extra capacity would not be welcome given that both previous governments said that communities would be contacted and that negotiations would take place if there were to be extra beds provided in the Mount Gambier private prison. I think the proposal for any direction of funding for any new beds in the Mount Gambier prison can be ruled out, and it is more likely to be in the Mobilong prison. But, as I said, that is still being discussed. As I have said in previous statements, we did inherit a system which was in overload and ministers in previous governments would admit that it is the case—

Members interjecting:

The PRESIDENT: Interjections will cease and the minister will answer.

The Hon. T.G. ROBERTS: —that correctional services was the poor cousin in relation to budget hand-outs. And it was not only the previous regime: there were other regimes that came before it that failed to give correctional services the priorities that hopefully this government will be able to provide.

The Hon. A.J. REDFORD: I have a supplementary question. Why is it that this government has budgeted for a prison capacity increase and, at the same time, cut crime prevention programs in last week's budget? Has the government had any reaction from the father of crime prevention, the Hon. Chris Sumner, the former Labor attorney-general?

The Hon. T.G. ROBERTS: I will refer that question to the Minister for Justice in another place and bring back a reply.

TORRENS PARADE GROUND

The Hon. SANDRA KANCK: I seek leave to make an explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for the Arts, a question about the Torrens Parade Ground.

Leave granted.

The Hon. SANDRA KANCK: The heritage listed area of the Torrens Parade Ground and building has been transferred to the state from the commonwealth. This area has become a very versatile venue for a range of arts performances and community activities, and I think two years ago most members of the Legislative Council attended a performance of *Mizumachi* and, who can forget, Barrie Kosky's *Bobcat Ballet*? My questions to the minister are:

1. How much will the Returned and Services League, the Vietnam Veterans' Association of Australia, the Naval Association and the Royal Australian Air Force Association pay to lease the Torrens Parade Ground from the state government?

2. Will the lease agreement ensure that such cultural events as have taken place on the Torrens Parade Ground in the past will be allowed to take place in the future?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I think the question was directed to the Minister for Arts but I will go to the appropriate minister—probably the Minister for Administrative Services—and bring back a reply.

ESTIMATES COMMITTEES

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): While I am on my feet, Mr President, in answer to a question asked by the Leader of the Opposition earlier today about estimates committees, I might have said there will be 10 estimates committee sessions. There are actually 11 sessions. So, there are 11 committees, compared with 10 committees under the previous government.

STRATHMONT CENTRE

The Hon. A.L. EVANS: 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 Strathmont Centre in South Australia.

Leave granted.

The Hon. A.L. EVANS: I received a letter recently from a lady who is 70 years of age and has a son who 39 years ago contracted meningitis when he was 10 months old. This left him paralysed on his right side and his brain gets messages but he cannot decipher them. He cannot chew food—every bit of food has to be cut up—and he cannot dress himself. This lady's husband also died many years ago. Her son is a permanent resident of Strathmont. She is very thankful for the Strathmont existence and the support it provides for families of mentally handicapped people. However, this lady is concerned that a trend is emerging to accommodate all mentally handicapped people within the community and eventually close all institutions such as Strathmont. She would like to see that Strathmont is retained and renovated to accommodate the mentally handicapped who need accommodation now and in the future. My questions to the minister are:

1. What assessment is currently undertaken to ensure that a mentally handicapped person is ready to leave the security of Strathmont and be accommodated within the community?

2. Is there currently a shortage of accommodation at Strathmont? If so, what does the government propose to do to rectify this situation? What is the current waiting period for accommodation?

3. Does the government have any plans to close institutions such as Strathmont and, if so, why, and what alternatives will be provided?

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

ROAD SAFETY

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I lay on the table a copy of a ministerial statement made by the Hon. Michael Wright on the subject of road safety.

BUS PRIORITY LANES

The Hon. DIANA LAIDLAW: I seek leave to make a brief explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, a question on the subject of bus priority lanes.

Leave granted.

The Hon. DIANA LAIDLAW: As part of the former Liberal government's integrated transport agenda, in

1999-2000 Transport SA and the Passenger Transport Board developed a broad strategy for bus priority lanes on the Adelaide metropolitan road network. This strategy was designed to support the government's goal of increasing patronage across the public transport system but particularly in the biggest mode of public transport delivery, that is, buses. I note in the budget papers that overall last financial year there was a 3.4 per cent increase in patronage, and that is good news. However, I am concerned, having also perused the budget papers for this coming financial year, that the previous government's three year commitment to this project has not been continued by this government.

I should add that 150 locations were identified for bus priority purposes across the metropolitan road system. Last financial year the former government provided $3.4 million and there was provision in the forward estimates for $1.75 million this year and a further $0.9 million for next financial year. The immediate priorities were identified as West Lakes Mall to the city via Port Road, Elizabeth to the city via Main North Road, Goodwood Road, South Road and the Unley Road corridor.

As the minister has indicated, the government wants to prepare an integrated transport strategy and it is therefore important for the credibility of such statements on such a strategy by the minister that the funding that was provided by the former government for bus priority purposes on our road network are delivered by this government. Will the minister confirm that funding approved by the previous government in April 2001 for bus priority purposes over three years to 2003-04 has been reaffirmed for this financial year and at least the next?

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I understand the insecurity the minister would have, given that the Minister for the Arts might grab that money! I will refer that important question to the Minister for Transport in another place and bring back a reply.

UNITED WATER

The Hon. J.F. STEFANI: I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Minister for Government Enterprises, a question about the contract between United Water and the South Australian government.

Leave granted.

The Hon. J.F. STEFANI: In a recent article published in the July 2002 edition of *Business Life* the Premier is quoted as saying that after six years United Water was still 100 per cent foreign owned, despite promises that it would be 60 per cent Australian owned within 18 months of the original contract being signed. The article goes on to state that the Premier believed that United Water would never be wholly Australian owned, and he also said that the economic and job promises had not been fully realised. The Premier is quoted as saying that he wanted a good relationship with United Water and its parent companies and that, most of all, he wanted the conditions of the contract to be fully honoured in word and in spirit. My questions to the minister are:

1. Will he advise what steps he has taken to enforce the conditions of the $1.5 billion contract between the state government and Thames Water?

2. Will the minister confirm whether Thames Water will relocate its Asia Pacific headquarters from Melbourne to Adelaide and, if so, when?

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I will refer those questions to the Minister for Government Enterprises for his response.

MINISTERS, REGIONAL OFFICES

The Hon. J.S.L. DAWKINS: I seek leave to make a brief explanation before asking the Minister for Regional Affairs a question about regional ministerial offices.

Leave granted.

The Hon. J.S.L. DAWKINS: The web site crikey.com yesterday reported that the defeated ALP candidate for Stuart and current political adviser, Justin Jarvis, is to be appointed to the new regional ministerial office in Port Augusta. My questions to the minister are:

1. Will he assure the council that crikey.com has got it wrong and that Mr Jarvis will not be appointed to the Port Augusta regional office?

2. Will he also indicate whether the staff of these regional offices will be able to assist the government in preparing a regional budget statement, which was missing from this year's budget?

The Hon. T.G. ROBERTS (Minister for Regional Affairs): The question—

The Hon. R.I. Lucas: Is a good one!

The Hon. T.G. ROBERTS: Well, there is a lot of stuff on crikey.com. There are dangers in exposing yourself by picking up stuff from crikey.com.

The Hon. R.I. Lucas: Loosely speaking.

The Hon. T.G. ROBERTS: Yes, don't get too close to it. The questions that the honourable member asked are fair and reasonable.

The Hon. R.I. Lucas: What are the answers?

The Hon. T.G. ROBERTS: The answer to the question in relation to funding is that funding has been made available for the regional ministerial offices to be established in Port Augusta and Murray Bridge, and the funding level for the 2002-03 financial year is $459 000. It is not the million dollars that was referred to in question time previously. The staffing of the offices is such that there will be a senior person and an administrative officer within each office—

The Hon. R.I. Lucas: Is one of them Justin?

The Hon. T.G. ROBERTS: Only if you insist. If you are insisting that I employ someone with the credentials of Mr Justin Jarvis, then I will have to bow to your greater experience. If Justin Jarvis were to be employed within the Office of Regional Development in Port Augusta, he would be a great acquisition to the area. Justin Jarvis is a resident of the area, he understands the area, he has the respect of the broad community and he is—

Members interjecting:

The Hon. T.G. ROBERTS: I had not considered it until you raised it. Perhaps I should read crikey.com.

Members interjecting:

The PRESIDENT: Order! Time having expired for the asking of questions, I ask the minister to wind up.

The Hon. T.G. ROBERTS: He would be a good candidate for a position within the Port Augusta office. Considerations have not been made yet but I will keep the council informed as members are so interested in the outcome. I will give a report when staff are finally named and in place.

REPLIES TO QUESTIONS

LOCHIEL PARK

In reply to **Hon. A.L. EVANS** (8 July).

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

1. The Minister for Government Enterprises recently announced the appointment of Connor Holmes Consulting to undertake a public consultation process that will examine potential future uses of the site. Since this firm's appointment, it has been collecting background material to assist with the consultation process. The public consultation phase commenced on Wednesday 10 July 2002, with an advertisement in the *East Torrens Messenger* inviting comment from members of the community and other interested parties.

The government is awaiting the outcome of the public consultation process before deciding on the future use of the Lochiel Park land. In the meantime, the Land Management Corporation has informed me that it will not develop or sell the site during the period of the public consultation. The Land Management Corporation does intend to demolish some buildings on the site that are in a derelict state and that have no economic value for alternative use, regardless of what that future use might be.

ADELAIDE CASINO

In reply to **Hon. NICK XENOPHON** (16 May).

The Hon. T.G. ROBERTS: The Minister for Gambling has advised that:

1. The Minister for Gambling has been advised by the Independent Gambling Authority and the Liquor and Gambling Commissioner is aware of the SkyCity promotion which, expressed in simple terms, is a learn to play exercise. The licensee is providing staff and resources to enable new players to learn how to play stable games without putting actual money at risk. The Authority does not consider this to be an unusual or inappropriate feature of a casino operation. Based on this advice it is my view that the practice is not in breach of the code and the code does not require amendment.

2. The Minister for Gambling advises the House that the Independent Gambling Authority in deciding not to impose smoking bans by way of a code of practice has made the reasons for its decision clear (tabled at the same time as the codes)—in that it was aware that the same issue had been debated and rejected in the last Parliament in the context of it being a gambling harm minimisation issue. In view of there being recent and unequivocal parliamentary opinion on this matter, the Authority expressed its reluctance to deal with the matter as a problem gambling measure, when it could be more legitimately characterised as a health issue. The Authority is not in possession of, and has not undertaken, research on the link between problem gambling behaviour and smoking in gambling venues.

GAMING MACHINES

In reply to **Hon. NICK XENOPHON** (28 May).

The Hon. T.G. ROBERTS: The Minister for Gambling has advised that:

1. Yes—existing machines that initially had the autoplay button, have all been modified to remove the autoplay button from the machine's button panel. However this does not prevent a player from jamming down the play button on that machine.

2. Technical advice has been obtained by the Minister for Gambling from the Office of the Liquor and Gambling Commissioner.

Gaming machines are sophisticated computer-controlled devices which operate almost entirely as a result of software design. In theory, the software operating in all machines can be modified to prevent games being played automatically as a result of a player interfering with the proper operation of a machine by jamming down a play button.

However, many of the machines in the field are quite old and have been superseded by newer models—in some cases by more than one generation of newer model. Software support by the manufacturer for some of these older models has expired.

In addition, each and every game variation operating in hotels and clubs would need to be modified to prevent games being played automatically as a result of a player jamming down a play button. The modified software would need to be re-tested and retrofitted to all machines in the field. The cost to the industry for such a program to modify all existing games would be extremely high given that there are over 400 different game variations approved.

Also, while it is technically feasible, it is not known whether gaming machine manufacturers would be prepared to meet the expense of modifying old software which would then be unique to this jurisdiction.

The South Australian Appendix to the Gaming Machine National Standard has been amended to require that each play must be initiated by a distinct and separate activation of the player interface (e.g. play button or touch screen etc.) and the gaming machine must not allow a player to circumvent this requirement by external interference (e.g. jamming play buttons). This requirement will apply to all new games and machines submitted for approval from 4 July 2002.

3. With the exception of a few new machine types which exist in fairly small numbers, the ban on autoplay can be overridden as a result of a player interfering with the proper operation of a machine by jamming down a play button on the majority of gaming machines operating in hotels and clubs in South Australia.

ADELAIDE CASINO

In reply to **Hon. NICK XENOPHON** (29 May).

The Hon. T.G. ROBERTS: The Minister for Gambling has advised that:

1. The Liquor and Gambling Commissioner has investigated the incident. The commissioner has advised that the patron arrived at the table at 0043 hours, security arrived at 0049 hours as a result of a request from the Pit Boss, surveillance coverage was sought and the patron was requested to leave at 0051.

The patron arrived at the table with half a glass of beer, no drinks were served to him and he left approximately half a glass of beer when he left. The patron cashed in for $160 and left with $10. The patron was playing behind another person's bet and as such was not making decisions affecting the outcome of the game.

There is no doubt that the patron was intoxicated and he was initially identified as such by the dealer because he mishandled his chips. The dealer immediately advised the table game inspector of his observations. This occurred prior to the complainant raising the issue of this person's intoxication. The Table Game Inspector then pagepaged the Pit Boss who agreed that the patron was intoxicated and then called security. All staff acted in accordance with the process for identification and removal of an intoxicated person.

While it took 8 minutes from his arrival at the table to his removal, at no stage did any staff member not take the matter seriously. Identification of an intoxicated person is not easy nor is removal. Many patrons become offended by staff alleging intoxication and the incident can rapidly escalate to violence if not handled professionally.

The Liquor and Gambling Commissioner has advised that the tape of the incident is being held.

2. As indicated, the Liquor and Gambling Commissioner has investigated the matter.

As the incident occurred on the Friday 24 May 2002 Sky City Adelaide was subject to the Adelaide Casino Responsible Gambling Code of Practice which came into effect 3 May 2002, in particular clauses 8(a) and (d) which provide:

The licensee will:

- take all practicable steps to ensure that no person who appears to be intoxicated is served or sold alcohol, or allowed to gamble;
- take all practicable steps to ensure the exclusion of intoxicated patrons from entering the premises, and the eviction of those who are found to be intoxicated.

The commissioner is satisfied that the patron was not served or sold alcohol while at the table. However, the commissioner is unable to determine whether he was sold or served alcohol anywhere else in the casino prior to this incident because the only tape retained related to this incident.

Clearly, the patron was allowed to gamble for 8 minutes while casino staff followed the procedures for identification and removal of an intoxicated person. However, the commissioner is satisfied that all staff acted properly and expediently given the sensitivity of removing an intoxicated person.

The commissioner is concerned that there was either a breach of 8(a), that is '*served or sold*' or 8(d) "take all practicable steps to ensure the exclusion of intoxicated patrons from entering the premises.

In the commissioner's opinion, the person's state of intoxication was such that if he was in that state when he entered he should have been stopped or if he wasn't then in all probability he may have been served or sold alcohol. A third option being that a third party may have purchased alcohol for him.

While the commissioner believes there is insufficient evidence to support disciplinary action he has written to SkyCity Adelaide reminding the casino of its obligations under the code.

Further, this incident has illustrated a deficiency in the reporting requirements under the Casino Act 1997 and the Approved Licensing Agreement, neither of which require SkyCity to notify the government casino inspectorate of such incidents. Clause 7.7 of the Approved Licensing Agreement simply requires the licensee to "keep a written record of each complaint made about the gaming , security, or surveillance operations of the Casino by a member of the public to a staff member (other than a complaint that, in the opinion of the Licensee is frivolous or petty.

The commissioner has now instructed SkyCity Adelaide under clause 7.6 of the Agreement to advise the inspectorate of any incident at the casino which might constitute an offence or breach of the Act, the Approved Licensing Agreement or the Codes of Practice by the licensee. This will enable the inspectorate to take appropriate steps to ensure the retention of any evidence that may be required for an investigation if deemed necessary.

3. This has been addressed in 2 above.

4. The Chief Executive of the Justice portfolio has given in principle approval for a restructuring of the inspectorate based on recommendations from the commissioner following an independent review of the casino regulatory regime.

A workplace consultative committee has been established to progress the recommendations. However, the commissioner has advised that under no circumstances will any restructuring compromise the integrity of the monitoring of the casino. South Australia, like many other Australasian gambling jurisdictions, is adopting a risk based approach to casino regulation. The commissioner has advised that the aim of the restructuring is to create an integrated inspectorate which can be employed on either liquor, gaming machine, casino or racing investigations, monitoring, audit and compliance.

The government accepts that this is the responsibility of the Chief Executive.

BEVERLEY MINE

In reply to **Hon. SANDRA KANCK** (9 July).

The Hon. P. HOLLOWAY: On Friday 11 January 2002 at around 6:30 pm, approximately 62 000 litres of extraction fluid was released when an elbow on a 500 mm diameter pipe feeding into the ion exchange columns failed within the Beverley uranium mine processing plant. The fluid contained approximately 145 parts per million of uranium with a salinity of around 1800 parts per million. The release was contained within the processing plant perimeter fence except for a small amount of fluid which was contained in a gutter adjacent to the fence. The spill resulted in no environmental damage and no personnel were exposed to a hazard.

In response to your specific questions I ask you to note that:

1. Immediately following the incident commercial operations at the Beverley uranium mine ceased. Heathgate Resources Pty Ltd (Heathgate), the operator of the mine was concerned that if some fluid was not allowed to circulate through the system, the integrity of the uranium bearing formation may be jeopardised as well as concern about avoiding the precipitation of minerals which could have an adverse effect on recovering the remaining uranium resource. On 12 January 2002, Heathgate was given permission by the Chief Inspector of Mines to continue to circulate fluids at low pressure.

2. Although the Beverley uranium mine was not operating commercially, some uranium was collected in the ion exchange cells during the circulation of fluids at the low pressure. This uranium was deposited in the processing plant thickener but was not dried and drummed as final product. There was no restriction placed on Heathgate in relation to drying and drumming yellowcake immediately after the incident. The company agreed not to do so and took the opportunity to undertake maintenance on the drying plant.

3. Following the incident and an inspection carried out by the chief inspector of mines, chief mining engineer, together with officers from the radiation section of the Department of Human Services on Sunday 13 January 2002, Heathgate was instructed under section 10 of the Mines and Works Inspection Act, 1920, to address a number of issues in relation to the incident prior to the approval being given by the chief inspector of mines for the recommencement of normal commercial operations.

4. As mentioned in my earlier response, normal commercial operation at the Beverley uranium mine was not undertaken between the 11 January and 20 January 2002. Some fluid was allowed to circulate through the processing plant at low pressure and this resulted in some uranium product being deposited in the thickener at the plant.

The chief inspector of mines approved the recommencement of commercial operations at the Beverley uranium mine on 12 February 2002.

5. The Minister for Environment and Conservation has announced the EPA will be conducting a review of in situ leach mining following its restructure of the EPA later this year.

MATTERS OF INTEREST

TALKING NEWSPAPERS

The Hon. G.E. GAGO: I would like to share with members an event that I was privileged to be invited to attend. On Thursday 20 June, on behalf of the Minister for Social Justice, the Hon. Stephanie Key, I was honoured to attend and perform the opening duties at the launch of the 22nd *Weekly Times* talking newspaper. The launch coincided with the 27th anniversary of the first Royal Society for the Blind talking newspaper, one of many valuable services provided by the Royal Society for the Blind. This enables blind and vision impaired people to participate more fully in their local communities.

The *Weekly Times* talking newspaper services the blind and visually impaired population of the western metropolitan area and it is the 22nd talking newspaper to be opened. Other than that service, the two most recently established were opened in the past four years. One was established in Victor Harbor and the other in the south-western suburbs. The talking newspaper is an important service because it is one of the few ways in which blind or vision impaired people can access information regarding the news and activities in their local community, information that we as sighted people often take for granted.

It provides users with topics to discuss with family and friends and helps them feel less isolated from their local communities. These programs are excellent examples of different sectors working together to make a valuable contribution to our society in general and, more specifically, to make a difference to the lives of individuals. This particular program would not be successful if it were not for the coordination and cooperation between a number of different organisations and individual members of our community.

The establishment costs of this *Weekly Times* talking newspaper have been covered by a grant from the Seniors Development Grant Program, while the ongoing costs are to be covered by the Royal Society for the Blind. The *Weekly Times* is generously providing its copyright to enable the paper to be read on to audiocassette, and the Charles Sturt council is providing a suitable venue to conduct the readings. Last but not least, local residents have volunteered to manage and operate the service under the expert guidance of the Royal Society for the Blind. The program is currently servicing 75 blind and visually impaired people, with the potential for further expansion to include other clients, and

I am told that this is occurring already. Without the time and dedication of these volunteers this service would obviously not be able to go ahead.

The talking newspaper service is only one of the many services provided by the Royal Society for the Blind. Others include print alternatives, such as Braille and large print, case work services (which helps the visually impaired to accept and adapt to their loss of vision), and employment services (which helps the blind and visually impaired gain employment), to mention just a few.

The goal of the Royal Society for the Blind is to assist its clients to become independent and valuable members of our community. The focus has recently been to expand services currently offered and to assist its clients to gain meaningful and, obviously, competitive employment opportunities. The society also aims to educate the general public on the many different aspects involving the visually impaired.

Ultimately, the Royal Society for the Blind aims to improve the quality of life of those who are blind or visually impaired who are trying to live in a world that is set up for those who are able to see, and this is obviously quite a challenge. So many of the services of the Royal Society for the Blind help blind and visually impaired people carry out activities that seeing people do on a day-to-day basis and take for granted. I congratulate the Royal Society for the Blind on the implementation of yet another invaluable service for blind and visually impaired people, and I extend my gratitude to the volunteers involved.

CORRECTIONAL SERVICES, FUNDING

The Hon. R.D. LAWSON: I want to spend the time available to me to deplore the actions of the Rann Labor government in altering funding for correctional services. On the one hand, the Rann government espouses a strong law and order policy—or would like to be seen to be espousing a strong law and order policy—by adopting a lock them up approach which it says is in the interests of community safety. Yet, on the other hand, the government is taking away funds from correctional institutions—funds that, if wisely invested, would ensure that the rate of re-offending of those people who come out of our correctional institutions is lower than it is now.

Whilst the government is adopting the rhetoric of community safety, by defunding these programs it is actually making our communities less safe. Earlier today the minister said that the defunding of programs such as the therapeutic drug unit at Cadell would save a mere $72 000, yet it is one of the very few drug programs in our correctional system. It is being defunded, notwithstanding the fact that the Drugs Summit heard startling evidence about the large proportion of prisoners in our institutions who have a drug problem. The minister acknowledged today that that represents 70 per cent of prisoners in our correctional institutions.

The reduction in psychological services is a very short-sighted measure. The modern theories of penology accept that prisoners can be rehabilitated by appropriate, well targeted and scientifically based programs. To take away psychologists from the Adelaide Women's Prison—to break the link that has been established between the University of South Australia and the correctional services department—is, once again, shortsighted, as was the abandonment of Operation Challenge.

There was a time when it was thought that the rehabilitation of offenders was a hopeless task and that all programs designed to rehabilitate had no appreciable effect on recidivism. In the late 1960s, a famous work by Robert Martinson identified that fact, and it was taken by many as proof that 'nothing works' in offender rehabilitation. That was a very influential factor in correctional policy and service planning for a number of years.

However, since that time there have been a number of studies based on evidence which has proved that rehabilitation programs do, in fact, work. For example, in the United Kingdom, North America, Canada, Europe and, increasingly, in Australia research is showing that effective rehabilitation programs can be mounted.

In the United Kingdom, James McGuire reviewed a number of studies conducted between 1985 and 1996 in which he identified that offenders who had attended programs reoffend 10 to 36 per cent less than those who do not. Research also shows that programs which are well grounded in psychological theory and/or research are likely to produce better outcomes than those which are not.

To hear the minister today explaining that the correctional services department seems to be going back to the old turnkey mentality indicates to me that this government is more interested in appeasing the unions, in providing better rostering for union members and in moving funding away from enlightened programs which will deliver community safety. I deplore the cuts in correctional services.

INDUSTRIAL RELATIONS

The Hon. J. GAZZOLA: Back in June, I attended the signing of a memorandum of understanding between the Australian Liquor, Hospitality and Miscellaneous Workers Union, South Australian branch, and the Australian Hotels Association. I was honoured and happy to attend, as it marked not only an historic day for the two parties involved but also South Australia's return to leadership in industrial relations.

Through the latter part of negotiations between the two parties, it was interesting to note the extensive media coverage of the motor industry's threat to sue picketing BHP union members in Westernport, Victoria. The signing of the MOU demonstrates how a union and industry can maturely and respectfully approach industrial relations, in contrast to the Howard government's approach, where a minister, in a deliberate and inflammatory manner, sought to prejudice the rights of workers and their families.

In the light of the Howard government's attitude to industrial relations, this MOU is a model for employers and unions wishing to protect and promote a viable industry that also recognises the rights of those involved in the industry. The excellent aims of the MOU are as follows:

- to commit the parties to cooperatively resolving issues which affect the viability and strength of the industry and its jobs;
- to recognise the health and safety of hotel workers as a paramount concern of the industry;
- to commit the parties to the protection of the hotel industry as an economically sustainable industry which continues to provide job growth for South Australia;
- to provide recognition of the role which each is able to play in promoting the industry;
- to provide recognition of the role which the AHA SA and the ALHMWU play in respecting the interests of hotel

industry employers and employees respectively, both within the industry and the broader community;

- to improve and streamline mechanisms for the early resolution of issues arising between members of the parties;
- to provide for a peak level forum within the parties to examine and assess relevant industrial matters.

The document goes on to other areas which you would agree, Mr Acting President, are worthwhile and constructive.

It is not my intention, however, to outline all of the aims of this historic agreement, but I mention that the use in the memorandum of terms or phrases such as consensus, commitment, support, good faith and open communication—terms which do not seem to appear in the Howard government's lexicon of industrial relations—captures the essence of the authors' intentions in promoting and defining a new era in industrial relations.

This cooperative and sensible approach was outlined by the General Manager of the Hotels Association, John Lewis, at the signing of the agreement, as follows:

> The antiquated phase of employee-employer relationships is undergoing a dramatic transformation and is entering a progressive, non-confrontational phase in line with modern business practices. The adversarial styles traditionally adopted in the past have been detrimental to both businesses and workers alike.

This is an industry employing some 23 500 employees, and the agreement between the Hotels Association and the Miscellaneous Workers Union is a watershed in industrial relations. I commend the memorandum to the Legislative Council and congratulate and offer best wishes to both the AHA and the ALHMU.

MEMBERS OF PARLIAMENT

The Hon. IAN GILFILLAN: I want to speak briefly on the character of our profession. The role of politicians is a daunting one and our reputation is mud: what can we do about it?

The Hon. D.W. Ridgway interjecting:

The Hon. IAN GILFILLAN: You are in here too soon. The interjection was that mine might be. The hard fact is that you will be tarred with the same brush: the media and the public do not discriminate. It may well be the sort of subject for jokes and humour, except I realise that it has reached the stage where the actual effectiveness and integrity of the institutions are put at risk. Once that happens, we really do have a challenge to democracy. The major culprit in this—and I believe it should carry widespread responsibility—is the media. The media knows it has good copy if it can find stories which denigrate, put down and scandalise the image of our job. We are not cut from the same mould, we are not employed by the same employer, so a wide variety of people take up the profession and there will be a wide variety of degrees of performance.

However, we share one common factor, namely, we all need votes to get here. Votes do not come by applying to some sort of benefactor and saying, 'I want to get into parliament; therefore, give me the number of votes required to be elected.' All of us have gone through processes of preselection and in some cases several preselections and several elections, and we know that one has to pander to the people who actually support us to get into this or other parliaments. It seems that we need to analyse as a profession where we are at and where we are going if we are to enhance the reputation, trust and respect the public have for parliaments. It is not just parliaments—and I will refer to that in a moment.

We have to address this question: are we representatives or are we delegates? In my particular party there is a distinct difference in the interpretation of being a representative or a delegate. A delegate is a person who is proposed to fulfil the perceived wishes and interpret the instructions from the body that person represents. A representative is a person chosen for his or her individual qualities to represent the principles and goals of that particular group of people he or she represents. There is a very clear distinction. The distinction often can land a diligent representative at odds with the people who supposedly elected them. The reflection of where the danger of these sort of things can come in is if we are drawn into a CIR (citizens initiated referenda) process of directing us as to how we should work.

There are two things I will observe before I conclude. The President of the Proportional Representation Society of Australia says in the journal of March 2002:

> The only way of improving the image of politics and politicians is give voters a real say in who gets elected—something that the winner-take-all single-member-electorate system cannot achieve.
>
> Despite earlier bluster to the contrary when electorate enrolment tolerances were being reduced, governments with minority two-party support clung to power in the 1980s and 1990s. Oppositions continued to be wiped out. . .

He pointed out how ineffectual various suggestions for reform would be, noting:

> Whatever tinkering is done at the edges, the major distortions inherent in the winner-take-all nature of single member electorates remains. While voter involvement can be increased somewhat, patterns of geographic dominance are still widely present and a handful of marginal seats will always attract an unhealthy preponderance of attention.

We do not have an exclusive right to this sort of reputation. A fascinating article appeared in the *Advertiser* of 20 June headlined 'Mayor upset by budget antics', stating:

> West Torrens Mayor, John Trainer, has accused councillors of 'playing political games' when adopting a $38 million budget.

It is fascinating that local government prides itself on keeping party politics out of local government as if it is some poison that will ruin the structure of its holier-than-thou tier of government. John Trainer continues:

> No matter how irksome some of you find this or how much hostility is directed at me for uttering a few home truths, some councillors appear to have approached the current budget process with a cavalier disregard for the consequences of their actions.

In conclusion, whatever constructive observations we can make about politicians, it applies to both parliaments and local councils.

Time expired.

RACING INDUSTRY

The Hon. A.J. REDFORD: I wish to raise a couple of issues today in relation to the racing industry, in particular the Labor Party policy and some of the comments made by the current Minister for Racing in recent days. During the course of the election campaign the Australian Labor Party put out some material in relation to the South Australian racing industry and I wish to draw members' attention to a couple of them. First, it asserted in its racing policy that the Racing Industry Development Authority (RIDA), which was established in 1996, was ill conceived in its introduction. It is disappointing when a party, such as the Australian Labor Party, which fully supports the introduction of something, as

it did when the Racing Industry Development Authority was established, then seeks to criticise it.

I well remember the debate on the introduction of the Racing Industry Development Authority and I well recall that a number of contributions were critical of it. You, Mr President, were critical of it as were the Hons Terry Cameron and Caroline Schaefer. Notwithstanding that, a deal done by the current Treasurer (Hon. Kevin Foley) and the Hon. Graham Ingerson pushed the initiative through on the basis of the major parties support. Secondly, in his pre-election diatribe he said that he would criticise the separation of ministerial responsibility in relation to RIDA and the South Australian TAB.

In any event, notwithstanding the fact that the Minister for Racing did not agree with what the Hon. Kevin Foley did in his position then, he decides that he will come out and announce that he will establish a racing industry council. He announced it a couple of times and in recent times I have noticed a number of advertisements appearing in the media advertising for two positions. I am told by various people within the racing industry that two positions have already been filled of the four position racing industry council. I am told that Mr Bob Bastian, the former chair of SATRA (South Australian Thoroughbred Racing Authority), will be chair of RIDA.

The Hon. R.K. Sneath: A very knowledgeable man.

The Hon. A.J. REDFORD: I would not dispute that in any way, shape or form. What does concern me is that the minister, who is so critical of RIDA and its role and what it did, seeks to reappoint people who were part of the RIDA administration to his Racing Industry Council, yet, at the same time, he fails to adequately say what this body will do. Indeed, he insults the industry by describing the democratically elected chairs of the various racing bodies as 'privileged'.

I have to say that it is sheer hypocrisy of the minister to say that a group of people who are democratically elected from within their industry are privileged, yet, at the same time, in his election policy he offers a group of people not elected but appointed unqualified access to his office. That smacks of utter hypocrisy. Indeed, the Minister for Racing has never gotten over the fact that he does not have much to say in racing anymore—thank God—and he is carrying on like a little kid who has lost his Tonka toy.

CHEMCOLLECT

The Hon. T.J. STEPHENS: I rise today to speak about ChemCollect—a very important service for farmers—and I am pleased to address one of the many joint initiatives of the former state Liberal government and the commonwealth government. Leftover, unwanted and potentially hazardous pesticides are often stored on South Australian rural properties. Of particular concern are the organic chemicals containing chlorine left unused on farming properties. These organochlorines were largely introduced into Australia in the mid 1940s and were commonly used to protect crops, livestock, buildings and households from the damaging effects of insects.

Most of these chemicals are no longer in use. However, they can still be distributed in the environment where they persist long after their original use. They degrade slowly and accumulate in the food chain. It is very difficult to dispose of leftover organochlorines on farms because they do not break down easily, if at all, and they can remain toxic in the ground for decades. Any trace of chemical contamination could put food, fibre and grain exports at risk and, with our clean green image and booming export markets, South Australian farmers cannot afford to have any chemical residues found in primary produce.

ChemCollect therefore was a program put into action by both the federal government and the previous state government. It provides a free last chance opportunity for primary producers to rid their property of unwanted rural chemicals. On certain dates, primary producers are given the opportunity to bring their unwanted agricultural and veterinary chemicals to nominated places throughout South Australia. Licensed professional contractors set up temporary sites throughout the state in rural areas. Our primary producers can bring their unwanted chemicals and hazardous substances to the site, where trained chemical disposal officers are on hand at depots to unload, sort, pack and then take them away to a central disposal site nearer Adelaide.

Organochlorine pesticides such as dieldrin, DDT and lindane are accepted, and other deregistered and unwanted herbicides, insecticides, fungicides, old batteries, arsenic or sheep dips, old paint, garden and household chemicals are also accepted. This is a free service and no questions are asked. Two collections—one in the Mid North of the state and one in the Upper South-East and the Coorong—have already been completed. Five collections are to be undertaken in 2002. I am pleased to see that ChemCollect is currently working its way through the Upper Eyre Peninsula and the West Coast, and farming families in those regions now have the opportunity to clear their properties of unwanted and banned chemicals.

Last week ChemCollect was in Ceduna, and this week I am pleased to say it is in Kimba. Starting tomorrow, ChemCollect officers will be at the Wudinna council depot until Friday; then early next week the Port Augusta council depot; and later in the week at the Whyalla old council depot. I understand that the Flinders Ranges is the next region to be covered in late August and September, followed by Murray Bridge during October. ChemCollect provides an opportunity to let someone else take responsibility for disposing of hazardous substances, thereby reducing the risk of accidental spills and contamination on properties. By helping primary producers clean up their properties, ChemCollect delivers multiple benefits for the environment, human health and our international trade.

HENSLEY INDUSTRIES

The Hon. T.G. CAMERON: I rise to give a brief history and update of the Hensley Industries situation at Torrensville. Having lived at Croydon West for a number of years, let me tell members about the stench. It often reminded me of the worse smells which would emanate from the old Wingfield abattoirs when I lived at Rosewater Gardens. It was often so bad that you would be dry retching in the backyard. Ten years ago (in 1992), the then City of the Woodville approved zoning changes which permitted a new 420 resident housing development called River Park estate to be built on the old Hallett brickwork site in Allenby Gardens. This development was downwind of the Mason & Cox foundry (now known as Hensley Industries).

Guidelines under the Development Act 1993 suggested that 500 metres is an appropriate buffer zone between boundaries and residences, but 200 metres is a suggested World Health Organisation standard. Mason & Cox stated at

the time that, if the housing development at River Park estate went ahead, the pressure from residents to cease production would increase—this is exactly what has happened. Despite Mason & Cox's objections, the development went forward with the lesser World Health Organisation standard of 200 metres being applied rather than 500 metres as suggested in the act. However, the experience of residents has shown that this standard was not enough and that the 500 metre rule should have been applied.

Meetings of over 200 residents were held in late 2001 and early 2002. In addition, in early 2001 the linear park residents committee applied to be parties to the appeal by Hensley Industries to the Environment, Resources and Development Court, but this was rejected by the ERDC. Complaints from residents have seen different environmental orders placed on the foundry, some of which I have mentioned in this place before. In fact, the orders to limit the odour pollution of the foundry, to end processes, to upgrade equipment and to close doors during pours (ordered for 1 September 2001) were extended by seven months until 1 July 2002.

Now the orders have been extended again, giving Hensley Industries another six weeks (until 12 August) to prepare a noise and odour plan. However, Hensley has publicly stated that it still cannot meet this date and it will seek an even further extension. It is my understanding that private citizens do not have the right to appeal any extensions given by the EPA to industry: individuals have to undertake civil action in the courts. It is an untenable situation. I call on the Labor government to legislate under the new EPA act to give citizens the right to appeal extensions on environmental orders issued by the EPA. It should be a basic right of any community. Not only does industry have rights but communities have rights, too.

Hensley has a history of breaching occupational health and safety laws. In reply to questions I placed on notice earlier, I found Hensley Industries had been convicted of a number of offences dating back to 1989. If members want to read the litany of offences, they should look at the answers provided to me by the minister yesterday. It is currently being prosecuted for a number of occupational health and safety offences. During the recent election the Labor Party promised the following:

> Labor believes that the urban issues of clean air and low noise levels are vital to the quality of life for all of our city citizens. The ALP is committed to improving the standard of living of all and this in part requires constant vigilance over air and noise emissions.

That is exactly what the problem is at Hensley Industries: noise and foul smelling air emanating from the factory.

The minister has announced that he will be introducing a new EPA act to give the EPA teeth and to make the EPA independent. I call on the minister, John Hill, to take the time to go to Flinders Park to smell the foul stench and to listen to the constant din emanating from the foundry which invades the local community's privacy. People and their health have to come first. It is about time the EPA stopped being a lapdog for industry and remembered just that; that is, people and their health should come before the interests of big business and industry.

RURAL YOUTH MOVEMENT

The Hon. D.W. RIDGWAY: I move:

1. That this council notes the 50 year anniversary of the South Australian Rural Youth movement this weekend and recognises the significant contribution made by the organisation, particularly to the training and encouragement of rural leaders for half a century; and

2. That the council also expresses its good wishes to those 800 or more people who will assemble this weekend in Clare to recognise and celebrate this milestone.

Rural Youth first started in South Australia in July 1952 as a junior rural youth club. It was formed at the Spalding Primary School. This was followed several weeks later by the formation of the first senior club at Clare. These clubs were formed at the behest of local communities and with strong advice from the then Department of Agriculture. Crucial to this support were the skill and nature of Peter Angove, the first senior adviser.

Peter had been an agricultural adviser for the Department of Agriculture. He was a genial and readily approachable man who seemed to have a great affinity with young people and also a great love of the Australian countryside. He also seemed to be aware of the limitations of country life for young people at that time. He and the department saw a need for agricultural education because at that time TAFE or an equivalent system was not strong in country areas and the technological revolution was still some decades away. Most of all he saw a need for leadership training and preparation for young people to take on leadership roles running some of the organisations that are so much part of our lives today.

The Department of Agriculture was crucial to the movement; not only did it provide full-time advisers—at one time up to six—around various parts of the state, but it also provided and managed the state secretariat with some full-time officers. There were zone, state and national competitions run along the lines of stock judging, cooking, wool-handling, debating, public speaking and so on. There were also educational bus tours and live-in camps to organise as well as the general running of the state organisation.

At times during the 1960s the movement had over 3000 members. It provided young people, mainly from the country—plus a club in Adelaide—with leadership training of the highest order, some agricultural education and a wonderful social climate. As well as the great club atmosphere there also existed the opportunity to win overseas and interstate travel, consisting of one exchange award each year to the United Kingdom and all states of Australia, two each year to New Zealand and one every second year to the United States. These awards were all sponsored by major Australian and international companies such as the *Stock Journal*, the P&O Shipping Line, Shell and Elanco, to name just a few. These exchange awards were also reciprocal, giving local members an opportunity to host international and interstate guests. These contacts greatly broadened the horizons of participants as well as their friends, families and the host clubs.

Rural Youth, like many country communities, has been hurt by the drift of people to the city. Where once there was a Rural Youth club in just about every regional centre in South Australia just three clubs remain today, each supported by about 20 members. In a recent article in the *Advertiser* the immediate past state president, Brenton Jettner, said:

> South Australian rural youth is now reliant on the social side of the organisation. That is the basis of the remaining clubs. But we are still able to raise national issues and support programs and competitions. The focus of rural youth has shifted from the days of debating, of rural management and agricultural training and one of the organisation's key purposes now is to address depression among country youth and it strongly supports programs aimed at reducing levels of youth suicide. Rural Youth could be seen as a support network for country youth. It can relieve some of the pressures on young people, certainly in terms of issues of isolation.

In 1982 the organisation celebrated its 30th birthday with a dinner attended by between 800 and 1000 past and present members. It is pleasing to see that similar numbers are expected this weekend in Clare, and I trust you will join me in wishing the Rural Youth movement of South Australia a very successful reunion rally.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

EMERGENCY SERVICES ADMINISTRATIVE UNIT

The Hon. IAN GILFILLAN: I move:

1. That this council expresses its deep concern at the drain that the Emergency Services Administrative Unit is on this state's emergency services; and

2. Further, this council calls on the Minister for Emergency Services to dismantle the Emergency Services Administrative Unit.

As honourable members will know, the purpose of this motion is to put some energy into abolishing ESAU, the Emergency Services Administrative Unit. I have cause to believe that there was widespread dissatisfaction with the establishment of this unit in its earlier days and I will remind the chamber of the background to it.

It was established pursuant to section 7(2) of the Public Sector Management Act 1995, which provides:

> The Governor may, by proclamation:
>
> (a) establish an administrative unit and assign a title to it; and
>
> (b) alter the title of an administrative unit; and
>
> (c) abolish an administrative unit.

The actual purpose for which ESAU was established was to provide strategic, corporate and support services to the South Australian emergency services, namely, the South Australian Metropolitan Fire Service, the Country Fire Service and the State Emergency Service and, through the State Emergency Service, to provide a local incident emergency response service and significant participation in state disaster emergency management planning and training. The SES was previously an administrative unit in its own right during the period 1 July 1996 to 30 June 1999.

The abolition of ESAU cannot be done by legislation and therefore I have had to take this step of moving a motion before the parliament. It can be done, however, by proclamation of the Governor, in other words, by executive decision of the government.

Earlier this year I asked a question, after having written to the minister, the Hon. Pat Conlon, and I will read the text of the question into my contribution because I have had a written answer to the question and I think both of those are important for the purpose of debate on my motion. My question reads as follows:

> Amongst many initiatives established under the previous government in the area of emergency services the Emergency Services Levy and the Emergency Services Administrative Unit were contentious. Last week the Treasurer indicated that the government will increase funding to Emergency services in the next financial year from $141 million to $156 million. This involves an extra contribution from Treasury of $11.6 million and from the taxpayers, through the Emergency Services Levy, an increase of $3.5 million, which will be achieved through an increase in the value that is rated rather than an increase in the actual rate. The pool generated by the Emergency Services Levy has therefore been increased and although there has been some controversy about the legality of the increase and whether it is due to an increased rate of levy I believe that is just a smokescreen.
>
> The role of the Emergency Service Administrative Unit. . .

I have outlined that in my introduction. I will not go through it again: it is subject to the Public Sector Management Act. I went on:

> ESAU has been accused of being bureaucratic in nature and an unnecessary burden on the emergency services. The best estimate of cost that I can obtain is that it is costing approximately $9.7 million a year. For the year 1998-99 the Country Fire Service spent less than $3 million on its administration, yet in the following year it was required to pay approximately $5.7 million as its contribution to the funding of ESAU.
>
> When members consider that that has done nothing to improve the administration of the CFS they will understand why the CFS is justifiably questioning the value of ESAU.

On that basis my first question to the minister was:

> 1. Does the government have comparative costs of administration by ESAU to compare with the costs of each service handling its own administration?

And the answer given to me was:

> No, the government does not have any comparative costs. Costs from ESAU were derived from a baseline which anticipated the expenditure to be incurred from combining the administrative functions of the emergency services agency. The total operating costs for ESAU are as follows. 1999-2002 $9.307 million; 2000-01 $9.446 million; 2001-02 $9.588 million, which was the forecast.

My second question was:

> Will the government consider abolishing the unit on the basis that it is an extraordinary increase in cost with no extra service to the units and, if not, why not?

The answer was:

> The government has indicated its intention to review the arrangements relating to emergency services.

If you are an optimist, that is a promising answer, and I am sure that you, Mr President, fit into the optimist category. My third question was:

> If so, with the money saved, would the government reduce the ESL [emergency services levy] rate?

The government answered:

> The government will await the outcome of the review. The government is committed to ensuring that the maximum amount possible for the emergency services budget reaches operational areas.

On the occasion of my asking the question it was replied to by the Hon. Paul Holloway and he said, amongst a rather wordy response, that the government did not intend to raise the rate but, apart from that, all he did was confirm that it had added an extra $11.6 million. Then the Hon. A.J. Redford interjected and you, sir, said:

> Order! Someone will be handling you in a minute, Mr Redford.

I am sure that was not a physical threat but something from the official position that you hold. The dialogue went on, with the Hon. Paul Holloway concerning himself with the Hon. Angus Redford's interjection. However, there was a constructive supplementary question from the Hon. J.F. Stefani in the following terms:

> Will the minister refer a further question to the Minister for Emergency Services and ask him to provide details of the charges that have been levied on each and every department that is being serviced by the emergency services unit, and information on individual costs charged to each of those departments?

That was then clarified, and the answer to the supplementary question was:

> The cross charge is revenue received by ESAU from the South Australian Metropolitan Fire Service, Country Fire Service and State Emergency Service for the services it delivers. It does not include the South Australian Ambulance Service. . . or the South Australia Police. . . Some funding from the Community Emergency Services Fund is directed by the Minister for Emergency Services to [the Ambulance Service and to the police], the Surf Lifesaving Associa-

tion and other community organisations. The cross-charge as negotiated and agreed by the operational agencies for 2001/2002 is as follows:

SAMFS $3.438 million
CFS $5.125 million
SES $1.025 million.

The Emergency Services Administrative Unit was subject to audit and I will quote some observations that resulted from that audit. It is quite an extensive document and, obviously, I will not go through it all. It is from the Auditor-General's Report 2000-01 and it starts on page 552. The couple of paragraphs that I quote actually come from page 553, as follows:

> The strategic and administrative services delivered by ESAU include financial, human resources, asset management and procurement, risk management, volunteer management—

and I emphasise 'volunteer management'—

> occupational health, safety and prevention and strategic and knowledge management services. These deliverables are funded by the CFS and the SAMFS—

that is, the Metropolitan Fire Service—

> under service level agreements.

I emphasise 'volunteer management' because ESAU occupies, if not the top floor, very close to the top floor of the Riverside Building in North Terrace. It is eminently unsuitable for handling volunteer management. It is eminently detached from any of the activities of any of these services that it is supposed to be contributing to in, arguably and supposedly, an adequate fashion. However, rather than quote extensively from the audit I recommend that honourable members who are interested in this subject read it in its entirety.

On page 554 there is a paragraph in Audit Findings and Comments which reads as follows:

> The 2000-01 audit identified numerous internal control weaknesses. These covered the broad themes of adequacy of segregation of duties, authorisation of transactions and maintenance of accounting reconciliations and review processes in general.

Further, it states:

> In particular, audit formed the view that both ESAU and the emergency service agencies struggled to implement a sound internal control framework and that there was a general lack of coordination in implementing the same.

All of this would be relatively academic except for the fact that the CFS had a proud reputation, wonderful morale and very strong esprit de corps when it was an independent entity operating under its own leadership and systems of management. It was inspired by the excellent leadership of Stuart Ellis and previous CEOs, and volunteers were proud to be identified with their organisation. Sure, nothing was perfect and there were always niggling irritations and occasional criticisms, but it is tragic to see the devastating effect that I have encountered at first hand on the various units around the state bemoaning the remoteness and the inefficiency of the way in which the services to the CFS have been administered.

The actual amount of money that can be saved is substantial, and I think that that must always be the prime argument that I use to support my motion because I think members of this place and the government are very conscious of the dollars and where they are going and, if there is the capacity to redirect some millions of dollars away from an unnecessary bureaucracy back to the units which are providing the service, I do not think that anyone can argue that that would not be a better way for our emergency services levy funds to be distributed.

I assume that the argument of those who oppose my motion will be that, in fact, the unit is offering an improved service and that maybe it had teething problems but, on balance, it is an improvement. It would need to be a massive improvement, for various reasons. Even if it were performing the same or an equivalent service to those organisations, why not leave the equivalent services to organise their own affairs and retain their own identity?

It is rather fascinating to reflect that the previous government actually intended to abolish—in fact, it may even have gone so far as to abolish—ESAU at a time when Wayne Matthew was minister. In a change of portfolios, and much to the surprise of many Liberals, there was a resurrection of the spectre of ESAU, and I feel that it is most unfortunate that that took place. I have not probed why that occurred because it is unlikely that I would get an answer. However, I think it is now time to revisit this situation. I believe that it would be welcomed by the three major organisations that contribute to ESAU—that is, the Country Fire Service in particular, which is the one that I am most concerned about; the Metropolitan Fire Service; and, of course, the State Emergency Service which, although it does not have quite the size, performs remarkably outstanding public service.

It is important for us to remember that the vast majority of CFS members are volunteers. And volunteers have no obligation; there is no commitment, other than their own generosity to serve their communities through their work with organisations such as the CFS. I take the opportunity to put on record my enormous appreciation and gratitude to the thousands of people who lead busy lives and yet are still prepared to give so much time to the Country Fire Service and, at times, risk their own physical well-being. Those people are owed our diligent approach to make sure that the emergency services levy—which was a process that we supported, and I still support, to adequately spread the funding—and its dollars are most effectively used.

For the expense of $9 million or more (and it is increasing), all we are getting is an inflated bureaucracy that is likely to inflate even further, as is the character of such entities. It has merged the upper structures of three excellent organisations into a blob where there is no distinction among the services that comprise this ESAU. I think the government has shown enough interest for me to expect that it will act on this. If this motion is passed by this council—and I hope it will be—it might add that little spur for the government to get onto it and do it forthwith, so that we put ESAU out of its misery quickly, return individual identity to those emergency services and save some money, which can go back into the services in the areas where they have need for direct spending of dollars on equipment, facilities and training. I urge members to support the motion.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

CITY OF ADELAIDE (ABOLITION OF CAPITAL CITY COMMITTEE) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 5 June. Page 331.)

The Hon. DIANA LAIDLAW: This bill has been introduced by the Hon. Ian Gilfillan on behalf of the Democrats. It would be normal practice that the Labor Party respond to this private member's bill but, as I have learnt in

encounters concerning my private member's bills introduced in this place, it is taking the Labor government a long time to respond to these initiatives from private members, and therefore in this instance I will take the initiative to speak to this bill. The mover suggests that it is a bill that is simple in content and elegant in effect. They are flowery words, made by one who sits outside the process and working of this capital city committee. I say so as a former member of that committee in my capacity as former minister for transport and urban planning.

This capital city committee arises from a very difficult series of events. Members may recall that the former government introduced a bill to remove certain powers from the Adelaide City Council and look at general reform of council processes. That initiative was defeated by members in this place, and a number of other initiatives arose as a consequence. One was the establishment of the capital city committee to establish much closer cooperation among the paid members—councillors—representing the Adelaide City Council and ministers on behalf of the government of the day.

Like any such initiative, it would take some time to work effectively, work out its role and agendas and advance some positive outcomes. As part of the establishment of this committee by an act of parliament, the parliament determined that there should be a review process. That was undertaken earlier this year, and I was one of many people who were interviewed to gain my views of how effective or otherwise this capital city committee was. My view was that it had not yet fulfilled its promise and that a lot more could be done, especially through the establishment of subcommittees and holding members of the capital city committee accountable for advancing certain projects, rather than leaving those necessary for officers to advance and the committee merely noting progress on those initiatives.

In my view, the committee did not make all the progress it should because not enough work was necessarily assigned to the members of the committee in between the periods we met. Too much was left to officers and I am not necessarily sure that, at all times, the officers appointed had the skills required to do the research and push the agenda as strongly as was required in many of the matters that faced the city council and the government.

I remember at other times that both premiers, the Hon. John Olsen and the Hon. Rob Kerin, indicated to members of the committee that the very establishment of the committee was a source of some considerable difficulty between the government and mayors of other metropolitan councils and regional city councils in country areas. In all those respects, other councils saw that this committee had a lot of prominence and clout and, in turn, they saw a lot of money going into the city, of which they would like to have a share.

I do not think that was one of the weaknesses of the committee. My view is that the capital city committee, for once, formed a structure that allowed the common interests of the state government and the city council to be explored. Whether or not they were explored and developed to the full extent is a matter that some may wish to debate. It is certainly my view that it did not reach its full potential. I do not think it was a weakness of the committee that it was not open to the public. The benefit of the committee was that it provided a forum for free and frank discussion between policy makers. It was a forum for filtering views, not for making decisions which ultimately cabinet, the state government, the parliament or the Adelaide City Council would make, and, other than cabinet, those forums are open for public attendance and public record.

One of my regrets about the first months of the new government is its lack of consultation with or readiness to embrace the Adelaide City Council on a whole lot of the decisions that the government has made. The resulting angst has been reported in the newspaper and across the airwaves, whether it be about Barton Road, the North Terrace upgrade, rehabilitation and sobering-up centres for Aborigines, or the Adelaide City Council's recent decision to pull out certain floor area of the State Library and come up with a different agenda to that which the council resolved when I was minister. Reading about these matters in the paper and hearing the disagreements aired over the radio is not the way to go.

I argue very strongly against the abolition of the capital city committee as provided for in this bill and I encourage the government and the city council to work hard and diligently to make the capital city committee work as a forum for the frank exchange of ideas and to allocate various tasks to members of that committee, with time frames. In that regard, transport is a particularly important matter that I think should be explored by a subcommittee of the capital city committee. There are so many shared interests between the state government and the city council, whether it be the interstate-intrastate bus terminal, now operating from land owned by the Adelaide City Council; whether it be the operation of Victoria Square—whether the square should be closed to traffic, whether there should be undergrounding of traffic, how the tram should operate through the square; and whether the tram should be extended further across the city, which I strongly support, but the roads on which it operates are owned by the Adelaide City Council and its views must be taken into account.

The capital city committee allows for those big issues to be talked through. They are not issues that would arise to the same extent or demand the same attention in other metropolitan councils or country councils. There is a distinct role for the capital city committee. I believe very strongly that it could work more effectively, and I gave some ideas for that purpose when I spoke to those undertaking the review of the committee. I am not sure where that review report is within government ranks at the moment, whether it has been submitted to cabinet, and what the government's plans are for its release. However, it is important that the government advises all members on those matters in its contribution to this bill. In the meantime, I indicate that the Liberal Party will not be supporting the measure moved by the Hon. Ian Gilfillan to abolish the capital city committee.

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

HOUSING TRUST

Adjourned debate on motion of Hon. Nick Xenophon:

That this council requests that the Statutory Authorities Review Committee inquire into the following:

I. The policies and practices of the Housing Trust of South Australia in relation to—
   (a) dealing with difficult and disruptive tenants; and
   (b) protecting the rights of Housing Trust tenants and residents to the peaceful and quiet enjoyment of their homes and neighbourhoods.

II. Reforms to Housing Trust policies and practices of dealing with difficult and disruptive tenants to ensure the basic needs

of neighbouring tenants and residents to the peaceful and quiet enjoyment of their homes and neighbourhoods,

to which the Hon. R.K. Sneath has moved the following amendments:

Preamble

Leave out the words 'That this council requests that the Statutory Authorities Review Committee inquire into the following:' and insert 'That this council requests that the Social Development Committee inquire into the following:'.

Paragraph I

Leave out the words 'Housing Trust of South Australia' and insert 'tribunals covered by the Residential Tenancies Act 1995'.

Leave out the words 'Housing Trust' in subparagraph (b).

Paragraph II

Leave out the words 'Housing Trust'.

(Continued from 5 June. Page 337.)

The Hon. CAROLINE SCHAEFER: I indicate that the opposition will be supporting the Hon. Nick Xenophon's motion but will not be supporting the amendments moved by the Hon. Bob Sneath essentially referring this matter to the Social Development Committee and other matters. The Hon. Nick Xenophon has studied this matter for some time and has referred it to the Statutory Authorities Review Committee, I believe, because the Housing Trust is a statutory authority. That committee, as I understand it, has previously conducted a review of the South Australian Community Housing Authority and I assume that quite a bit of the knowledge acquired at that time is still available to the current committee, so a number of the issues would overlap.

In addition, the Hon. Nick Xenophon serves on the Statutory Authorities Review Committee. He has a personal interests in this matter, and he has moved this motion because of his long-standing interest, and we will be supporting his right to participate in that inquiry. I acknowledge his work and also that of Leon Byner who, I understand, has run a long-standing campaign on radio with regard to the issues raised by the Hon. Nick Xenophon.

I am sure that we all have examples of constituents complaining about noise, violence and pollution caused by neighbours. I refer to the work done by the Hon. Nick Xenophon that he mentioned in his speech. As is his wont, his research is quite extensive. He has looked back at the trust's set of guidelines, and he has outlined those pertaining to this motion, as follows:

Trust tenants and their neighbours are entitled to live in a safe and peaceful environment.

I do not think that any of us would disagree with that sentiment. It continues:

In accordance with South Australia Housing Trust's conditions of tenancy it is expected that trust tenants or their visitors will not disrupt the peace, comfort or privacy of other tenants or the public.

Where neighbourhood disruption occurs the trust is committed to the resolution of conflict through a range of options available to the parties in dispute. In particularly serious cases, after all other options have been exhausted, the trust may take legal action under the Residential Tenancies Act to terminate the tenancy of a tenant who breaches clause 7(e) under the conditions of tenancy (or any other clause in the conditions of tenancy signed by the tenant that relate to the need to observe the rights of other tenants and the general public to peace, comfort and privacy).

The trust's procedure manual goes on to say:

. . . legal action may be initiated by another tenant or anyone else who is affected by a tenant's failure to observe their rights to the quiet enjoyment of their homes and communities.

There is quite an extensive appeal process, and it does appear that mechanisms are in place to solve many of these problems. As I have said, I am sure all members have examples of tenants in Housing Trust homes. I recently received a complaint from a woman living in Clare who has purchased her Housing Trust house but lives next door to two rental properties. She has variously been abused, had rocks thrown through her windows, and has had neighbours with rubbish piling up on their verandah who simply have not removed the rubbish or put it out for collection. She complained to the Housing Trust authority but absolutely no action was taken. She was referred to the EPA in relation to the pollution caused by those tenants.

I have also received complaints from a handicapped tenant living in Adelaide who has a neighbour who works shiftwork and sleeps during the day, plays loud music all night and sometimes bangs on the walls. I am sure that these are not isolated cases. We need to strike a balance between the rights of tenants and their neighbours. Apparently, there is an appeal process, but it does not appear to be acted on. The role of the standing committee is to inquire in depth into these matters. I serve on that particular standing committee, and I look forward to participating in this inquiry when the Hon Nick Xenophon has the numbers to pass it in this council.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

BUDGET, MID YEAR REVIEW

Adjourned debate on motion of Hon. R.I. Lucas:

That this council notes the Mid Year Budget Review 2001-02 presented by the former government in February 2002 and the Budget Update 2001-02 presented by the former government in March 2002.

(Continued from 8 May. Page 41.)

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): In this motion, the Leader of the Opposition has moved that the council notes the mid year budget review for 2001-02 presented by the former government in 2002. I wanted to respond to a couple of the points that the former treasurer raised in his speech—and, indeed, in a considerable amount of publicity.

The Hon. R.I. Lucas: A bit late.

The Hon. P. HOLLOWAY: Yes, but I think it is important, now that we are looking at the budget, that we respond to these matters. Certainly, it is important to establish the financial position that the new government was facing.

The point that the former treasurer, the Leader of the Opposition, made in his contribution was that the position that the previous government had left was a $96 million surplus. Of course, as the documents that were tabled during that debate by the former treasurer himself revealed, that $96 million surplus was turned into a $2 million surplus by the actions of the then treasurer himself.

On 15 January this year, the then treasurer was advised that the current forecast was for a budget surplus of $96 million but, by his own admission, as shown in the document he tabled on 8 May, he did the following:

- he put aside $20 million into headroom to fund one-off initiatives;
- he put aside amounts into headroom in 2002-03, 2003-04 and 2004-05 for ongoing initiatives and cost pressures; and
- he made timing adjustments—that is, clawback and slippage estimates—to produce small nominal surpluses across the forward estimates.

As is shown in the Treasury memo, the net result of this was to create a surplus of $2 million each year across the forward estimates.

Of course, the then treasurer did not fund a series of cost pressures facing the government, and I have referred to some of those of which I am well aware in relation to my own department, where there was a series of programs for which there was no forward provisioning in the funding beyond 30 June this year or, in some cases, at the end of the next financial year.

That was essentially how this government was able to achieve these nominal surpluses into the future, because instead of these programs continuing, as everyone had expected—and it was expected that many of these, such as fisheries compliances officers, would continue to be funded in future years to cover salary—some of these programs ran out. Without that funding in the forward estimates, they could not continue without the government either raising revenue or cutting other programs. That is why these nominal surpluses that the former government was able to produce with this financial manipulation were fictional.

It was the former treasurer's own actions that converted the $96 million surplus that he claimed into a $2 million surplus. In addition, there were a number of other cost pressures that had to be met by the incoming government which were unavoidable, and that is why the $2 million surplus that he had left turned into a $26 million deficit. There were hospital deficits of $11 million. If hospitals have spent the money during the year and people are turning up for services in the last few months of the financial year but hospitals are $11 million in debt, which I think was the figure at the time, of course that figure has to appear somewhere on the budget. There was also the lack of the Department of Human Services clawback, the DETE revised budget plan of $30 million and user choice apprenticeships of $12 million.

An honourable member: What was the deficit?

The Hon. P. HOLLOWAY: I think at that stage it was 11—it is probably significantly more now. I seek leave to have incorporated in *Hansard* two statistical tables, one showing the non-commercial sector result and the other indicating the general government net lending and borrowing per the mid year review and showing these additional cost pressures and how the $2 million nominal surplus the former treasurer claimed was really a $26 million underlying deficit at the time.

Leave granted.

Non commercial sector result
Table 1

	2001-02 $m	2002-03 $m	2003-04 $m	2004-05 $m
General government net lending/(borrowing) per mid year review	(2)	(2)	(2)	(2)
Revenue adjustments				
Taxation				
—Conveyances	(20)	12	1	1
—Other	(8)	-	(3)	(2)
Guaranteed minimum amount (GMA)(2)				
—Grants Commission relativities update	-	(16)	(25)	(7)
—other revisions	(4)	(6)	(5)	(6)
Cost pressures				
Human Services				
—Hospital deficits	11	11	11	11
—Inability to achieve clawback	3	8	8	-
—Disability Services	-	6	6	6
Education, Training and Employment				
—Teachers' enterprise bargain	-	19	42	72
—Wage parity enterprise bargain	-	2	5	9
—Revised budget recovery plan	30	12	18	18
—Increased school leaving age	-	8	8	8
—User choice	12	8	10	12
—Transport concessions	1	1	1	1
—Employment programs	-	1	1	1
Justice				
—SA Metropolitan Fire Service EB	-	1	2	3
Industry and Trade				
—Regional development boards	-	-	-	1
Transport, Urban Planning and the Arts				
—Bus fleet replacement program	-	-	-	20
Premier and Cabinet—Tourism	6	7	3	3
Other				
—Electricity cost impact across government	(3)	5	2	2
—Updated wage provisioning	-	1	1	2
	28	79	87	154
Underlying deficit/(surplus) at February 2002	26	77	85	152

(1) Figures in the table are rounded to the nearest $ million.
(2) Excludes changes to FHOS and GST administration costs since these have no net budget impact.

Table 2

	2001-02 $m	2002-03 $m	2003-04 $m	2004-05 $m
General government net lending/(borrowing) per mid year review	(298)	(133)	(158)	(84)
Revenue adjustments				
Taxation				
—Conveyances	20	(12)	(1)	(1)
—Other	8	-	3	2
Guaranteed minimum amount (GMA)[(2)]				
—Grants Commission relativities update	-	16	25	7
—other revisions	4	6	5	6
Cost pressures				
Human Services				
—Hospital deficits	(11)	(11)	(11)	(11)
—Inability to achieve clawback	(3)	(8)	(8)	-
—Disability Services	-	(6)	(6)	(6)
Education, Training and Employment				
—Teachers' enterprise bargain	-	(19)	(42)	(72)
—Wage parity enterprise bargain	-	(2)	(5)	(9)
—Revised budget recovery plan	(30)	(12)	(18)	(18)
—Increased school leaving age	-	(8)	(8)	(8)
—User choice	(12)	(8)	(10)	(12)
—Transport concessions	(1)	(1)	(1)	(1)
—Employment programs	-	(1)	(1)	(1)
Justice				
—SA Metropolitan Fire Service EB	-	(1)	(2)	(3)
Industry and Trade				
—Regional development boards	-	-	-	(1)
Transport, Urban Planning and the Arts				
—Bus fleet replacement program	-	-	-	(20)
Premier and Cabinet—Tourism	(6)	(7)	(3)	(3)
Other				(2)
—Electricity cost impact across government	3	(5)	(2)	(2)
—Updated wage provisioning	-	(1)	(1)	-
—ETVSP supplementation	(66)	-	-	
	(94)	(79)	(87)	(154)
General government net lending as at February 2002	(392)	(212)	(245)	(238)

(1) Figures in the table are rounded to the nearest $ million.
(2) Excludes changes to FHOS and GST administration costs since these have no net budget impact.

The Hon. P. HOLLOWAY: The tables show the cost pressures at the time, when the new government had only just come into office—I think the figures were released on 14 March. A lot more work has been done on the figures and new information has come to light. The date of the government's mid year budget review was February. If one looks at it, there were revenue adjustments and increases of $20 million in conveyancing and other income. There was also a $4 million upward revision under the heading 'Other revisions'. Against that there was a hospital deficit of $11 million across the forward estimates; $3 million inability to achieve claw back in human services; $30 million for the revised budget recovery plan for this year; $12 million for user choice, which related to changes made in the TAFE sector; transport concessions unfunded, $1 million; premier and cabinet, tourism and others, $6 million; and electricity cost impacts against government was a $3 million surplus. That adds up to a $28 million net increase in the deficit for this year, resulting in the underlying surplus of $26 million. The figures are also shown for the years 2002 and 2003 and the following two out years.

The tables fully explain the true financial position facing this government. It certainly was not a $96 million surplus, as the former treasurer would like to have us believe. He himself ensured that that was not the case with the actions he took, as outlined in the budget paper he tabled, even though such budget papers are not supposed to be removed from government records. Somehow or other this one turned up in here.

The Hon. R.I. Lucas: A leak.

The Hon. P. HOLLOWAY: A leak. It is amazing that someone can leak you your own document! We will not pursue that any further as we can make our own conclusions. I will not continue my remarks other than to say that the financial position—

The Hon. R.I. Lucas: Are you supporting the motion?

The Hon. P. HOLLOWAY: The government is noting the mid year budget review and noting the budget update presented by the current government. We are noting them and I believe we are giving the true and correct interpretation of those figures. I scarcely see how we could oppose noting government figures. What is important is the interpretation placed on the understanding of those figures. They clearly illustrate that there was a substantial black hole in the budget figures of this state left by the previous government.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

GENE TECHNOLOGY (TEMPORARY PROHIBITION) BILL

The Hon. IAN GILFILLAN: Mr President, I seek leave to introduce my bill in an amended form.

Leave granted.

The Hon. IAN GILFILLAN obtained leave and introduced a bill for an act to provide for the preservation of the state as an area free from certain genetically modified organisms in order to preserve the identity of non-GM crops for marketing purposes. Read a first time.

The Hon. IAN GILFILLAN: I move:

That this bill be now read a second time.

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

Leave granted.

Explanation of Clauses

The Provisions of the Bill are as follows:

Clause 1: Short title

This clause is formal.

Clause 2: Commencement

The measure will come into operation one month after assent. This will allow time to give notice as to the commencement of the measure, and to prepare any regulations under clause 4(3)*(f)* (if necessary or appropriate).

Clause 3: Interpretation

This clause sets out defined terms.

Clause 4: Designation of State as being free of GM plant material

It is proposed that the whole of the State be designated as a place where a person must not deal with genetically modified plant material. This measure is to be undertaken on the basis of a decision by the Parliament that there should be a broad prohibition on dealings with genetically modified plant material in order to preserve the identity of non-GM crops within the State for marketing purposes. This approach is intended to provide consistency with any policy principle issued by the Ministerial Council under the *Gene Technology Act 2001*. Accordingly, it will be a law of the State that despite any provision made by any other Act or law (including the *Gene Technology Act 2001*), certain dealings with genetically modified plant material will be prohibited. Subclause (3) sets out some exceptions to the general prohibition (subject to the operation of subclauses (4) to (7)).

Clause 5: Contravention of Act

It will be an offence to act in contravention of the prohibition that applies under clause 4(2).

Clause 6: Sunset provision

The measure will operate for five years, unless this period is extended by the Governor for a further period of two years.

Clause 7: Regulations

The Governor will be empowered to make regulations for the purposes of the measure.

I refer to clause 4 of the bill, as follows:

Clause 4—designation of state as being free of GM plant material.

It is proposed that the whole of the state be designated as a place where a person must not deal with genetically modified plant material. This measure is to be undertaken on the basis of a decision by the parliament that there should be a broad prohibition on dealings with genetically modified plant material in order to preserve the identity of non-GM crops within the state for marketing purposes. This approach is intended to provide consistency with any policy principle issued by the ministerial council under the Gene Technology Act 2001. Accordingly, it will be a law of the state that, despite any provision made by any other act or law, including the Gene Technology Act 2001, certain dealings with genetically modified plant material will be prohibited.

Subclause (3) sets out some exceptions to the general prohibition, subject to the operation of subclauses (4) to (7).

The Hon. IAN GILFILLAN: In beginning my contribution to the second reading debate, I ought to indicate the major inspiration that I have for putting the energy into this particular bill and, in essence, it is three words—if I am not being too facetious—and they are 'marketing', 'marketing' and 'marketing'. It is becoming more and more apparent that the international markets particularly are becoming very sensitive to any risk of genetically modified foodstuffs or contamination by genetically modified crops coming into their markets. I have had discussions with the Australian Barley Board, which has indicated to me that for any sales of barley to Japan and Saudi Arabia it has to sign affidavits guaranteeing freedom from genetically modified material to make the sale.

I have had clear indication from the Tuna Boat Owners Association in Port Lincoln that its Japanese purchasers of the tuna for sushi have made it plain that, if there is any suspicion that there is genetically modified material in the pellets which are used to feed the tuna, the trade will terminate. I refer to an earlier example in 2000 in which a property owned by Mr Nic Kentish had been used as an Aventis test plot. The plot had not been thoroughly cleaned up and Mr Kentish had not been informed that it was a crop of genetically modified canola—

The PRESIDENT: Order! There is too much audible conversation. I am trying to listen to the Hon. Mr Gilfillan's contribution.

The Hon. IAN GILFILLAN: The publicity from Mr Kentish indicating that he was concerned, firstly, that he had not been informed and, secondly, that the material had not been properly handled, did go overseas. I refer to a facsimile dated 27 March 2000 from Skye Badger, Executive Officer, Livestock, South Australian Farmers Federation to Nic Kentish. The facsimile states:

G'day Nic,

You've been busy with the media over the last couple of days!

Nic, I've just had a call from Geoff Teys from Teys Bros regarding some of the comments you've made about GMOs (attached is a transcript which was posted on the ABC rural news web site).

Geoff rang to tell me that your comments from the ABC web site transcript of your radio interview have been picked up by newspapers in Tokyo. Teys Bros has been contacted by their Japanese customers concerned with 'contaminated' South Australian meat products. The buyers are concerned that South Australian product is GMO contaminated and have intimated they will not buy it from Teys Naracoorte unless some guarantees are put in place.

I've been in contact with MLA Corporate Affairs and they will manage issues which may arise with South Australian trade into Japan. MLA Corporate Affairs can be contacted—

and he lists the number—

if you need to speak with them.

Regards, Skye.

It is clear from indications I have had that the South Australian Dairy Association and the South Australian Apple and Pear Association do not want genetically modified crops. They are very conscious that their markets, internationally particularly, could be detrimentally affected even by the rumour that there is a possibility of GMO contamination.

The Hon. T.G. Roberts: The pears might turn into trees!

The Hon. IAN GILFILLAN: They may, yes. There could be a good market for it but not at the moment. I must also conclude by referring to correspondence from the Pulse Association of Australia. It is strongly opposed to the release of GMO crops. I refer to at least part of its reply to my contact, which states:

Dear Ian

Following our phone conversation today:

Pulse Australia is a non-profit peak industry body which represents all sectors of the Pulse Industry in Australia from growers and agronomists through to researchers, merchants, traders and exporters.

Pulses are agricultural product—peas, beans and similar field crops. The letter continues:

Amongst its many services, Pulse Australia provides agronomic (field advice) to growers, and market support including negotiating on behalf of industry with both Australian and foreign governments.

The most recent estimate of the farm gate value of the Australian Pulse Industry, taking into account the benefits that accrue to succeeding cereal crops, is around $1 billion annually and growing.

The present official Pulse Australia policy in relation to release of GMO varieties is as follows:

'Pulse Australia is opposed to commercial release of GMO crops until our customers and industry are completely comfortable with the technology'.

It goes on to indicate the necessity for research—with which I agree—and further states:

The policy was developed after extensive consultation with all sectors of industry at national and state "whole of industry" forums have been held regularly throughout the last three years in conjunction with the various state pulse groups. It was re-affirmed unanimously at the most recent forum in June 2002, held in Esperance WA and attended by members of Pulse WA, the Pulse Association of the South East and others.

I will not read the rest into *Hansard*, but the main point is that the Pulse Association of Australia very strongly opposes the introduction of GMOs.

I was concerned, because the issue had been raised elsewhere that crops would not be insured in a situation of GM crops and non-GM crops and, for some light to be thrown on that, I wrote to the Insurance Council of Australia. I received the following reply dated 28 June 2002 from Michael Phillips, Project Manager. The letter states:

Dear Mr Gilfillan

Insurance Relating to Genetically Modified Crops

Thank you for your letter of 21 June to Mr Alan Mason, Executive Director of the Insurance Council of Australia (ICA) and your inquiry regarding the ICA and the insurance industry's position concerning the perceived problems involved with genetically modified crops.

The ICA is the representative body of the general insurance industry in Australia. ICA membership accounts for over 90 per cent of the total premium income written in the private sector.

I will leave out a paragraph in which they describe their financial wealth. The letter further states:

The ICA has followed closely the information published on the subject of genetically modified crops and has made a submission to the Senate Community Affairs Reference Committee on the subject of the Gene Technology Bill (2001). That submission stated, in part, that the views of its members on the topic of genetically modified crops varied and that far more research was needed before a clear risk profile would emerge.

Due to the lack of any firm statistical or scientific data on the topic, general insurers are reluctant to offer contracts that contemplate an incalculable risk. Any problems associated with genetically modified crops may not manifest themselves for some time, as can be the case, for example, with some pharmaceuticals. Therefore, these risks will inevitably be approached with extreme caution.

Any risks associated with genetic engineering are considered extremely diversified and virtually impossible to quantify and thus to insure. However, the insurance industry is open to dialogue with all interested parties, given that there will be an open and honest exchange of risk related information.

It is a cause for serious alarm that—with this opinion expressed by the ICA—if we do introduce GM crops prematurely into South Australia, we do not have the opportunity for either the GM or non-GM crop growers to take out insurance policies to cover the risks which could very likely emerge from those situations.

I will refer in a little more detail later to this issue, but those of us who have heard about Percy Schmeiser's situation in Canada and heard that in Canada they are claiming that the likelihood of contamination is very high in adjacent properties, I feel it would be foolhardy, if for no other reason—and there are many more—than that there is no way of insuring farmers for the risk they take.

The risks are not only for the farmers growing open agricultural land crops—or potentially growing crops—it is also with test plots. I was grateful to the *Advertiser*—and I am not sure how it got its information at this stage—but on 9 July 2001, on page 5 it had a heading, 'Secret locations of 130 GM test crops revealed. It outlined the locations—certainly of most of them—and identified them as canola, barley, wheat and field pea. If this is the case, the fact that we do not know where the crops are actually exacerbates the risk to international markets that there can be the potential for contamination from these trial plots and in different crops, not just canola.

That is why my bill seeks to prevent any open location field trial of any genetically modified crop for a five-year period. I must say again that this does not prevent properly controlled research being conducted, such as that underway at the Waite Institute, and at other similar facilities in South Australia, where there is total security. The facilities at Waite are world class. I had the chance to be shown over the research there over the last couple of weeks and it shows that they are leaders. They are at the cutting edge of world technology and it is eminently appropriate that research be conducted there. However, I would prefer that it was funded by disinterested and objective funding, rather than on funds that may have been secured from any of the agribusinesses which are involved in promoting GM crops.

Monsanto has, I gather, already started to write to grain growers. I have not seen a copy of the letter but ABC Rural Online on 12 July this year had the headline 'Monsanto rounds up rural support', with the following story:

Monsanto is trying to garner support from grain growers for its application to commercially release genetically modified canola. The multinational crop science company has sent letters to about a thousand growers in New South Wales, Victoria and South Australia. The letter encourages growers to support further trials of GM canola as well as the company's application to commercially release the crop. Riverina farmer, Jim Morgan, says Monsanto has also enclosed a submission for growers to sign and post to the Office of the Gene Technology Regulator.

'It is more or less a letter so that they will get numbers to support their proposal with absolutely no data or anything like that accompanying letter that we can be better informed or make an informed decision on it.'

I have not seen the contents of the letter but, in my view, the pros and cons of the debate on whether we should have GM crops should be detached from well-resourced and clearly biased intervention by a major company that aims to introduce the product in this way. Monsanto is entitled to have its view and put its case, but I feel it is inappropriate and it makes me even more suspicious that it sees fit to make direct approach to grain farmers and try to persuade them or lobby them to take on a favourable view.

As I said to start with, marketing, marketing, marketing are the three words which I think are the most significant to the position that we must take in South Australia at this stage. Firstly, because it is the lever within the federal legislation that gives us the opportunity to declare South Australia GM free but, secondly, the world markets instead of becoming more accepting of genetically modified product are becoming

more hostile. I have here part of an article from the *Guardian Weekly* of 11 July, with the headline 'EU takes tough line on GM food labelling.' The article, by Andrew Osborn in Strasbourg and John Vidal, states:

> United States efforts to break down European resistance to genetically modified food products suffered a setback last week after the European parliament voted for the toughest GM labelling and traceability rules in the world.

It is a pretty sophisticated market, the EU, and a very sizeable one. To carry on with the article:

> In a vote that drew massive lobbying from US biotechnology companies and consumer groups the Assembly, which has real power to shape future legislation, took heed of consumer concerns and decided that all derivatives of GM food in animal feed products sold in the European Union should be subject to labelling. It also tightened the current one per cent threshold for genetically modified organisms in food, reducing it to 0.5 per cent. Effectively, this means that tens of thousands of products such as crisps, soft drinks, breads, cakes, chocolates, sweets could now be labelled GM.
>
> Consumer groups estimate that at least 30 000 food products contain derivatives of GM maize or soya. . . This vote will also infuriate US firms such as Monsanto which believe that labelling GM food will stigmatise their products and confuse the consumer. US industry bodies believe the new labelling laws, if passed, could affect a $4 billion a year trade.

That tells its story. It tells the story that consumers, far from bending to accepting genetically modified foodstuffs or contamination with GM product, are stiffening their resolve to resist it, and certainly to know exactly what it is that they have the choice to buy. As marketers of a product on an international market we are foolish not to take very seriously the barometer of consumer preference.

In Canada there has been some serious concerns about the intrusion of genetically modified canola particularly. I have a media release from 26 June this year from Saskatoon, Saskatchewan, which begins:

> Organic farmers gain key piece of evidence in class action—Agriculture and Agri-Food Canada publicly released a study today on the Isolation Effectiveness in Canola Seed Production. The study discloses that growers producing certified canola seed for the conventional canola market cannot prevent genetic contamination of their seed by Monsanto's Roundup Ready Canola and Aventis's Liberty Link genetically modified (GM) canolas. The contamination was so severe that the research scientists who did the study recommended that four varieties of canola seed sold in the conventional canola market be withdrawn, or breeder and foundation seed sources of varieties be cleaned up.
>
> In 2000-2001 Agriculture and Agri-Food Canada undertook a study for the Canadian Seed Growers Association to look at whether the isolation distances used by certified seed growers were effective in preventing genetic contamination by Roundup Ready and Liberty Link GM canola varieties. It took months of pressure on behalf of the Saskatchewan Certified Organic Farmers engaged in a class action law suit against Monsanto and Aventis to obtain a copy of this important publicly-funded study.
>
> Results show that even with a strict isolation distance and inspection standards required by certified seed growers contamination occurs. In the case of one very experienced grower mentioned in the study the contamination level was as high a 7.2 per cent. This unusually high level of contamination led the researchers to conclude that the Foundation seed itself was highly contaminated.
>
> Seventeen of the 70 samples tested showed contamination that exceeded the purity required for certified seed (99.75 per cent), and 30 of the 70 samples exceeded the purity required for Foundation seed (99.95 per cent). Only two of the 70 samples would be considered acceptable seed for organic production. The study concluded that, '. . . the present isolation distance of a 100 metres provides adequate but not complete protection from foreign pollen.' And further that the '. . . large number of canola seeds normally planted per acre plus the high probability that a small percentage of herbicide-tolerant seeds will be present in most certified seed-lots has resulted and will continue to result in significant herbicide-tolerant plant populations in most commercial canola fields.

This may sound like somewhat tedious stuff to share with honourable members, but it is important that we do learn from the Canadian experience before we are confronted with the same problems here. I think it is somewhat significant that Agriculture and Agri-Food Canada and the Certified Canadian Seed Growers Association initially refused to release the study. They are very nervous—and were, of course, very nervous—of the effect of this study becoming public knowledge.

In the field of avenues of research, it is interesting that an article by Kendall Jackson was broadcast on the *Country Hour* on ABC Radio on 9 July. It states:

> CRC says no such thing as 'super weeds'.
>
> Cross hybridisation, herbicide resistance, buffer zones, the list can go on when talking about genetically modified crops but one of the things that farmers seem to fear most is the introduction of 'super weeds'. It's something which is often mentioned when the GM debate raises its head. So should farmers be concerned about 'super weeds' which really are just herbicide resistant weeds? Apparently our farmers shouldn't fear 'super weeds', according to Dr Chris Preston from the CRC for Weed Management. He's just completed a study which has found a couple of interesting points.

Bear in mind that he is getting publicity on the basis that he is hosing down the fear of super weeds, so one can assume that he is not totally antagonistic towards genetically modified crops. His study states:

> Firstly, canola pollen can travel up to 3 kilometres away and still be active and secondly, farmers shouldn't fear 'super weeds'.

He may have a point, but far more significant for me is that this independent scientist, who has no barrow to push in opposing GMs, says that the pollen can travel for 3 kilometres and still be active in cross-pollinating and, therefore, contaminate non-GM crops. It continues:

> He believes even the term—

that is, 'super weeds'—

> is used inappropriately and hopes farmers aren't turned against gene technology because of the fear of herbicide resistant weeds. He says herbicide resistant weeds can become a problem with or without the help from gene technology.

My comment is that they are still going to be a pest whether they come with gene or non-gene technology.

The Hon. T.G. Roberts: Here come the triffids!

The Hon. IAN GILFILLAN: Yes. Dr Chris Preston further says:

> I would define it very differently with the people from the GM debate. Their definition is if they've got a weed that's picked up a resistance to a crop then that's suddenly a 'super weed'. But, in fact, if you really want to think about it properly, weeds are evolving resistance all the time.

So he has indicated that, in his view, resistant weeds will evolve and, even more significantly, canola pollen can travel 3 kilometres and still be effective.

In the same vein, the European Environment Agency released its GMO report on 26 March this year in Copenhagen, Denmark which states:

> The European Environment Agency. . . released a review of genetically modified. . . crops, including recent and current research, to assess the potential environmental impacts of biotechnology. *Genetically modified organisms. . . : the significance of gene flow through pollen transfer*, was published as part of EEA's Experts' corner series on March 21. [It] is intended to provide information to help identify, frame, implement and evaluate policies, legislation and other measures on the environment within the European Union.

I will quote some of the comments in this article, as follows:

> Based on research determining the different rates of self-pollination and outcrossing for the six crops, EEA. . . rated each crop

on its potential risk for cross-pollination between crops and from crop to wild relative. Oil seed rape—

that is, canola—

was rated as a high risk crop for crop to crop gene flow and from crop to wild relative.

That is a significant finding and one which adds more substance to our concerns as agricultural producers in South Australia that we have certainly not had enough research in South Australia which would in any way allay the fears that are identified in that report.

I do not intend to continue further with my argument that we must consider the marketing context of introducing GM crops into South Australia: I hope that I have established a reasonable basis to look at that. Also, the research shows that the jury is certainly still out, at least, and that we have serious concerns that there may be unforeseen consequences still to be shown up in further experience and further research into genetically modified crops.

I turn briefly to Mr Percy Schmeiser, who was sued by Monsanto and found guilty of misuse, allegedly, of Monsanto seed and had a judgment given against him which he has appealed. I am not going to deal with the details of that judgment at this stage: I know that my colleague the Hon. Nick Xenophon has a copy of the judgment, and there are some quite interesting remarks in it. One thing which I think honourable members would be interested to know is that Percy Schmeiser would have been guilty of the same offence with the same penalty regardless of how the GM intruders got into the property and into his crops. It does not matter: the fact is that it is an offence against the patent laws—in our interpretation, plant variety rights—and it does not have to be shown that you have deliberately taken or even allowed it to occur by omission to act, such as in the case of someone who may have thought that he had pollen contamination or some seed had blown onto the property.

The judge declared that the Canadian law made the grower of the crop liable provided it had been established that there were plants growing on that property which showed contamination, cross-pollination or pure seed from the GM crop. Added to that, the consequence of that taking place is that the whole of the crop of that farmer, whether or not it is contaminated, on all properties owned by that farmer become the property of, in this case, the Monsanto company.

I am going to read the text of some of the conditions that Monsanto asks for so that honourable members will know the sort of contracts which our farmers will be asked to sign. Monsanto has publicly stated that it intends to introduce the same regime for growers in Australia as they have in Canada. They make this point: why should they go to the expense of developing this supposedly super-performing seed and not be able to recoup their costs because there is distribution of it without Monsanto getting a substantial financial reward every time it is used?

I believe that the Percy Schmeiser case will get more publicity. I think it is unfortunate that those who are so gung-ho in favour of GM have spent so much time trying to denigrate Percy Schmeiser that it is now a reflection, in my view, on the integrity of those who really do want to present facts to us so that we can make objective judgments as to whether the arrangements with Monsanto are reasonable in the first instance; secondly, whether we want to follow the Canadian legislative procedures and allow an agri-business such as Monsanto to establish this regime in Australia; and, thirdly, of course, whether we believe that the GM crops are safe environmentally and economically to introduce.

I will read from the Technology Use Agreement Terms and Conditions for Roundup Ready canola as required by Monsanto, as follows:

1. The grower shall use any purchased Roundup Ready seed for planting one and only one crop for resale for consumption. The grower agrees not to save seed produced from Roundup Ready canola seed for the purpose of replanting nor to sell, give, transfer or otherwise convey any such seed for the purpose of replanting. The grower also agrees not to harvest any volunteer Roundup Ready canola crops.

2. The Grower shall purchase and use only Roundup branded herbicide—

I interrupt to indicate that this is the deal that the agri-businesses insist on. You lock yourself into not only the seed but the chemicals that they make and no other chemical. If you use another chemical you are in breach of the agreement, with huge penalties. It continues:

—labelled for use on all Roundup Ready canola seed purchased. The grower shall purchase both the Roundup branded herbicide and the Technology Use Agreement as a package from his retailer of choice.

That is generous! It continues:

The Seed Purchase Fee shall be non-refundable after the date of reconciliation of actual acres planted as set forth in the Monsanto Roundup Ready canola service policy. Monsanto warrants the tolerance of plants from Roundup Ready canola seed to Roundup herbicide when used at specified label rates and as per label instruction. The Grower grants Monsanto the right to inspect, take samples and test all of the Grower's owned and/or leased fields planted with canola, or any other land farmed by the Grower, and to monitor the Grower's canola fields and storage bins for the following three years for compliance with the terms of this Agreement. All such inspections shall be performed at a reasonable time, and if possible, in the presence of the Grower. The Grower also agrees to supply upon request the location of all fields planted with canola in the following three years. The Grower has or shall obtain all permissions required for Monsanto to exercise this right to inspect, take examples and test.

If the Grower violates any of the Terms and Conditions of this Agreement, the Grower shall forfeit any right to obtain any Agreement in the future and this Agreement may, at Monsanto's option, be terminated immediately. In the event of any use of Roundup Ready canola seed which is not specifically authorised in this Agreement, the Grower agrees that Monsanto will incur a substantial risk of losing control of Roundup Ready canola seed and that it may not be possible to accurately determine the amount of Monsanto's damages. The Grower therefore agrees:

a. to pay Monsanto $15 per acre for every acre planted with Roundup Ready canola seed not covered by this Agreement; and

b. to deliver to Monsanto or its designated agent, at the Grower's expense, all seed containing the Roundup Ready gene that results from the unauthorised use of Roundup Ready canola; or at Monsanto's option, the Grower shall destroy all crop containing the Roundup Ready gene resulting from the unauthorised use of Roundup Ready canola; and

c. if the Grower sells, gives, transfers or otherwise conveys any seed containing the Roundup Ready gene contrary to the Terms and Conditions of this Agreement, the Grower shall pay to Monsanto a sum equal to $15 for each acre capable of being planted using the seed that was sold, given, transferred or otherwise conveyed, or a sum equal to the amount received by the Grower for the seed that was sold, given, transferred or otherwise conveyed, whichever is the greater; and

d. to pay Monsanto all costs incurred by it as a result of the Grower breaking any of the terms and conditions of this Agreement, including all legal fees and disbursements incurred by Monsanto on a solicitor and client basis.

The Terms and Conditions of this Agreement are personal to the Grower and shall be binding and have full force and effect on the heirs, personal representatives, successors and permitted assigns of the Grower, but the Grower's rights hereunder shall not otherwise

be transferable or assignable without the express written consent of Monsanto.

All Terms, Conditions and provisions of this Agreement are severable, and any Term, Condition or provision or application thereof which may be prohibited or unenforceable by law shall be ineffective to the extent of such prohibition or enforceability without affecting the remainder of this Agreement or any other application of such Term, Condition or provision. The use of the title 'Technology Use Agreement' is for convenience of reference only and shall not affect or be utilised in the construction or interpretation of this Agreement.

In small type the agreement concludes:

Only Roundup Transorb and Roundup Original herbicides are registered for use on Roundup Ready canola. Please read and follow label directions for all Roundup branded herbicides prior to use. Roundup, Roundup Ready, Roundup Original and Roundup Transorb are trademarks of Monsanto Company Monsanto Canada.

I read the full text, because I do not want to be exposed to criticism for either misrepresenting or short reporting on that document. I am sorry if it was a little tedious for the members. Monsanto wants to enlist the help of its own secret force. I am advised that it has people who are its police force, most of them former serving police officers, who actively patrol the areas. This document stating, 'Roundup Ready canola: the future is ready' and 'Are you ready for all this?' is put out by Monsanto, and most of it is promotional material for successful results from Roundup Ready canola. The point that I find particularly interesting is that at the bottom it says—quite innocently, of course:

For more information on Roundup Ready canola, call the Monsanto help line.

That is fair enough. It continues:

To report any technology violations please call—

and another telephone number is listed. It goes on to state:

Callers can choose to remain anonymous if desired.

What Monsanto wants to do is to encourage people to dob in and to do so supposedly without any fear of recrimination.

The Hon. J.F. Stefani: Secret police.

The Hon. IAN GILFILLAN: 'Secret police' are exactly the words I was using. This is a letter that went to a farmer whom the secret police had cause to investigate. I will not name the addressee of the letter—I do not believe that is appropriate—but I will read the full text of the letter from Monsanto Inc., 2233 Argentia Road, 4th Floor, Mississauga, Ontario, dated 12 November 1999 and sent by registered mail:

As you know on July 22, 1998, Monsanto with the assistance of Robinson Investigation Ltd conducted an investigation (Investigation) to determine whether you had improperly planted Roundup Ready canola in 1998 without being licensed from Monsanto Canada Inc. A copy of our standard 1998 License Agreement (TUA) is attached for your review. We have completed our Investigation and have very good evidence to believe that Roundup Ready canola was planted on approximately 250 acres of land identified as—

and it gives the coordinates—

in violation of Monsanto's proprietary rights. The planting of Roundup Ready canola without a license is a serious violation of Monsanto's proprietary rights. Prior to making any final decision as to what steps we will be taking, and in an attempt to resolve this issue in a timely and economical manner, we are prepared to refrain from commencing any legal proceedings against you subject to the following:

1. You forthwith pay to Monsanto the following sum: . . . $28 750.
2. You acknowledge Monsanto has the right to take samples from all of your owned or leased land and storage bins for three years from the date of this letter.
3. You agree not to disclose the specific Terms and Conditions of this Settlement Agreement to any third party.
4. You agree that Monsanto shall at its sole discretion have the right to disclose the facts and settlement terms associated with the Investigation in this Settlement Agreement. Acceptance of this offer will be acknowledged by forwarding to Monsanto a certified cheque for $28 750 and a duplicate signed copy of this letter by December 14, 1998.

This letter was originally dated 12 November, so there was a little over a month in which this letter had to receive a response. So, you see that they mean business. They mean to take control of the growers and their potential for either inadvertent or occasionally advertent use of their seed.

So, in conclusion to my second reading contribution, I do not feel attracted to deal with the large agri-businesses; I believe they are in it totally for their own interests. I admire some of their research work, but I cannot trust their statements as to the safety and profitability of their product. Profitability for the farmer is still a huge question even in the claims they make of improved quality and yield. I think we have scientific academics who are so excited and intoxicated about their work that they are distorted in the way they are assessing the impact of GM crops in South Australia and unfortunately they become great advocates of agri-business in promoting genetically modified canola.

I repeat what has been said previously: you can never go back. If we spread genetically modified crops around the state, the opportunity for us to return to a world reputation as being a clean, green genetically modified-free area is lost forever. I believe it is a very irresponsible step for us to take in the near future, because Monsanto is pushing to have these GM crops planted within the next 12 months. Surely we can wait. Surely the precautionary principle, commonsense and prudent business practices suggest that we wait for five years, then review. I urge the council to support the bill.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

MURRAY RIVER

The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation): I lay on the table a copy of the ministerial statement relating to the importance of the Murray River for all South Australians made earlier today in another place by my colleague the Minister for Environment and Conservation.

FISHERIES (CONTRAVENTION OF CORRESPONDING LAWS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 15 July. Page 492.)

The Hon. IAN GILFILLAN: The Democrats support the bill, and I note that it is the same bill that was introduced by the previous government—a bit of plagiarism here. It is a simple bill, however. As the minister said, it contains an important amendment. It is a reciprocal enforcement measure to ensure that authorities can effectively detect and investigate the contravention of Victorian fisheries laws by Victorian licence holders living in South Australia. This arrangement is already in effect for South Australian licence holders living in Victoria, as it is in many other jurisdictions.

I thank the minister for the offer of a briefing. However, I felt that the issue was straightforward enough to decline. Had I realised that it would be as entertaining as the Hon. Caroline Schaefer indicated in her second reading speech, I

might have chosen otherwise. I was prompted to read *Hansard* and realised what fun Caroline had. Still, we cannot all be winners, and I indicate that we will support this uncontroversial measure.

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

NATIONAL WINE CENTRE (RESTRUCTURING AND LEASING ARRANGEMENTS) BILL

Adjourned debate on second reading.

(Continued from 15 July. Page 494.)

The Hon. IAN GILFILLAN: The Democrats oppose the second reading of this bill. I have personal abhorrence of the fact that the building was ever put on the parklands, but I am not letting that interfere with my judgment of it as an enterprise in other capacities. I realise that it is there already but it is comforting, at least to me, to know that Philip White in the *Advertiser* and on the ABC was strongly critical of the fact that the building was built in that location. I do not want to labour that point unduly, but in many ways it is cruel justice that the people of South Australia are going to have to pay through the nose for a rather treacherous denial of earlier promises by both Labor and Liberal that that area would be returned to parklands.

The reason that we are opposing the bill in its entirety is that there is absolutely no conceivable reason why the wine industry of Australia, by its own confession one of our most prosperous and eminent industries, should get charity or handout from the taxpayers of South Australia by way of a total facility for the conduct of its business. I do not accept that it should even have had the offer of it. However, having had the offer, the negotiation finishes up virtually with the wine industry paying no rent for the facility. Why should it not be required to pay at least an equivalent CBD rent? How can it claim poverty as some form of justification for getting anything less than the rates it would have to pay if it had to establish the same facility in the open market in the central business district?

Injury is added to insult when we look at specifically what has been offered in this undertaking. In responding to the question, 'Will the Deputy Premier inform the house of developments in the operation of the National Wine Centre?', the Treasurer, Mr Kevin Foley, stated:

> The government is providing a contribution towards transitional funding. We will retain responsibility for major structural and mechanical maintenance. The Winemakers Federation entity is responsible for all other outgoings. The government will allocate $250 000 per year to cover major structural and mechanical maintenance of the centre. We will allocate working capital support to the Winemakers Federation entity in the form of a grant of $500 000 in the year 2002-03 and an interest free loan of $250 000 in the year 2003-04.
>
> We will approve the transfer of funds available as surplus to the Botanic, Wine and Rose Development capital budget of up to $270 000 in the year 2002-03.

Why the roses come into this, I do not know. I find it very hard to keep a rational blood pressure when I see this arrangement and what a botch-up the previous government imposed on that area, placidly condoned by the opposition at the time. It is a pity that we did not have a bit of backbone and forced a rational, sensible approach to the whole area.

We are dealing with the amendments to the National Wine Centre Act to enable all this but, as to the maintenance that we are supposedly now going to be responsible for, we are a very generous landlord to the wine industry. Anyone who has read the current *City Messenger* will realise that we may well be up for pretty substantial invoices. In Ray Light's 'The Fickle Finger' column, the last item, which is entitled 'Maintaining the vigil', reads:

> When it handed over the National Wine Centre to the wine industry to run for $1 a year, the state government agreed to keep looking after maintenance. Well, there is already a repair job waiting on a chunk of the North Terrace facing roof. Also, we taxpayers would be hoping that those cracks in the centre's rammed earth wall don't get much worse.

There are photographs of it in case anyone doubts it. It has started; the expenditure is on already.

I must be gracious, though, and indicate that at least the modicum of land that is returned to the Botanic Garden and Herbarium from the original centre land is a small, but very small, glimpse of some good news in this legislation, but it is certainly not enough to persuade us to support it. The tragedy is this: as a community in South Australia, we would be no worse off if we kicked the wine industry out of that building, because it had perfectly adequate headquarters up at the Grange area. There has been a multitude of ideal circumstances where any industry could have set up its headquarters, but they do not have to be established in the parklands.

I recall that, when the Australian Equestrian Association was looking to establish its headquarters at Victoria Park, representing the Adelaide Parklands Preservation Association I had a word with its national President indicating that we were opposed to the establishment of any industry or association headquarters on the parklands. That was also the policy of the Adelaide City Council, strongly enforced as far as the Netball Association was concerned. To its credit, and I happily put this on the record, the Australian Equestrian Association said, 'We accept your point. We will decline the offer. We will not accept the offer to have our headquarters there.' If the wine industry had any respect for the parklands and was prepared to pay the effort for its own barrow, it should set itself up somewhere else. That facility is not going to cost us any more if it is vacant.

On the other hand, on North Terrace we now have three of the most exciting entrepreneurs in public enterprise—Professor Tim Flannery at the Museum, Ron Radford (head of the Art Gallery), and Stephen Forbes (the dynamic new head of the Botanic Gardens). They could provide a series of events and uses of that space that the public could enjoy without having to pay $11 or whatever, depending on whether you go upstairs or downstairs. I have not been inside the wine centre—in fact, I do not intend to go inside—so my information is second-hand. We would have been no worse off had we said, 'No deal: leave it. It now becomes a public asset to be used for a variety of public activities that could be offered with the sort of inspiration we could get from the sort of people I have just mentioned.'

I believe it is a seriously detrimental step we are locked into for the next 25 years, for heaven's sake—and that is sad. I have expressed the opinion of the Democrats, and we intend to oppose the measure at the second reading.

The Hon. A.L. EVANS: I rise to support this bill only because there seem to be very few other options available. It is a sad thing for this state that something so magnificently designed and constructed as the National Wine Centre has ended up being a thorn in the side of our state from a financial perspective. I do not want to go into too much detail

as to why the Wine Centre is not financially viable, however, I understand the report into its long-term viability raised some serious reservations. These reservations were made well before 11 September and the Ansett collapse. Hopefully, we can learn from our mistakes and not repeat them.

We have been left with a centre that is costing taxpayers' money hand over fist. It was an obvious liability to this state, and something needed to be done. I commend the government for negotiating the lease terms, given the position it was in. There is no doubt that the lease terms are extremely favourable to the wine industry: none of us would dispute that. The wine industry is exempt from paying stamp duty on the lease which if determined on market value would be substantial. The state will be contributing a one-off grant of $500 000 plus a loan of $250 000.

[Sitting suspended from 5.53 to 7.45 p.m.]

The Hon. T.G. CAMERON: This bill formalises the agreement between the government and the Winemakers Federation. The National Wine Centre was established under the National Wine Centre Act 1997 with agreements and understandings between the government and the Winemakers Federation Australia regarding the proposed arrangements for the facility. The National Wine Centre has had a chequered career and has hardly been a financial success. The government is now proposing that the industry should operate and manage the facility. The members of the National Wine Centre Board tendered their resignation on 3 July, and this bill is necessary to allow the lease to go ahead, because the current act does not provide for such a transfer.

This bill will repeal the National Wine Centre Act. The body corporate of the National Wine Centre is to be dissolved and its assets and liabilities are to be vested in the minister. The bill spells out the purposes of the use of the centre's land—that it continues to be used for the purposes of wine education, promotion, enjoyment, tourism and other purposes.

It provides for the minister to lease the centre and the land but, before doing so, a report must be tabled on the lease before both houses of parliament. It also specifies some terms of the lease. However, if the lease does not initially comply with these terms, it is not necessarily invalid, but the minister must, in the report on the lease, identify and state the reasons for the non-compliance. Those terms are as follows:

- the minister will have the power to grant or renew a lease for up to 25 years;
- the lessee must indemnify the minister against liability to a third party, and there must be adequate public liability insurance;
- all regulatory requirements will be complied with;
- the lease may not be mortgaged, encumbered or otherwise used as security without the consent of the minister;
- in the event of a serious breach, it must be agreed that that breach be remedied.

The minister may revoke the lease after giving reasonable time for the breach to be remedied.

It also allows the lessee to sublease with the consent of the minister, provides that the minister may, by agreement with a person or body, deal with other assets and liabilities including entering into an agreement regarding the management of a centre asset or handling-disposing of a liability. This lease or agreement is exempt from stamp duty and government authority fees for the extent of the agreement between the minister and the lessor or contracting party. It also blanket exempts the act and its terms from civil, legal and contractual agreements and from terminating other agreements or obligations. It also makes provision for the staff of the centre.

The minister may transfer staff to the employment of another person or body and it does not affect the remuneration of the staff member, interrupt continuity of service or constitute a retrenchment or redundancy; likewise, without the staff member's consent, a reduction in the staff member's status or change in employment duties that would be unreasonable in regard to the staff member's skills, ability and experience. It also provides that the reduction of scope of business operations or the number of persons under this supervision does not reduce a staff member's status. It saves the accrued sick leave, annual leave and long service leave of a staff member if they are transferred to a new employer. It also provides for the minister to require the Liquor and Gambling Commissioner to issue a liquor licence for the Wine Centre premises, which will operate under the provisions of the Liquor Licensing Act 1997.

Schedule 1 sets out the plan of the centre land. Schedule 2 makes transitional provisions, including part of the land being rededicated for the Botanic Gardens and State Herbarium and declared to be under the care, control and management of the board of the Botanic Gardens and State Herbarium. After this legislation is enacted the minister will grant a formal lease to the Winemakers Federation of Australia through a WFA entity created for this purpose. The minister will remain in control of major structural and mechanical maintenance of the Wine Centre buildings, and all National Wine Centre logos and intellectual property will be licensed to the WFA (Winemakers Federation) for the duration of the lease. The WFA said a majority of staff of the Wine Centre will be reemployed and the transitional provisions applied to them, and the transferral provisions applied to others.

This bill will limit any further risk to the taxpayer with regard to the National Wine Centre. It was taking on all of the appearances of being a real lemon with substantial losses to the government for many years to come. So, the intervention by the state government and the proposition it is putting forward I commend and support. The National Wine Centre will continue its operations as a tourism, education and enjoyment facility. SA First supports this bill, with some questions. Exactly how many staff does the WFA intend to reemploy? What will be the cost to the government of transferring non-continuing staff members, and are there any proposals for the land to be transferred to the Botanic Gardens and State Herbarium? I support the bill.

The Hon. R.I. LUCAS (Leader of the Opposition): The opposition's position in respect of the legislation was summarised by the member for Frome, the Hon. Rob Kerin, the Leader of the Opposition in another place, when this bill was discussed. He said, broadly, that the opposition supported the bill. He went on to say:

> Certainly as someone who was a great supporter of the National Wine Centre and its concept I well and truly welcome this initiative. This is a way ahead and a way of ensuring that the Wine Centre operates well into the future and creates opportunities, which it will, for South Australia.

The Hon. Rob Kerin put the formal position of the Liberal opposition in that debate and went on to make a number of other comments during his second reading contribution. The legislation, having already passed the House of Assembly, will pass the Legislative Council with the support of not only the government but also Liberal Party members.

As some members will know, I have indicated from my own personal viewpoint some concerns in relation to some of the details of the agreement that has been struck between the government on behalf of the taxpayers and the wine industry generally. I intend—

The Hon. Ian Gilfillan: Would you engage Foley to negotiate on your behalf?

The Hon. R.I. LUCAS: I think I have indicated publicly, given this outcome, no. Kevin Foley is known around the corridors now as Kevin 'Cunninghams' Foley because he got $1 a year for this lease—at least Cunno got $2 for most of his items in Cunninghams Warehouse in the CBD.

The PRESIDENT: That is the Hon. Kevin Foley you are referring to.

The Hon. R.I. LUCAS: The Hon. Kevin 'Cunninghams' Foley is who I am referring to. He got half the deal that Cunninghams offer. It is important to look at the detail—

The Hon. R.K. Sneath: Isn't it funny how your colleagues are patting him on the back in the other house?

The Hon. R.I. LUCAS: Let's just explore the detail of the agreement. We have been asked to expedite passage of the legislation, contrary to the normal conventions, which the Leader of the Opposition has indicated he is quite happy to do in terms of the debate and discussion, but as I have highlighted to the Leader of the Government this chamber deserves to hear some of the detail, as other members have flagged, of this agreement. It is in my view unacceptable that this chamber and parliament should be asked as to vote on a deal without having been provided with its details.

As some other members in this contribution have raised questions, I intend to put some questions to the Leader of the Government and I hope before we have to vote on it tomorrow we can get on the public record detail of the proposed agreement. Some aspects have been publicly announced and, therefore, at the very least there should be no reason why those details are not put on the public record in this chamber. Other claims have been made by both the members for Hart and Ramsay and other spokespersons for the government on this issue which deserve scrutiny before this chamber and the parliament finally passes the legislation.

The other general comment I make relates to questions I asked last week of the Leader of the Government. I can understand his sensitivity and embarrassment on this issue, because I asked him to explain how this was not a privatisation. All of us I am sure carry the pledge card, as I do in my wallet: the 'My pledge to you from Mike Rann—Labor, the right priorities for South Australia' card. I am sure all members of caucus keep their pledge card—

The Hon. Caroline Schaefer: Close to their heart.

The Hon. R.I. LUCAS: Well, I keep it close to my backside, but Labor members may keep it close to their heart. I am sure Labor members have it close to their heart and the rest of us have it close to other parts. On the back of the 'My pledge to you' card it states, 'My pledge to you: Under Labor there will be no more privatisations', and a number of other promises such as cheaper power costs, which will be interesting to follow. I will not be diverted on that. It is signed at the bottom—

Members interjecting:

The Hon. R.I. LUCAS: We will just watch on electricity. Here is the promise: 'My pledge to you—cheaper power'. At the bottom of the card it says:

> Mike Rann: Keep this card as a check that I keep my pledges.

That is why I have kept the card, because Mike Rann asked me to keep the card so that I could keep monitoring whether he keeps his pledges.

Members interjecting:

The Hon. R.I. LUCAS: It will be relegated later when I get a chance. I asked the Leader of the Government (I think it was last week) whether he could indicate why this was not a privatisation. Indeed, the Premier and the member for Hart have both been asked the question whether or not this is a privatisation. Is this not breaking a core election promise or pledge made by the leader of the Labor Party and the now Premier?

The Hon. A.J. Redford: Did he bring out the 'Well, I'm tough because I break promises' line, or was it another one?

The Hon. R.I. LUCAS: No, it is not 'I'm tough': it is, 'It takes moral fibre to break promises', and Kevin Foley has—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: No, not on this occasion. Kevin Foley has the moral fibre to break promises; Rob Kerin does not have the moral fibre to break promises, according to Kevin Foley. That is the philosophical underpinning of this whole government.

Members interjecting:

The PRESIDENT: Members will come to order!

The Hon. R.I. LUCAS: This is the arrogance of the member for Hart and the new morality. We have heard of 'new Labor' and the 'new way': we now have the 'new morality' as espoused by the member for Hart and the Rann government. You have to have moral fibre to break promises, to criticise and to taunt the Leader of the Opposition because he did not have the moral fibre to break promises. For example, when asked by a number of journalists on ABC Radio to explain why this was not a privatisation, Kevin Foley's feeble attempt was:

> This is not a privatisation, this is a public facility, owned by the public in large part. . .

What indeed is Modbury Hospital? It is a public facility owned by the public not in large part but totally. What are the metropolitan water assets of South Australia owned by South Australian Water? They are a public facility owned by the public in large part. Kevin Foley then goes on, stumbling in this answer, to say:

> . . . but operated by those people best able to operate the Wine Centre. You know, there are some businesses government shouldn't be in and I for one happen to think running wine centres is a business not best for government. No, no privatisation, just a damn good outcome for the state.

On a number of occasions, the member for Hart and—

The Hon. A.J. Redford interjecting:

The Hon. R.I. LUCAS: He might have left the card home. On a number of occasions they have been asked and, to be fair, a number of journalists have persisted with their questioning, as follows:

> Please explain the difference between your criticism of the Modbury Hospital outsourcing or the SA Water outsourcing where the assets are owned by the government but outsourced or leased to private sector operators and the National Wine Centre, which is a public asset owned by the taxpayers, are now outsourced or managed by private sector.

The Hon. T.G. Cameron: It is completely different.

The Hon. R.I. LUCAS: As the Hon. Terry Cameron says—and the answer comes—'It is completely different.'

Members interjecting:

The PRESIDENT: Order! Members of Her Majesty's loyal opposition do not need to assist the Hon. Mr Lucas: he

is doing a very good job. And members on my right will take their medicine.

The Hon. R.I. LUCAS: I am almost speechless, Mr President. The opposition does not expect in the second reading debate, or indeed in the committee stage, any better response than the non-response we got from the Leader of the Government in question time last week. The simple answer is: there is no difference between this example of privatisation and the examples that I have highlighted and many others. For years, the Labor Party has characterised the Modbury Hospital deal and the deals in relation to SA Water as privatisation. It has been the Labor Party's position that privatisation is wrong and its pledge to the people of South Australia was: there will be no more privatisations—a fundamental promise that has been broken by the Premier, the member for Hart and each and every member of the Labor Party in this chamber.

Do not let us hear ever again in this chamber that this is the party that has stopped privatisations. Do not let us hear that this is a party that opposes privatisation. Within three months of being elected to government, the very first deal it negotiates is a privatisation in exactly the same terms as the Modbury Hospital deal, the SA Water deal and a number of the other deals that we have seen criticised by the Labor Party over the last few years.

Members interjecting:

The Hon. R.I. LUCAS: No, putting it back in its right place.

Members interjecting:

The PRESIDENT: Order! There is too much humour.

The Hon. R.I. LUCAS: Mr President, as you rightly point out, there is far too much humour for a serious debate on the National Wine Centre. Before getting into the detail of the information that this chamber deserves before it is required to vote on the legislation, I congratulate the wine industry on the deal that it has negotiated with the Treasurer—and it has negotiated a very good deal from the wine industry's viewpoint. I will make further comments later, but clearly it has negotiated a very good deal.

As I said publicly, given this performance from the now Treasurer in terms of negotiating on behalf of the taxpayers, we can only be eternally grateful that the current Treasurer was not responsible for negotiating the other privatisation deals over the last eight years—the Modbury Hospital outsourcing, the ETSA privatisation and the SA Water privatisation. We can be eternally grateful that the Hon. Kevin 'Cunninghams' Foley was not responsible at $1 a year for a $30 million to $40 million asset. The numbers seem to change depending on which government minister talks about it—

The Hon. R.K. Sneath interjecting:

The Hon. R.I. LUCAS: We have always enjoyed the hospitality of the member for Schubert. If the Hon. Mr Sneath has missed out, he should take it up with the member for Schubert. There is a public asset with a $1 a year rental or lease payment. One of the questions we will be pursuing is in relation to the government's new crown lease legislation, which puts a minimum $300 on all these leases—these very critical peppercorn leases that the Premier has been highlighting. He highlighted that these assets worth $2 million had a rental of less than $2 a year. We have an asset here which is worth $30 million to $40 million, and the Premier's own Treasurer has negotiated a $1 a year lease.

The exemptions under the crown lease legislation include the soldier/settler blocks and all the other exemptions. It will be interesting to see whether there is a little exemption which says, 'The National Wine Centre deal, as negotiated by the Treasurer at $1 a year, is an exemption from the increase to $300 a year minimum that the government has announced as part of its budget package.' We will obviously be able to debate that during the crown lease legislation.

I make the general point that I think it is important—now that the wine industry has very successfully managed to win the negotiations against the limp-wristed, feeble endeavours of the current Treasurer—that the government and its ministers stop running down the National Wine Centre in everything they do and say. I would like to give some examples of government ministers continuing to run down the National Wine Centre in their public statements. The Premier on 9 July in an interview on 5AA said:

> We will be concentrating on fixing up our schools and hospitals not more stadiums . . . we have had the Hindmarsh Stadium . . . all the wine centre nonsense. . . In the last week we have announced . . .

Further on he speaks, again unflatteringly, of the Wine Centre project. On 15 July Lea Stevens was on ABC regional radio and referred to the Wine Centre in a negative way when she said:

> . . . spending capital works money . . . wasting capital works money on wine centres.

The member for Hart also has made a number of unflattering references to the Wine Centre. If we are to believe the government's claim that it wants to take the politics out of the Wine Centre and let the wine industry get on with the business of operating the Wine Centre, then these negative references to the National Wine Centre by ministers—each and every day of the week no matter what the particular issue happens to be—must not continue. None of these interviews had anything to do with the Wine Centre. They were in relation to health and the general political situation in the state budget and they were not interviews on the National Wine Centre.

I do not believe that the government is serious about its claim that it wants to take the politics out of the Wine Centre. It is just saying that to some sections of the industry. However, the government will be judged on its record and its rhetoric. We will see whether or not those references I have just highlighted from the Premier, the Minister for Health and the member for Hart continue.

I now turn to the detail of the deal that has been arrived at by the Treasurer on behalf of the taxpayers of South Australia. Despite the public press release, all we seem to know at this stage is what was published in the *Advertiser*, as follows:

> The State Government will lease the centre to the federation for a dollar a year. The government will retain ownership of the centre with the usual responsibilities of a landlord, as they say, in regard to structural maintenance.

I am not sure what the government's definition of 'usual responsibilities' is. Certainly, in a number of the long-term leasing arrangements set up under the previous government—and we are talking about a 25-year lease; it is not an annual lease but a 25-year long-term lease—the responsibilities for structural maintenance would have gone to the wine industry in this instance, had one of the existing models been followed. It continues:

> An annual budget of $250 000 has been set aside for this work. The federation will have the usual tenant responsibilities in terms of operating maintenance for equipment and a free hand in how it runs the business. The government will provide a one-off grant to the

business of $500 000 on July 1 this year and provide a further $250 000 interest-free loan from July 1 next year.

In terms of the detail of the deal that is essentially what people know. However, if one follows this debate in both houses of parliament, there has been no indication from the government in either the legislation or its statements to the houses of parliament about the precise nature of the deals that have been struck. I acknowledge that, as I understand it, the final details of the lease might still have to be arrived at but I am advised by both the government and the wine industry representatives that the essential principles of the agreement have been agreed, otherwise the announcement would not have been made some weeks ago. So, at the very least, those essential principles should be able to be put on the public record by the minister in this place before the Legislative Council is required to vote on it.

In relation to those aspects of the deal that we have been provided with, as one of the other members has noted, a provision in the lease exempts this particular deal from the payment of stamp duty. I seek from the government an estimate, which would have been provided by Revenue SA to the government, of the amount of the stamp duty which would normally have been paid in a transaction of this nature so that the Legislative Council can be aware of the extent of the benefit that has been provided by way of stamp duty. I note that in a number of other deals stamp duty exemptions have been provided by governments of all persuasions, so I certainly concede that this would not be the first and probably will not be the last stamp duty exemption that will be provided by a government for a particular project. Nevertheless, in terms of accountability and openness, I am sure that the Premier will agree with me that it is important that the value of that benefit is placed on the public record.

We are also advised that additional marketing support will be provided by the South Australian Tourism Commission. Given the significant cutbacks in this budget that the South Australian Tourism Commission has had inflicted upon it, we seek some indication from the Treasurer as to what understandings he now has with the Minister for Tourism, because of her reduced budget, as to what level of marketing support will be able to be provided by the South Australian Tourism Commission. In particular, I seek advice on the general nature of that advice. For example, we are talking about additional marketing support. Is it envisaged that part of the time of existing salaried officers within the tourism commission would be given over to provide marketing support to the tourism commission?

If that is the nature of the marketing support, I seek an undertaking from the government that on an annual basis the level and the cost of that marketing support will be recorded and provided in an annual report by the government, perhaps by way of an addition to the Tourism Commission annual report by the minister responsible for the National Wine Centre, so that we can be aware of the ongoing support that is being provided through the South Australian Tourism Commission and through any other government department and agency.

In relation to the loan, in the briefing that was provided by Treasury officers to officers in the Leader of the Opposition's office, they made it clear that the second grant would be made on the condition that it was to be repaid to the government in the event that the National Wine Centre generates a profit. Repayment will be made on an EBIT (earnings before interest and tax) basis, effectively returning the first $250 000 of the centre's profits back to the government. I want to clarify for the record whether, in fact, that is a fair summary of what the government is telling the parliament. As I said, that is an officer's notes of a meeting with government officers and it may well be that the government officers disagree with that impression or notation of the briefing, so I think it is important, if they do disagree, that we get that placed on the public record and, if they agree, that we also have that placed on the public record.

As many will know, the notion of what is a profitable private entity is an interesting accounting question that has been explored not only in Australia in recent times but also in the United States, in particular, as a number of companies and their definition of what is a profit have now come to be questioned pretty intently given the nature of some of the write-offs or expenses that have been written off against the projected revenues to develop profit figures for particular corporate entities. We need to know what the government's requirement is of the National Wine Centre in relation to this calculation of profit.

Will it be on an EBIT basis, as has been suggested? Will it be subject to audit by a private auditor or a government auditor, or both? Will it be an immediate requirement that, for example, as soon as any profit above a level is paid there is a partial repayment of the $250 000 interest free loan, or is it only after the National Wine Centre has been able to accumulate over a period of years retained earnings, or profit, of greater than $250 000 that the requirement will be to repay in that particular year?

So on that issue I think the council deserves an understanding. Whilst I accept that, again, there might still be some of the specific detail to be negotiated, the council is entitled to know the nature of the financial deal. With regard to virtually all of the other privatisations, much more information has been provided to parliament about the nature of the deals that have been struck than has been provided thus far in this debate.

We are advised that the government has also retained responsibility for all debtors and creditors pre-30 June 2002 and that any shortfalls in this area will be the responsibility of the government. The early estimate was that that might be up to an extra $100 000. Again, I think this council, given that the end of the financial year is almost three weeks past, is entitled to know the latest estimate of all of these liabilities that the government has agreed to pick up as part of the negotiated deal entered into by the Treasurer on behalf of the taxpayers of South Australia.

The government, I understand, also has retained $270 000 for the purpose of completing any unfinished capital works at the site and that is in addition to the $500 000, in addition to the $250 000 in 2003-04 that I was talking about, and in addition to the $250 000 a year for structural maintenance over a period of, I think, the full term of the lease, which is 25 years.

The Hon. J.F. Stefani: They have got some problems with the old buildings.

The Hon. R.I. LUCAS: The Hon. Mr Stefani tells me, and I bow to his greater experience in structural matters, that there are some structural problems with the old buildings already. I am not sure whether that refers to the same issue that the Hon. Mr Gilfillan referred to or whether that is a separate issue.

The Hon. J.F. Stefani: That is existing buildings.

The Hon. R.I. LUCAS: It is existing buildings, yes. So, in addition to those issues there is, we are advised, this extra

$270 000 for the purpose of completing unfinished capital works. We would seek advice from the government on the nature of those unfinished capital works and whether all of that $270 000 provision will be required or whether, indeed, there can be any saving for taxpayers from the negotiated deal.

The next broad area on which I seek some advice from the government is pretty important, because the government has been making a claim, and I will highlight one example of that claim so that we know what I am talking about. On 25 June the Premier is quoted in the summaries provided from the Department of the Premier and Cabinet as follows:

> Premier Mike Rann says the wine industry asked for the centre, now it can make it viable. He says the deal will prevent taxpayers carrying $17 million in losses over the next four years.

That claim of $17 million in loses over the next four years is absolutely pivotal to the government's assessment that this is a good deal compared with what would otherwise have happened. I have been provided with some information from within the Department of Premier and Cabinet. It may well not have originated from there, because the analysis was probably done by the National Wine Centre or Treasury officers. It certainly casts significant doubt on the truthfulness or accuracy of the claims made by the Premier and the member for Port Adelaide. They have consistently argued that that was a good deal, because the alternative was that taxpayers would be up for $17 million over the next four years. I am saying that the advice provided to me casts significant doubt on the truthfulness of that claim made by the Premier and the member for Port Adelaide.

For some three weeks now I have had an FOI request in—and I accept that it will take a little longer to get that information—to find all the advice that has been provided by Treasury and other agencies to the Premier and Treasurer on the costs and these issues. I want to know the assumptions that underpin this assessment by somebody that the taxpayers would confront $17 million in losses over the next four years. In doing so, I state that Mr Bill Mackie has highlighted in interviews that, irrespective of whatever decision might have been taken by the government, the cost structure of the National Wine Centre had been significantly reduced, in part as a result of decisions that had already been put in place by the former government and also, I acknowledge, as a result of the pressure that had been placed upon the National Wine Centre by the new government to reduce its costs. My recollection is that in one of the interviews he indicated that the number of staff in the National Wine Centre had been reduced from about 75 down to about 52. Bill Mackie also highlighted a number of other significant operating cost reductions that had been entered into by the National Wine Centre.

I want to clarify this, because the suggestion has been made to me that the advice provided by Treasury or others to the government and on which it is hanging this $17 million figure has not in any way factored in the current projected operating costs of the centre, whether or not it happened to be run by the wine industry or continued to be run under the previous model. If that information is right, then the Premier and the member for Port Adelaide will be severely embarrassed and deserve to be condemned by both houses of parliament for having misled both the parliament and the community in relation to this issue. That is why the freedom of information request will be important.

Before it is required to vote on it tomorrow, this council deserves to know the government's assumptions that underpin this $17 million projected loss over the next four years. We need to know the assumed operating and staffing level over the next four years. Is it true that the government has not factored in the reduced costs that had already been put in place by the National Wine Centre to try to bring it back closer to viability or profitability as a result of pressure from the former government and also, we acknowledge, by pressure from the present government. This issue is fundamental, because the argument about whether or not this is a good deal—

The Hon. R.K. Sneath: There are not too many of your colleagues agreeing with this argument; they've all gone. They've deserted you.

The Hon. R.I. LUCAS: I assure the Hon. Mr Sneath that I am more than capable of taking up the cudgels on behalf of the opposition with as many members of the Labor Party as you would like to trot out. I can only hope that members of the Labor Party will at least be prepared to accept (that is too much to expect, I guess) that their Premier has indicated that there would be an open and accountable government. One can only accept that, if this claim is true, then the government will have no problems with providing the detail on what assumptions they have made to underpin—

The Hon. P. Holloway: The report regarding the lease will be tabled in both houses; it's in the act. The act provides that a report on the lease will be tabled in both houses.

The Hon. R.I. LUCAS: It will be excellent if we get a copy of the lease at some stage, but that does not answer the questions I am putting now. Both houses of parliament are being asked to vote on this privatisation deal, and the key or pivotal argument from the Premier and the member for Port Adelaide has been that, if they did not do this deal, the taxpayers would be facing a $17 million loss. I am making the claim based on information provided to me that those figures have been doctored by the government and that all sorts of bodgie assumptions have been made in that $17 million figure.

I look forward to the Leader of the Government coming back to this council tomorrow with the assumptions included in this $17 million figure to demonstrate that, for example and in particular, the reduced operating costs of the National Wine Centre as are currently in operation have been factored into this comparison. If they have not, then I am sure that, when in his fearless way he looks at this deal to see whether or not the interests of the taxpayers have been protected, the Auditor-General will look at this claim of $17 million in losses to see whether it is a fair comparison—an apples and apples comparison, as he has maintained in a number of his reports—and that he will look at a cost benefit analysis and the various options, either continued ownership and operation by the government under the old model or continued ownership and operation by the wine industry under the new model, whether there is an apples and apples comparison and whether—

The Hon. R.K. Sneath: Lemon and lemon would be more accurate.

The Hon. R.I. LUCAS: Here we go again. The Hon. Bob Sneath says it is now a lemon and lemon comparison, and again he denigrates and runs down the National Wine Centre. This is what I have been asking the government.

The Hon. Diana Laidlaw: He says he lives in Clare, a wine district.

The Hon. R.I. LUCAS: He says he lives in Clare, does he? We do not want government members like the Hon. Mr Sneath referring to this deal as a lemon. I think his Treasurer

might be concerned if he continues to refer to this deal in that way. The Treasurer managed to get one dollar a year for the lease in this deal.

Members interjecting:

The PRESIDENT: Order! I think that we will stick with wine grapes.

The Hon. R.I. LUCAS: With those specific questions, I conclude my second reading speech. I thought of leaving open the option of seeking leave to conclude but I have summarised the major questions and I do not want to delay the debate any longer this evening. I hope that the National Wine Centre will prove to be as successful as everyone wishes. As the speakers in another place indicated, they congratulated Mr Brian Croser, Mr Sutton and others who negotiated this very good deal for the wine industry. We hope that the original objectives of the National Wine Centre can be achieved by the wine industry, with significant continued support and underpinning by the government and taxpayers through the various elements of this deal.

I conclude as I commenced my contribution by repeating the comments made by the Leader of the Opposition in another place, where he wished the wine industry well and indicated the Liberal Party's support for the passage of the legislation through both houses of parliament.

The Hon. R.K. SNEATH secured the adjournment of the debate.

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

Adjourned debate on second reading.

(Continued from 15 July. Page 493.)

The Hon. T.G. CAMERON: I oppose this measure for the calling of a referendum. The debate that has surrounded the creation of a nuclear waste dump or storage facility in the Far North of our state is emotive and divisive at the best of times. Not only must it address the issue of where nuclear waste is to be centrally stored but whether it should be stored in a facility at all.

Currently, low level nuclear waste is stored in urban areas, and I stress that we are talking about low level nuclear waste. It is stored in our universities, hospitals and research facilities and, as I understand it, nuclear waste is stored in a number of repositories all over Adelaide. I emphasise that, whilst these materials are classified as radioactive waste items, they are not glowing green and they will not send a geiger counter berserk. Again, I emphasise that we are talking about low level nuclear waste.

As I understand it, some of this low level nuclear waste emits less radiation than the internal walls of this building, which are granite and which constantly emit radiation. I am sure that someone might care to check that out at a later date, but that is what I was advised, that the level of radioactivity that is emitted from the walls in Parliament House is actually greater than the level of radioactivity that is emitted from much of this low level waste.

However, we have to ask the question about what is going to happen when the universities, hospitals and research facilities can store no more. Rex Jory in the *Advertiser* of 21 May claimed that a nuclear dump is a matter of geology, not politics. I would like to think that most issues are not about politics but about what is in the best interests of South Australians. If we are unwilling to accept a low level nuclear waste dump in our state then we, in kind, must not accept our own low level nuclear waste being stored in other states. Otherwise we would be guilty of hypocrisy and the nimby syndrome. By rejecting other states' waste, we implicitly accept responsibility for the safe storage and decay of our own waste, and at the moment I believe that we are not doing that safely.

Does the state government propose that X number of tonnes of medical, scientific, industrial and commercial low level waste such as smoke detectors, luminous watches and protective clothing currently stored in and around Adelaide's metropolitan area simply remain there? If so, and other states do likewise and we do not end up with either all the states having their own storage facility or (what would obviously be a preferable solution) having a nationally controlled storage facility, it beggars belief that one cannot argue that one centrally located storage facility has to be safer and more economical than having individual storage facilities all over Australia.

My primary concern is for the safety of all Australians and South Australians. Nuclear waste is being produced. That is a simple statement of fact. We are part of the nuclear cycle. In fact, some people may well argue that we in South Australia are a larger contributor to the nuclear waste cycle than any other state in Australia because we have Roxby Downs, which is the largest body of uranium ore anywhere in the world. Quite clearly, here in South Australia, we are part of the nuclear cycle. Not only do we have waste stored in facilities all around our suburbs but we are the host state to one of the largest producers of uranium oxide anywhere in the world. It is produced at Roxby, turned into yellow cake, brought down to Adelaide and exported to a number of countries all over the world.

To argue that accepting a dump will perpetuate the production of this nuclear waste is a ridiculous argument and invalid. To argue that accepting a waste dump on the condition of reducing or eliminating nuclear waste is a far stronger bargaining chip and would be better for the whole nation. Let us look at geology, at practicality and at science before making our decision. Most importantly, let us put the future of this and future generations first by having a plan to remove this material from urban and industrial areas and safely storing it. One can only hope that the government will stop playing populist politics and try to formulate an argument and a conclusion based on fact, commonsense, science and educated opinions.

The bill before us will not outlaw a central nuclear waste storage facility here in South Australia. We do not have a plan from the government about what it intends to do with the nuclear waste. This bill is a politically based document. It is a bill about trying to play populist politics: it is too smart by half; it is one of the stupidest things I have ever seen Mike Rann come up with.

The Hon. R.I. Lucas: There is plenty to choose from.

The Hon. T.G. CAMERON: Yes, there is plenty to choose from in such a short space of time. This really does take the cake—

The Hon. T.G. Roberts: Take the yellowcake?

The Hon. T.G. CAMERON: I wonder whether even the Hon. Terry Roberts has any idea about how much yellowcake we are exporting out of Roxby Downs and if they can get it right out of the Beverley Honeymoon project. I assure you that it is plenty. Some council members may not be aware of the fact, although I know that the Hon. Terry Roberts is, that

I was an industrial officer with the Australian Workers Union and had the constitutional coverage for the drilling, exploration, manufacturing, and processing, etc, of uranium and associated materials. However, I was an industrial advocate with the South Australian branch of the Australian Workers Union at the time. Despite the fact that it was the policy of the Australian Workers Union, carried at its national conference and endorsed by the national executive, a few of the South Australian officials, who were big supporters of the Terry Roberts faction in those days, were strongly opposed to Roxby Downs going ahead.

I raised the issue of what we were going to do as a union when they started building the mining site and implemented the manufacturing facilities. Were we going to oppose this operation right up until they completed it and then walk in and say, 'We want coverage of the membership?' I had a different view. My view was that, irrespective of our personal views on uranium, that as a union we should seek to cover those workers who were covered under our constitution. I argued that if we did not, despite the fact that the CFMEU had a policy against uranium, they would walk in the front door and sign everyone up.

I visited the Roxby Downs site for some seven or eight years, and I was involved in many a battle to ensure that that particular project was not waylaid. It was ALP policy to support Roxby Downs. The Labor Bannon government was supporting it, so why should I not support it when it was union policy to do so, anyway. However, it was made extremely difficult for me to go to Roxby Downs. They would not buy me an air ticket. I was offered the choice of driving up there or walking. Fortunately, I was able to find a seat on a plane; I went to Roxby and we signed everyone up. I think that, for about the first two years, I had the shop assistants and the clerks—if they worked on-site, I was there to ensure they joined up.

We have one of the largest uranium mines in the world. Roxby Downs is the biggest mine in South Australia, and it has provided a real engine room for employment and investment, particularly in the President's part of South Australia. Thousands and thousands of jobs have been generated over the years by Roxby Downs all over Upper Spencer Gulf.

We are quite happy for the mine to continue, and we are quite happy to produce yellowcake and export it all over the world. We are quite happy for Lucas Heights in Sydney to produce the radioisotopes that are used in medical research and in hospitals to treat cancers and various other malignant growths within the body. But, when it comes to the storage of this low-level waste, a bit of truth ought to be told about the intrinsic associated dangers. That has been missing from the debate so far, too. What do we have? We have a rather puerile, pathetic, politically motivated bill before this council by which I am quite offended. That a government would—

The Hon. T.G. Roberts: You're a sensitive soul.

The Hon. T.G. CAMERON: Yes, I am a very sensitive soul and my feelings can be very easily hurt. That is perhaps why I am so offended by this bill. This bill has nothing to do with the safe storage of low-level waste in South Australia. It has nothing to do with trying to resolve the problem of whether we should have a dump in each state, or a national dump spread across Australia. If this bill were to pass, if we were to hold a referendum and that referendum were to succeed, we would have two choices open to us: we would have to pay for and set up at our own cost our own South Australian dump. I am sure that Mike Rann would not propose that we site it here in metropolitan Adelaide. There is no doubt that it would go to exactly the same site at which the federal government is proposing to set up a national repository. Talk about walking around with your head up your backside! That is exactly what it is.

The PRESIDENT: Order! The Hon. Mr Cameron is well aware that there are certain standards of speech that apply in the council, and I ask him to respect that.

The Hon. T.G. CAMERON: I thought I was. That is what this government is doing with this bill. If it fails, a referendum will be carried for base political motives. The government wants to run this referendum on the same Saturday, I understand, as a federal election. What on earth do we think that is? It is a cheap stunt. It is a pathetic effort at political blackmail, and I hope this council has the courage to vote it down.

This is not a bill about whether we should have a national repository for low-level waste. It is not a bill about trying to do anything about the tonnes of waste that is lying all around our suburbs. It is not even a bill about saying, 'Well, we don't want to be part of a federal repository, a federal dump. We want to do our own thing here in South Australia.' What is it? It is a pathetic attempt to try and run a referendum on the same day that they are holding a federal election.

I ask members of the council to think about the kind of path we would be walking down. Are we going to have a referendum on capital punishment? In reading the speeches, I see that people have gone to great lengths to quote that 70 per cent of the state would vote against having a national dump in South Australia. I can tell members that 75 per cent of the population would support capital or corporal punishment. Will we put up a bill in this place to have a referendum on voluntary euthanasia?

There is no doubt it would be carried, just as there is no doubt that this referendum would be carried, but what would we be achieving if this council were prepared to support this pathetic political plot by Mike Rann to somehow or other offend and embarrass the federal government? All we would be signing up to is an exercise in political hypocrisy, which would probably cost the state some $10 million to $20 million. I have not seen whether or not the government, if it were to run this referendum, intends to run an advertising campaign. Does it mean if we pass this bill that the government could sit back and spend a couple of million dollars as a part of the federal election campaign?

It is ridiculous to suggest that there is anything honest, descent, transparent or accountable about this bill. The three questions we must ask ourselves when considering this bill are, first, what will be the cost of the referendum? I have not found any detailed calculations as to how much this referendum will cost—will it be $5 million or $10 million? The government has been very silent on whether it will run an advertising campaign to support its position, which usually means that it intends to. We do not know how much it will cost. Is it really necessary, given that the outcome is a forgone conclusion? We all know what the polls are. Ask people a simple question: 'Do you support having a national dump here in Australia?'

The Hon. Diana Laidlaw: What about retention of state parliament?

The Hon. T.G. CAMERON: That too. It would not matter what state in Australia you asked the population that question, you would get somewhere between 70 and 80 per cent saying no. But, if you ask the question: 'Do you support a national dump or a central state dump or would you prefer

to see the waste kept where it is in our suburbs?' you would get a completely different result.

The third question I ask is: What force will the referendum have if the proposition passes? I would like to leave the first question to the government to answer and defend. The answers to the second and third questions are very simple: no, the referendum is not necessary. Everyone knows that an overwhelming majority of South Australians, rightly or wrongly, oppose a federal nuclear waste dump in our Outback.

In relation to the third question, the referendum would have no force whatsoever. Was it not over one hundred years ago that we became Australia, a single country, started electing federal governments and, under our constitution, gave them the power to do certain things? Of course we did. This referendum will have no force whatsoever. It is clearly a federal government responsibility. It would be like having a referendum here in South Australia: 'Do you support abolishing the GST?' It would probably get about an 80 per cent yes vote, but what on earth would it mean? Quite clearly taxation raising is a federal government responsibility and not a state government responsibility. The referendum is non-binding and does not serve to validate any laws, but merely provides public opinion on this issue and is designed to embarrass the federal government in the lead up to the federal election.

I can understand the motive behind this bill. When you have performed as well as the Labor Party has in federal elections over the past three or four, you must be beginning to get a bit desperate about how you can turn the tide. We have come back from 13 to 12 seats. If South Australia does not do so at the next election it could, at the one after that, come back to 11 seats. The record here in South Australia is that South Australia has been the best performing state for the federal Liberal Party for the past four federal elections. It has delivered a higher percentage of seats to the federal government than has any other state. If you take that on board, maybe you can empathise a little with the Australian Labor Party here and appreciate and understand why Mike Rann's politics on this issue have become not only so desperate but also so transparent.

One could only describe the referendum as a non-binding plebiscite. Perhaps it would be better described as less than a non-binding plebiscite. Even more accurately, it is a monumental waste of taxpayers' money. If this Labor government is so genuine in its efforts to give priority to education and health, let it have the decency to withdraw this bill and earmark the $10 million or $15 million it was going to waste on this political referendum and put it into health and education. It is a matter of political fact that South Australia does not have the power to oppose this dump through a plebiscite or through law. We sorted out that issue 100 years ago when we became the nation of Australia.

If the state government believes that any of its laws or referendums, no matter how much they are supported here in South Australia, will stop this federal government from building a national dump, whether in South Australia or anywhere else, quite simply they are deluding themselves. I do not want to see us conduct the wasteful exercise of a powerless plebiscite in South Australia. If the people of South Australia do not want this dump, the appropriate course of action for them is to lobby the federal government: that is what Mike Rann and the state Labor government should be doing if they do not want the dump built in this state. They are being deceptive and deceitful. Instead of getting in there and running hard and lobbying against this dump for South Australia, if that is their view (and I respect that—they are entitled to that) what have we got? We have a pathetic bill, presented to this chamber, that we are expected to support.

Perhaps the Australian Labor Party believes that the Australian Democrats will fall for this pathetic ploy. I hope that all of the Independents and the Democrats have the courage to join the Liberals on this issue and send this piece of rubbish back to where it belongs—the rubbish bin. SA First opposes this bill. I will be voting against it as it serves no purpose other than a rather expensive political stunt. We should not be a party to potentially pumping millions of dollars of South Australian taxpayers' money into the federal Labor Party's campaign coffers by a non-binding plebiscite, the outcome of which is a forgone conclusion and which if passed would have absolutely no legal effect. This bill deserves to be voted down.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

FISHERIES (CONTRAVENTION OF CORRESPONDING LAWS) AMENDMENT BILL

Adjourned debate on second reading (resumed on motion).

(Continued from page 570.)

The Hon. T.G. CAMERON: This bill was introduced in the last parliament but lapsed when parliament was prorogued. Under Victorian law, it is an offence to possess or sell fish taken in contravention of a corresponding law of another state. All this bill is proposing is a similar provision in our legislation. Victoria now has a quota management provision. Reciprocal laws are necessary as part of the agreement between states. Without this amendment there would not be an effective detection and prosecution system for Victorian licence holders living in South Australia who breach Victorian fisheries law.

The bill has the support of the Southern Zone Rock Lobster Fishery and the Victorian government. I will not comment further, except to refer members to the succinct contribution made by the Hon. Caroline Schaefer, which clearly sets out the implications for South Australia if this bill is not supported. SA First supports the bill.

The Hon. T.G. ROBERTS secured the adjournment of the debate.

SPEED CAMERAS

The Hon. T.G. CAMERON: I move:

1. That a select committee of the Legislative Council be appointed to investigate and report upon the current use of speed cameras in South Australia including—
   - (a) their effectiveness as a deterrent to speeding and road injury;
   - (b) strategies for deciding their placement;
   - (c) differences in their use between city and country roads;
   - (d) the relationship between fines collected, main arterial roads and crash 'black spots';
   - (e) drivers' perception, beliefs and attitude towards speed cameras;
   - (f) placement and effectiveness of speed camera warning signs;
   - (g) the feasibility of putting all money raised by speed cameras into road safety initiatives;
   - (h) initiatives taken by other governments;
   - (i) the appropriateness of setting up a 'Speed Camera Advisory Committee'; and
   - (j) any other matter on speed cameras which is deemed relevant.

2. That the committee consist of six members and that the quorum of members necessary to be present at all meetings of the committee be fixed at four members and that standing order 389 be so far suspended as to enable the chairperson of the committee to have a deliberative vote only.

3. That this council permits the select committee to authorise the disclosure or publication, as it sees fit, of any evidence or documents presented to the committee prior to such evidence being reported to the council.

4. Standing order 396 be suspended to enable strangers to be admitted when the select committee is examining witnesses unless the committee otherwise resolves, but they shall be excluded when the committee is deliberating.

There has never been an independent parliamentary investigation into the use of speed cameras since their introduction in 1990. In the last 12 years, more than 2.35 million expiation notices have been issued and over $283 million collected as a result of speed cameras, yet both the number of people being killed on our roads and the number of people caught speeding have hardly changed at all. I submit that is because SAPOL and the government—or SAPOL—actually manage those figures, but I do not believe that will come out unless we have an inquiry.

A complete and thorough review of the way speed cameras are used is clearly long overdue. For more than 10 years, since their introduction, I believe that governments have misused—or not governments so much but SAPOL—speed cameras in order to shift hundreds of millions of dollars into Treasury coffers. Road crashes are estimated to cost South Australia about $1 billion each year. A recent Monash University Accident Research Centre report showed that every crash in which one or more people are seriously injured costs the community more than $200 000 in property damage, insurance, care for the injured, loss of earnings, court and legal fees, and accident investigation costs.

Road fatalities can cost as much as $750 000. Far more people have died on Australian roads than have been killed in all of Australia's major wars. Since records were first kept in 1925, 160 670 lives have been lost on Australian roads compared with 89 850 in Australia's wars. South Australia has recorded nearly 12 000 road crash fatalities since 1950, with over 60 per cent of those occurring in the country. The worst year for road deaths in South Australia was in 1974, when 382 people were killed.

Since 1970, broad and fairly sweeping road safety initiatives, including improved seat belts, crash helmets, random breath testing, speed cameras, laser guns, better brakes, tyres, lights and indicators, vehicles that are much stronger and impact resistant, air bags, certainly improved medical technology, greater road safety awareness and better roads have all helped bring a fall in fatalities, despite more vehicles being on our roads. Yet South Australian drivers, according to statistics released by a AAMI survey, are the worst in Australia. The survey showed that South Australian drivers had 16.3 claims per 100 policy holders compared with the national average of 13 per 100.

Governments claim that speed cameras are used only to save lives by slowing down motorists and are placed only where accidents and serious road crashes are occurring. However, that view is not supported by the evidence. Over the last five years, I have asked more than 90 questions on notice and more than a dozen questions in this chamber, and I have released more than 20 media statements about how speed cameras are located and their operation. The reason for this is that it became more and more obvious that speed camera strategies being used by the government had more to do with raising revenue and keeping the revenue stream high than with reducing speed and saving lives. In a 1996 media release I said:

> Speed cameras have nothing to do with reducing deaths on our roads and it concerns me that lives are being put at risk every day simply because this government insists on using speed detection equipment to raise revenue.

If speed cameras are used correctly and are placed where the black spots and the serious crashes are occurring, and if motorists are made aware that these black spots are targeted, the evidence from overseas indicates that there will be a significant reduction in the number of accidents and deaths.

I am not talking about a small sum of money here. In the past 10 years governments in South Australia have collected nearly $300 million as a result of speed camera fines. That does not include laser cameras and on-the-spot fines. Yet, despite significant improvements, including a raft of legislation over the past 10 years to make our roads safer, the introduction of air-bags, and a whole range of other measures including advances in medical technology, the number of people being killed on our roads has hardly changed at all. That is despite the fact that in the previous two decades we were able, through a whole raft of measures which I have already outlined, to significantly reduce our road toll.

The way speed cameras are currently being used is not working and the figures speak for themselves. Between 1997 and 2001 figures supplied by the Australian Automobile Association show that South Australia still has the highest road fatality rate of any mainland state, with 10.21 deaths per 100 000 people being recorded in 2001. I seek leave to incorporate in *Hansard* a statistical table of the fines issued, revenue collected and road deaths for the years 1992 to 2001.

Leave granted.

Year	Fines issued	Revenue collected	Road deaths
1992	245 788	$26 879 224	165
1993	235 216	$25 724 612	218
1994	204 108	$22 903 510	159
1995	198 302	$22 972 131	181
1996	193 302	$27 217 258	181
1997	275 171	$37 734 092	149
1998	274 016	$36 327 819	168
1999	239 006	$27 321 759	153
2000	241 234	$28 492 872	166
2001	244 347	$28 139 847	154
Total	2 350 490	$283 713 124	

Figures supplied by the Minister for Transport.

The Hon. T.G. CAMERON: Despite what the government says, the number of road deaths over the past 10 years has remained remarkably static. So just what impact are speed cameras having? It is a question that has to be asked and a question that I believe could be more properly answered by the establishment of a select committee.

Despite 10 years of expensive advertising campaigns and the collection of more than a quarter of a billion dollars in fines, the number of expiation notices issued has fallen from 245 788 in 1992 to 244 347 in 2001—a fall of little more than 1 000. In any terms, that has to be seen as an incredible failure. To have spent millions of dollars on advertising and to have issued nearly 2.5 million fines to get a reduction of just .005 of 1 per cent in the number of people caught speeding is abysmal. If speed cameras are slowing people down then the evidence is not there.

In reality I believe that speed cameras have slowed people down marginally on metropolitan roads, but they are still catching the same number of people because of the way the cameras are positioned. Instead of placing the cameras at the road blackspots, and instituting an effective program of

signage to let drivers know where they are, I believe that governments in South Australia have used a program of deception in relation to the placement of these cameras. Instead of making them visible they have used every effort to make them invisible. In fact a member of this council told me only today about the use of camouflage on speed cameras down in the parklands to make them blend in. That is not being done to try to slow people down. The government is doing it because it believes that if it can hide the speed camera and keep it hidden more people will be caught.

Yet in relation to this matter governments continue to argue that speed cameras are one of the most effective tools available to combat speeding and reduce the road toll. Effective maybe, but only as income generators for the government coffers. If the government is so keen on having referenda, let us have one on whether or not we should have 17 speed cameras operating here in South Australia—speed cameras that are being hidden and are raising nearly $30 million a year. I know what the outcome of that referendum would be. It would be a resounding yes to have them taken off our roads. But, of course, that is not the way to run a government. Just because it gets a little too hot in the kitchen you do not run off and hide behind a referendum.

President Lincoln once said, 'You can fool some of the people all the time and all the people some of the time, but you can't fool all of the people all of the time.' That is what I believe governments are attempting to do. We have seen it with prohibition and with a whole range of issues: if you do not carry the public with you and if they do not believe you, the measures that you introduce will usually be counterproductive.

Perhaps the government believes that South Australian drivers really are a bunch of petrol-heads or hoons and that the only way that we can control them is with speed cameras. If that is what was believed back in 1990 or 1992 when the cameras were introduced, why has the number of people being caught speeding and the number of people being killed on our roads remained, in statistical terms, exactly the same? Maybe the strategies currently being employed by the government are wrong.

Certainly, countries overseas have recognised that the placement strategies that are being used by the South Australian police force, and endorsed by the government, are wrong. They have changed them: they have introduced different procedures. That is part of the role that I believe this committee can undertake. This issue should be finalised and settled. It will not take a great deal of time or cost a great deal of money. It will not tie up the resources of this council to any great extent to have a proper select committee of inquiry look into this issue and resolve a lot of these nagging doubts. We could go out into the public arena as I am sure you, Mr Acting President, have done and ask people whether they believe that the government is using speed cameras to protect their interests or as revenue-raisers.

The Hon. T.G. Roberts: We will have a referendum.

The Hon. T.G. CAMERON: Sure. Let's have a referendum on it. You must have missed my contribution about five minutes ago. Obviously, you do not resolve these issues by having a referendum. But the public just does not swallow it. The government has raised nearly $300 million over the past 10 years, and the public just does not believe that with the quarter of a million fines being issued each year—and about 80 to 82 per cent of all fines are issued here in metropolitan Adelaide, being for speeds of 70 km/h and 75 km/h to people driving on our main arterial roads—the government is using the cameras to protect the public interest.

The Hon. Diana Laidlaw: What's the maximum speed on those roads?

The Hon. T.G. CAMERON: I think it is 60 km/h. But be very careful if you are driving down Port Road, for example. I could not find any evidence of road crashes, blackspots or even accidents occurring. But, boy oh boy, is the revenue stream good from those cameras that are placed on Port Road! Some of the reasons for that are obvious. It is a three and four lane highway and it has wide open spaces, if you are travelling away from Adelaide, on the right-hand side. It is very easy to be carried along in the traffic if it is going at, say, 60 km/h to 65 km/h: before you know where you are, you are doing 69 km/h or 70 km/h and the camera is waiting to catch you.

The Hon. T.G. Roberts: Disguised.

The Hon. T.G. CAMERON: And it is disguised. The facts cannot be papered over. No amount of propaganda will hide the simple truth, and that is that our current speed camera strategy is just not working. I am not arguing that we should take the sledge-hammer to these speed cameras and remove them from our roads. The evidence is clear that, if they are used properly, as they are used in a number of other countries—and it is this evidence that I would like the committee to look at—and if they are made visible, if signs are erected and if the cameras are placed where accidents are occurring, within 12 months the number of accidents at those black spots can be reduced by up to 50 per cent.

I would like to explore, through a select committee, the possibility of perhaps employing other strategies in relation to speed cameras to ensure that the proposed objective of the government—to slow people down and to save people's lives—is actually achieved. And that objective is not achieved by using them as revenue raisers on the main arterial roads into and out of Adelaide and concentrating their placement during the times when people are going to and from work.

There is also a mountain of evidence which suggests that speed cameras alone do nothing to deter speeding or dangerous behaviour. The situation at the moment, as reported to my office, is that people are receiving speed camera fines up to and in excess of six weeks after the behaviour occurred. Somebody gets caught by a speed camera in a 60 km/h zone doing 95 km/h and we wait for six weeks before we tell them that they have been caught! It is a nonsense. For the system to work properly and to be fair and effective, everybody should get a speed camera fine within 14 days of the offence occurring.

The Hon. Diana Laidlaw: Do you support demerit points?

The Hon. J.F. Stefani: They should be pulled up on the spot.

The Hon. T.G. CAMERON: There are two interjections.

The ACTING PRESIDENT (Hon. R.K. Sneath): Interjections are out of order.

The Hon. T.G. CAMERON: They are out of order and I will not answer them but, if my answers are similar to the interjections, that is by accident, Mr Acting President. I know that the Hon. Di Laidlaw has strong views about this and I hope that she is not being sensitive as the former transport minister. I am not having a go at her at all. In fact, she was quite zealous—in some members' opinions, over-zealous—in her attempts to attack and to take, at times, rather innovative measures. The thing that used to peeve me a bit was that I

would stand in this place and suggest certain initiatives and they would be poo-pooed but, six or 12 months later, I would take some solace from the fact that she had gone ahead and introduced them.

The Hon. Diana Laidlaw: I am sure I would have given you the credit.

The Hon. T.G. CAMERON: No, I do not think you ever did, but that does not matter. I think it is a test of a good minister that that minister will listen to what oppositions say, and I hope that this government will do something similar and will pick the eyes out of any good suggestion that is made. Not everything that oppositions or independent members put up in the council is rubbish. Every now and then there is a good idea. All strength to any government that picks up those ideas and suggestions and implements them, irrespective of whether or not it gives credit to those who might have suggested them.

I mentioned that notices are not being received until up to six weeks after the offence has occurred, and I made the comment that, as a matter of fairness—and I will look at introducing an amendment to the bill to provide for this—unless people get their speeding fine within 14 days of the offence occurring, it should be scrapped or some other measure taken. You only have to be one day over in the payment of that fine—and I emphasise one day—and you start to incur pretty savage penalties.

I want to follow up on the interjection made by the Hon. Julian Stefani because, coincidentally, his interjection reflected my next statement: drivers are not stopped at the time of the bad behaviour. In other words, I believe that the Hon. Julian Stefani was arguing—and I am not putting words into his mouth—that we should have a greater reliance on laser guns. I am a great supporter of laser guns. Why? It is because they stop the errant behaviour right then and there. What good is it that the police jump up and down as they selectively release their statistics to indicate that on our metropolitan roads over the last three months 200 people were driving at between 100 km/h and 130 km/h? It is no good the speed cameras picking up these people, particularly if that errant behaviour is allowed to go on for six weeks before they get a notice.

The point that the Hon. Julian Stefani has made is absolutely correct. A greater reliance on laser guns instead of speed cameras would stop that behaviour then and there, and it would also target the hoons and the petrol heads who drive at ridiculous speeds on our roads. Not only would it stop that errant behaviour then and there but also it would allow the police to check the registration of the vehicle and to ensure that the driver was licensed. Statistics tell us that 2 per cent to 3 per cent of vehicles on our roads are unregistered and that up to 5 per cent of people who are driving at any one time do not have a current driver's licence. It does not do much good sending them a speed camera fine three weeks or six weeks after the offence. If they do not have a licence, they just pay the fine, and they are usually the fines that are paid promptly.

I will come back to the topic of laser guns a little later and expand on the Hon. Julian Stefani's interjection. Anybody who knows anything about discipline—and, let us be frank, speed fines are a form of discipline and a form of punishment—would know that, unless you acknowledge the bad behaviour at the time it is occurring, it is of little consequence. The time frame between the bad behaviour occurring and the discipline being taken should be as short as possible.

That certainly happens when you use a laser gun. I was caught by a laser gun about seven or eight years ago. You get caught right then and there. I can see you nodding, Mr Acting President; perhaps you are empathising with me. But you get caught right then and there and the bad behaviour stops, and I can assure you—

The Hon. J.F. Stefani: They give you a ticket.

The Hon. T.G. CAMERON: And you get the ticket straight away. The policeman checked my registration, asked me whether I had a current driver's licence and even cast an eye over the rear wheels of my car.

The Hon. J.F. Stefani: And you get demerit points.

The Hon. T.G. CAMERON: And you get demerit points, which is a far more effective deterrent than just a fine. I know a person who gets 20 to 30 speed camera fines a year, but he is worth about $7 million or $8 million—he doesn't give a damn. But what about an unemployed 19 year old who is on the dole? A $140 fine hurts them a lot more than it hurts someone coming from the richer end of town.

So, I do have some sympathy with the argument the Hon. Di Laidlaw runs, but I will wait and see what this government is proposing to do, after the grandstanding announcements that we heard on radio tonight. To me it seemed like a bit of a rehash of all the things you were proposing to do if you found yourself state transport minister again, but you cannot complain about that; there were some good ideas in all that. If the government is to introduce demerit points by speed cameras I would like it to examine whether or not it can put any vertical equity into it. The fine does not impact equally across society. I know you can argue that it is really these young male drivers under 25 whom we are trying to attack; they are the main offenders when it comes to speeding, but an arguable case can be made out that introducing demerit points for speed camera fines will be a greater deterrent, and I think there is some validity in that argument. I think it is double jeopardy and that we will be penalising people twice.

I would be prepared to support demerit points for speed camera offences if we could find some way of introducing a bit of vertical equity into the system. I do not see anything fair about an 18 year old kid who takes six months to pay off a speeding fine. Perhaps that works effectively and they stop speeding, but the evidence suggests that it does not. Whereas, every time someone else gets a speeding fine they just post off a cheque and continue their errant behaviour. I can see that by attaching demerit points to speed camera fines you will eliminate those people from the roads. They will have to stop speeding; if they do not, they will lose their licence. I believe that there is enough anecdotal evidence to suggest that some drivers—that is, those who are easily able to pay the fines—are quite happy to continue speeding and continue to pay. Surely this is not what the government is intending with the use of speed cameras.

I turn to the issue of black spots versus arterial roads. Answers to a series of questions I have put on notice show that speed cameras continue to be placed on main arterial roads where they earn the greatest stream of revenue but which are not known as black spots. Currently there is little or no correlation between the placement of speed cameras and accident spot sites, despite the best efforts of SAPOL to convince us otherwise. The only way the public will be convinced that there is merit in using speed cameras, that they are being used fairly and that they are being used to slow people down and save lives, is if we have a transparent system and the police put out in writing what their policies

and guidelines are for the use of speed cameras. But they are very reticent when it comes to disclosing information. They will not disclose, for example, at what speed limit they start issuing speed camera fines. What they have been very open and straightforward about is the campaign they have been running for about five years now, ever since I took up the cause that the Hon. Julian Stefani first took up many years ago.

We need a bit of transparency, honesty and openness about this because, if you do not carry the public with you, the antagonism and angst that exist out there in the community about the way governments and SAPOL are using speed cameras will continue. It is exacerbated and fuelled when that little white envelope turns up from State Administration and you think, 'Oh, God; is this a land tax notice or another speed camera fine?' Government figures show that those locations where cameras are placed the most and where the highest revenue is collected often have relatively few crashes, while much more dangerous roads with higher levels of accidents have the cameras placed there much less often.

Any analysis of the statistical data that the government has provided me over the years with my questioning clearly demonstrates that the government is not placing these cameras where the black spots are occurring. This should be of particular concern to country people, because up to two-thirds of road deaths in South Australia are occurring out in the country. One cannot argue that it is because they are driving more safely, because less than 20 per cent of the revenue gleaned from speed cameras comes from country drivers. The evidence confirms that sites are chosen for maximum revenue raising, not where accidents are occurring.

For many years I have advocated strongly for the increased use of laser guns to replace the misguided use of speed cameras and complement them. In February 1998 in a media statement I called for an immediate freeze on the purchase of any new speed cameras and for the emphasis on speed detection to be switched to laser guns. Speed cameras do little else besides taking a photograph of a vehicle and raising tens of millions of dollars in fines for the state government. I did have four weeks written here, but I now know that it can take up to six weeks for notices to be received by offenders, long after the risky driving behaviour has occurred.

Speeding drivers are much more likely to think about their driving behaviour if they are stopped and given an on the spot fine by a police officer operating a laser gun—it is a much better and safer deterrent and a boost for public safety. We should never underestimate the value of a visible police presence on our roads and in our suburbs at all times.

The benefits of using laser guns as opposed to speed cameras include immediacy; laser guns have an immediate impact on driving behaviour. Offenders caught speeding are stopped on the spot, then and there, which is the point that the Hon. Julian Stefani was making. Laser guns are more accurate. Unlike with speed cameras, there is less chance of offenders being let off due to technical difficulties. Laser guns are flexible and can be moved quickly from one location to another. They are versatile. Police using laser guns can also undertake other road traffic duties, including roadworthiness, RBT and driver's licence and motor registration checks, and they provide a visible police presence on our roads. In effect, laser gun operators become a one stop shop for motor vehicle offences. If people are caught speeding, the vehicle, driver's licence and motor registration can all be checked at the time of the offence.

Why then do governments not use laser guns more often or get more of them instead of buying more technologically sophisticated speed cameras? The reason is pretty simple: the costs associated with operating laser guns as a percentage of the revenue raised is much higher than the costs associated with using speed cameras as a percentage of revenue. In other words, I submit to this council that the underlying reason why governments are relying on speed cameras and not laser guns has more to do with the costs associated with using laser guns. In fact, if this motion is successful one of the things I would be every keen to explore is just why we have 200 or so laser guns here in South Australia but they are rarely being used on our roads. I submit that it is because it is easier, more convenient and much less costly to rely on speed cameras.

The Hon. J.F. Stefani: It's quicker to take a photograph than pull up a motorist every time.

The Hon. T.G. CAMERON: Exactly; it is much quicker and it costs much less, as the Hon. Julian Stefani points out. We now have moves by the new Labor government to introduce demerit points for speed camera offences. Figures made available to my office show that up to 100 000 South Australian motorists could lose their driver's licences if demerit points for speed camera offences are introduced.

Currently only people caught by laser guns and other means are issued with demerit points of between one and six, depending on the speed of the vehicle. During 1995-96, figures supplied by the police show that 109 766 motorists were caught for speeding by laser guns; those people lost a total of 297 512 demerit points. For the same period, 355 784 motorists were caught by speed cameras. As many as 100 000 people could possibly lose their driver's licence as a result. A letter from the then minister for transport, Diana Laidlaw, in 1998 stated:

> No estimates have been made of the potential number of drivers that may offend and may be caught and the points they may lose if and when the points demerit system was extended in South Australia to include offences detected by radar operated cameras.

I hope that the new government, when it introduces legislation along these lines, has done some analysis and is able to provide estimates of the potential number of drivers who may be caught, the points they may lose and how many people may lose their licence. It sounds to me that this new Labor government (and I referred to this before) is just continuing on from where the previous Liberal government and minister for transport left off.

The Hon. Diana Laidlaw: Are you saying that is a good thing?

The Hon. T.G. CAMERON: I am just making the observation. Some of the initiatives that the minister, Michael Wright, announced tonight are well worthy of supporting. I anticipate that the honourable member will be arguing strongly in her party room for the Liberal Party to support them. Why? Because they are a mirror image of what she announced. Fortunately for the Hon. Michael Wright, he does not have to contend in his caucus with Graham Gunn when it comes to matters like this.

The loss of a driver's licence can be economically devastating for a small business person who relies on a motor vehicle for business. Similarly, there are many low income families who lack access to public transport and rely on a single driver's licence for mobility. Not least of all will be some of the problems that may be created in the country, where a licence is essential. Without it, you are in real trouble, particularly if you are a farmer. It is my view that, if we do introduce demerit points for speed cameras, we will

need to have a very close look at how many people are going to lose their licence. If not, we will have to consider a different demerit point regime than the one we use for laser guns.

Since as far back as 1997 I have been calling for a shift in tactics in the use of speed cameras. In a media statement dated 14 January 1997 I called on the government to cut the country road toll by redirecting laser guns and speed cameras to country black spots. Instead, they are concentrating on low risk, high revenue-raising arterial roads in the city.

The Hon. J.F. Stefani: One way traffic, too.

The Hon. T.G. CAMERON: Yes, one way traffic with no intersections, like Port Road, which has three or four lanes, is one way and has a stop light on every intersection on the road. I cannot recall in 20-odd years of driving ever seeing an accident on the Port Road, but just about every time you drive down it you run into a speed camera. Why? Because they are guaranteed a return. Their statistics and their methodology are so accurate—

The Hon. Caroline Schaefer: It is all about money.

The Hon. T.G. CAMERON: Yes, it is all about money. They know that if they put a speed camera at this location on the Port Road between 3 o'clock and 5 o'clock on a Thursday, they will catch X number of people. They are able to work it out statistically.

The Hon. J.F. Stefani: Thirty-five thousand cars a day go down Port Road.

The Hon. T.G. CAMERON: I was not aware of that statistic but I will include it in my speech. The Hon. Julian Stefani tells me that, from his research, 35 000 cars a day use Port Road. No wonder they have a speed camera there every other day of the week.

The Hon. Caroline Schaefer interjecting:

The Hon. T.G. CAMERON: That often happens, too. You get a slow coach in front of you, you move out into the next lane to pass, you might momentarily be up to 70 or 71—bang, you will be caught! SAPOL officers have got it down to such a fine art that they know within 50 yards where to place the cameras. They know the relationship between speed and distance from a traffic light, for example. I have seen them putting speed cameras 100 metres before a traffic light. Why? To catch people who might get over 70 as they have accelerated just a little touch to catch the orange light. As they have crept up to 70 they may be driving more safely than if they stayed at 65.

Speed cameras get placed on main roads, one way roads, dual and triple lane highways. They get placed in areas where there are variable speed zones. Why? Because their evidence shows them that that is where they will catch more people. It is not where the accidents are occurring but it is where they will catch more people.

The Hon. J.F. Stefani: Downhill, too.

The Hon. T.G. CAMERON: I forgot that one. What about downhill? Usually if you go up into the Hills, coincidentally, because I guess all the accidents happen at the bottom of the hill—they do not happen a third, or half, or two-thirds of the way down—

The Hon. J.F. Stefani: Or uphill.

The Hon. T.G. CAMERON: Or uphill; accidents never occur uphill. I cannot recall ever seeing a speed camera placed uphill. Why? Because that is not where they raise the money; that is not where they get the $300 million. Office of Road Safety figures show that, over the past five years, approximately 60 per cent of road fatalities occur in the country, even though rural areas house just 20 per cent of the state's population. I seek leave to have inserted in *Hansard* a purely statistical table showing road fatalities comparing city and country for the period 1997 to 2001.

Leave granted.

Road fatalities city/country 1997-2001

Location	1997	1998	1999	2000	2001	2002 (30 June)
City	55 (36.9%)	73 (43.5%)	59 (38.5%)	70 (42.2%)	70 (45.8%)	22 (35.5%)
Country	94 (63.1%)	95 (56.5%)	94 (61.4%)	96 (57.8%)	83 (54.2%)	40 (64.5%)
Total	149	168	153	166	153	64

Source: Department of Transport, Office of Road Safety.

The Hon. T.G. CAMERON: In the first six months of this year, the rate stood at 64.6 per cent for deaths in country areas compared with 35.5 per cent for city areas. However, 90 per cent of the expiation notices and revenue collected from speed cameras are issued in the city. So much for speed cameras being placed where people are being killed.

The 1996 Rural Road Safety Task Force report showed that alcohol, speed, inattention and fatigue were the major factors behind rural road crashes. It recommended increased traffic law enforcement and an allocation of more resources towards policing. It would appear that, in that four-year period, we have had less policing, and country road fatalities, for example, have increased from 56 per cent in 1998 to 64 per cent to 30 June this year.

In fact, the figures are quite alarming. In the last 18 months alone, road deaths in the country have increased from 54.2 per cent in 2001 to 64.5 per cent in the first six months of this year. However, 90 per cent of expiation notices and revenue collected from speed cameras are issued in the city. I can understand, Mr President, that this line of argument is not music to your ears because you drive from Adelaide to Port Pirie.

The PRESIDENT: I used to.

The Hon. T.G. CAMERON: Well, I guess you won't give a damn now, will you? There are a number of strategies the government could introduce immediately to help kerb the country road toll, including directing the police to put extra resources onto country roads, especially at known black spots and, in particular, by using laser guns. You will notice that I am not arguing that we send the 17 speed cameras out into the country but that we put extra resources onto country roads.

If we do put speed cameras out in the country, for God's sake, let's put them where the accidents are occurring and not 200 or 300 metres from where motorists are required to change from a country to a city speed limit. In other words,

the cameras are placed 200 metres—the minimum distance, I think it is; it might be 100 metres—into the 60 kilometre speed zone. Why? Again, because they can harvest those motorists who have not slowed down in that first 100 or 200 metres. There is no evidence that an accident has ever occurred at that site or has ever occurred on the road and yet there the speed camera is placed. For what reason? Maybe SAPOL are able to divine the future! Maybe they have worked out that an accident will not occur next month if we place a speed camera here this month. I guess they must have been proven right, because something must be working. They keep placing the speed cameras on these sites and there are never any accidents.

It is just a lie; it is what I call a political lie perpetrated by governments for 10 years to justify the collection of this $300 million. More laser guns could be used in the country. They could increase spending on road education programs to get the message across to country and city motorists. Country road deaths are often not country people driving in and around their local roads; it is often interstate or city motorists who are not familiar with driving in the country. They could make it mandatory for new drivers to spend at least one driving lesson on country roads (including gravel roads) before they are eligible for their probationary licence. It can be pretty intimidating if you are out in the country for the first time, cruising along at 100 km/h—the limit for P-plate drivers—and a road train hurtling along at 100 km/h becomes immediately visible in the rear vision mirror and just about blows you off the road as it goes past you at 115 or 120 km/h. It is certainly doing a lot more than you are at 100, and you see a big sign across the back of the truck saying, 'This vehicle is speed limited to 100 km/h.'

The Hon. Diana Laidlaw: It is 90 km/h.

The Hon. T.G. CAMERON: The ones I saw said 100 km/h. I may be wrong; it does not matter. You look at the speed limit and say, 'God, I am doing 110 km/h, what must that truck be doing?' Fair dinkum, they would just about blow a light car off the road, particularly for a woman driver.

An honourable member interjecting:

The Hon. T.G. CAMERON: Well, it can be. I am not being sexist here. I can see you laughing, but, as I say, particularly for a woman driver. It is a statistical fact that women drivers do not drive as fast on our roads as men do and that more men get caught speeding than women. I do not resile from what I have said.

It is most intimidating for a woman driving on a country road, particularly a young woman on a P-plate, to have a huge road train hurtling past her. I have been with people when they have instinctively put their foot on the brake and asked, 'What's happened?' Anyone can tell you that instinctively putting your foot on the brake, if you are driving along at 110 km/h in the country, is not necessarily good driving practice.

We should commit extra funds to prioritising and upgrading country rest stops and fixing black spots. We should be putting more money into our country roads, and that is why I was so disappointed when the government cut funding for our rural roads. The evidence that I looked at indicated that funding needed to be increased, not cut back.

The Hon. Diana Laidlaw: I learned today they have cut another $4 million from the Far North roads.

The Hon. T.G. CAMERON: They have just cut another $4 million from our Far North roads, I understand. I looked at the statistics and it was a fact that, ever since the collapse of the State Bank in South Australia, both Labor and Liberal governments have successively ripped money away from our country roads system, to the point where in 1998 we were spending the least amount of money on country roads per capita in Australia.

I was pleased to note that the minister took some note of those comments and, in the last couple of years of the Liberal government, there was an attempt to push up spending on our country roads. That is why it is so disappointing that, after seven or eight years, when this black hole of funding for our country roads was finally being rectified, we have gone back to the bad old days. Perhaps the theory is, 'We've got only one seat in the country. Those buggers don't vote for us anyway. Let's cut rural programs.' Certainly, when I was in the Labor Party, that was the thinking, but perhaps it has changed since then.

The Hon. Diana Laidlaw: Not this budget.

The Hon. T.G. CAMERON: It has not been demonstrated in this budget. The skills needed for driving safely on country roads are not necessarily the same (I had better get a move on)—

The PRESIDENT: Not too fast: there might be a camera!

The Hon. T.G. CAMERON: —as those needed for city roads, and our drivers need better training. I do not want to break my flower farm speech record tonight, but I keep getting these worthwhile interjections that I have to respond to so that I can get them on the record.

It is time the government acted. The terrible waste of life, I submit, can be reduced if we undertake a select committee of inquiry and come up with proper recommendations and guidelines, particularly if the Minister for Police then directs SAPOL to follow these guidelines. Members should have no doubt that one of the first groups that would come before a select committee on the use of speed cameras would be SAPOL.

The most recent figures released by the government show that, based on postcodes, cameras are still being placed where they will raise revenue, not where accidents are occurring. Of the top 10 postcodes with the highest number of fines issued, just three were in the top 10 postcode locations for serious accidents.

The government cannot have it both ways. If it was serious about lowering the number of accidents—and the state transport minister tonight on radio certainly tried very hard to give the impression that the government is serious—this measure would be supported by the minister and the Labor government.

If we are serious about placing speed cameras where crash intelligence is telling us the accidents are occurring, it will be a good thing for this state. People will then believe that speed cameras are being used to save lives, not to bolster government coffers. It is time governments in this state stopped playing games with the way speed cameras are operated. It is about time we stopped spending millions of dollars, too, on expensive advertising campaigns that are more about justifying the use of speed cameras than they are about slowing people down. I have said it before and I will say it again: voters are not stupid. They know when a government is trying to pull the wool over their eyes. Is it any wonder, as the Hon. Ian Gilfillan pointed out in his grievance debate today, that people are losing faith in our politicians and the political process, and we are all the losers when that occurs?

In the last 10 years, 2.35 million expiation notices were issued for speeding, the vast majority of them on main arterial roads, at the bottom of inclines, on the boundaries of country towns and a range of other locations that in no way at all can

be considered to be accident black spots. People just do not swallow the government story any more when it says, 'They are not about raising revenue: we are using them to help reduce the road toll.' Quite frankly, without mentioning names, I have had people from all political parties say to me, 'Look, you really are right. We know they are using them to raise revenue. It has nothing to do with saving lives but we just need that $30 million or $40 million a year. Where would the money come from if we stopped using speed cameras?'

It is a bit like the poker machine debate. Now that we have these high taxes, one wonders whether we will ever be able to get any government to abolish them. This new Labor government has a real opportunity to get it right when it comes to the proper use of speed cameras. I was delighted to hear the Hon. Mike Rann's dulcet tones echoing over 5AN tonight when he said, 'This won't be a communist government. This won't be a Nazi government: this will be a government that will stand up and admit its mistakes and, if we get it wrong, we will consult and listen to people. We will change,' etc. I must get a copy of that quote because I can imagine that it will need to be incorporated into a few other speeches.

If Mike Rann were to live true to what he was saying on 5AN tonight, this Labor government would support a select committee of inquiry if for no other reason, if nothing else comes out of it, that the committee concludes, 'Speed cameras are not being used for revenue raising. SAPOL was right all the way along. Only known black spots were being targeted,' etc. That will be good for public debate in South Australia. You might be able to carry the public with you, and they will sit there and believe you when you tell them that you are using them to save lives, not raising revenue.

This Labor government has a real opportunity to get it right when it comes to the proper use of speed cameras. Look, I believe that a vast majority of the public supports speed cameras provided that they believe they are being used responsibly and are targeting those areas where accidents are occurring both in the city and in the country. South Australia is not alone when it comes to this issue. Many other jurisdictions in the world are having to deal with the very concerns I have raised here. Motorists are no longer willing to be cash cows on wheels for governments.

In places as diverse as Canada, California, British Columbia, Ontario, Hawaii and Britain governments have reconsidered or are seriously reconsidering their speed camera strategies. They have come to the conclusion that if they are just used to raise revenue eventually the public does not believe the rhetoric that they are being used to save lives. The Rann government could do it well, and I hope that if we set up a select committee we do this.

Take a close look at moves by the Blair Labour government—Blair has always been a hero of Mike Rann and of Gallop from Western Australia—and at what the Blair government is forcing upon local government, which operate these cameras in England, and local police: it is forcing them to use speed cameras for the purpose for which they were intended to be used. They have announced a whole range of proposals to do it. The English Minister for Transport, John Spellar said:

> Safety cameras are playing a significant role in preventing accidents and loss of life. They are there to change driver behaviour, not to catch motorists and raise revenue.

That is worth repeating:

> They are there to change driver behaviour, not to catch motorists and raise revenue. I hope that by instructing local authorities to make them more visible, motorists will realise that road safety is our main concern. If they heed the signs and slow down when they see cameras they, their passengers and pedestrians will be safer and they won't get a ticket. These instructions emphasise the government's commitment to using speed cameras as a deterrent against excessive speeding and not as a means of raising money.

The British government recently introduced legislation that ensures cameras cannot be used for political or revenue generating purposes. All cameras will need to be signed, sited and highly visible to motorists. The police are required—they are not left to their own resources to draw up their own guidelines and place them where they will maximise revenue to appease their political masters—to prioritise camera sites and have quantified evidence that those sites have the greatest casualty problems. That would not be a bad principle to adopt here in South Australia, would it? The police are required to prioritise camera sites and have quantified evidence that those sites have the greatest casualty problems.

The Hon. J.F. Stefani interjecting:

The Hon. T.G. CAMERON: Yes, as the Hon. Julian Stefani interjects, on that basis a heap of them would have to go out into the country and perhaps if they did we would not have seen a nearly 20 per cent increase in country deaths this year from last year as a proportion of total deaths here in South Australia.

The new rules will also make clear that cameras cannot be located for political or revenue generating purposes and that speed surveys have to be conducted in advance of situating cameras to ensure they are placed only in areas where there is a proven problem. I could not have said it better myself. A recent report undertaken by the British government showed that on average at the camera sites the number—listen to these statistics—of people killed or seriously injured fell by 47 per cent compared with the average over the previous three years. The number of people killed or seriously injured dropped by 18 per cent. If we were able to reduce road deaths here in South Australia by 18 per cent, that would mean that we could reduce the number of people killed on our roads here in South Australia, just by this one simple measure, by between 20 and 30 people per year.

On average the number of drivers speeding at camera sites dropped from 55 per cent to 16 per cent. Isn't that the aim of speed cameras—to stop people from speeding where people are being killed? The evidence from England is that on average the number of drivers speeding at camera sites dropped from 55 per cent to 16 per cent—a laudable objective. The British government has also introduced new guidelines for the visibility and signing of cameras, meaning that in future new cameras will have to be coloured bright yellow to maximise their visibility to motorists—not when they are put up in the parklands—

The Hon. J.F. Stefani: Not green!

The Hon. T.G. CAMERON: The honourable member is identifying himself here; I did not name him; not when they are placed in the parklands with a green background, having green camouflage placed over the top of them. What next are they going to do? Will they camouflage them with plastic shrubs or something?

The Hon. R.K. Sneath interjecting:

The Hon. T.G. CAMERON: As the Hon. Bob Sneath points out, may be it is the Army Reserve that is putting up the speed cameras around the place and using Army camouflage.

The Hon. T.G. Roberts: It's the paparazzi chasing you!

The Hon. T.G. CAMERON: Well, it's been a long while since they got me for speeding. Transport Minister John Spellar said:

> We have chosen the colour yellow, and are permitting the use of reflective strips to maximise visibility. In time, speed cameras across the country will be yellow.

Why yellow? It is because that is the colour that a motorist is most likely to pick up. He continued:

> That consistency and the tightening of the rules on cameras being obscured and signposted should serve to give motorists plenty of warning that a camera is present.

That is unlike the situation in South Australia where many speed cameras are camouflaged, hiding in the bushes, or dressed up in army-style camouflage attire, or, with the new ones, actually hidden inside the car. They are almost impossible to see. We do not want to stop drivers from speeding at that site: we want to catch them, collect their money, let them continue speeding, and, hopefully they remember, 'Oh hell, they use a speed camera on this road, I had better show down.' Even that might be an effective deterrent, if the speed cameras were placed where the accidents are occurring, but they are not even doing that. The new British laws also state:

- No camera housing should be obscured by bridges, signs, trees or bushes.
- Cameras must be visible from 60 metres away in 40 mph or less areas and 100 metres for all other limits.
- Camera warning and speed limit reminders must be placed within 1 kilometre of fixed and mobile camera sites.

The Hon. J.F. Stefani: This is before, not after.

The Hon. T.G. CAMERON: Yes, before. Not that pathetic little sign which really peeves you off and which is padlocked to the nearest stobie pole, after the speed camera. The reason it is padlocked, I understand, is that people pinch them.

The Hon. J.F. Stefani: With a little camera and note that says 'Saves lives'.

The Hon. T.G. CAMERON: Yes, it says 'Speed cameras save lives'. Perhaps I ought to get a sign to hang up next to it, which sets out the statistics of how much money they are collecting and just how ineffectively they are working here in South Australia. It will be interesting to see whether the state transport minister lives up to the holier than thou rhetoric that was coming across the airwaves this afternoon. I will be interested to see whether he is prepared to support it. The British laws continue:

- Signs must only be placed in areas where camera housings are placed or where mobile cameras are used.
- Mobile speed camera users must be highly visible by wearing fluorescent clothing and their vehicles marked with reflective strips.

Members should contrast that with the situation here in South Australia, where more often than not the operators of the speed cameras get into the back seat and get right down so that no-one can see that there is anyone sitting in the car. Now I will get back up to my feet; I just thought I would give a graphic demonstration.

The Hon. P. Holloway: That will look good in *Hansard*!

The Hon. T.G. CAMERON: Yes, it will look good in *Hansard*. They will understand what I am talking about.

The Hon. J.F. Stefani: Now panel vans are used.

The Hon. T.G. CAMERON: Panel vans are used.

The Hon. T.G. Roberts: Give us an illustration of one of the panel vans.

The Hon. T.G. CAMERON: I'll give you a demonstration of something else afterwards if you're not careful! But look:

- Mobile speed camera users must be highly visible by wearing fluorescent clothing and their vehicles marked with reflective strips.

Gee-whiz, can you imagine members of SAPOL wearing fluorescent clothing here in South Australia and marking their vehicles with reflective strips? They go out of their way to hide their vehicles. One of the ways in which motorists pick up that a vehicle parked on the side of the road has a secret camera hidden inside it is that they see someone sitting in the driver's seat. SAPOL has even got a way around that—as I so poorly demonstrated—they climb into the back seat and hunch down a little so they cannot be seen at all, and you think it is just a parked car—

The Hon. J.F. Stefani: With the engine running so they keep cool or warm.

The Hon. T.G. CAMERON: Yes, as the Hon. Julian Stefani has pointed out, with the engine running so they can keep warm or cool. Thew new British laws also provide that camera sites must be reviewed at least every six months to ensure that visibility and signing conditions are being met. Have the British got it so wrong and we have got it so right, or is there something that we could learn to improve the effectiveness of using this technology to save people's lives that could be properly identified by establishing a select committee and, for the first time in the history of this parliament, having a close look at the issue? I mean, if you were not President, I would love to have you on the committee but, unfortunately, I do not think the standing orders allow presidents to sit on—

The PRESIDENT: They do.

The Hon. T.G. CAMERON: They do; then I will talk to you tomorrow if this motion gets up. I think the Hon. Bob Sneath would be a good one to put on it, too, as he dodges those cameras on his way home to Clare on the weekend—

The Hon. R.K. Sneath interjecting:

The Hon. T.G. CAMERON: I should recognise that interjection. The income generated by speed cameras is in the tens of millions of dollars. Hundreds of thousands of drivers are being issued with expiation notices. While the government has promised to place the money raised by fines into fighting crime, many South Australians believe the money should be spent on better and more comprehensive driver training, upgrading our transport system and our deteriorating roads, particularly our country roads—

The Hon. J.F. Stefani: More police on the beat.

The Hon. T.G. CAMERON: And more police on the beat. I have already outlined when I introduced the bill what the committee will have the power to examine. In conclusion, a select committee into the use and effectiveness of speed cameras is long overdue. The evidence speaks for itself: speed cameras do not stop speeding drivers on the spot. The evidence suggests that they have little impact on slowing people down at all. Their effectiveness in deterring speeding behaviour and reducing the road toll under the present strategies is questionable.

Since their introduction over 10 years ago, the road toll has remained effectively static and the fall in the number of expiation notices has been negligible. We have collected nearly $300 million, and countless millions of dollars that perhaps could have been used elsewhere have been spent on advertising campaigns to try to bolster the public's confidence in these machines. Yet the government continues to use

them with little research, analysis or investigation into their appropriateness or effectiveness. Mr President, I take on board your comments earlier. It is time we took our head out of the sand: it is time that the ostrich approach was passed over and we set up a select committee to look properly at this issue.

How effective are speed cameras and their current strategies for saving lives? Based on the government's own figures, not very good. If we are to be serious about saving lives, then we must have this inquiry and put this matter to rest once and for all. If we do that, then perhaps we will be taking a positive step. As I have indicated before, on the British figures we may save 20 or 30 lives next year as well as diabolical injuries to hundreds of others. I ask members to support the motion.

The Hon. P. HOLLOWAY secured the adjournment of the debate.

ESTIMATES COMMITTEES

The House of Assembly requested that the Legislative Council give permission to the Minister for Agriculture, Food and Fisheries (Hon. Paul Holloway) and the Minister for Aboriginal Affairs and Reconciliation (Hon. T.G. Roberts), members of the Legislative Council, to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I move:

That the Minister for Agriculture, Food and Fisheries and the Minister for Aboriginal Affairs and Reconciliation have leave to attend and give evidence before the estimates committees of the House of Assembly on the Appropriation Bill, if they think fit.

Motion carried.

GAMING MACHINES (LIMITATION ON EXCEPTION TO FREEZE) AMENDMENT BILL

Received from the House of Assembly and read a first time.

DAIRY INDUSTRY

The House of Assembly informed the Legislative Council that it concurred with the resolution of the Legislative Council contained in message No. 12 for the appointment of a joint committee on dairy deregulation, and that the House of Assembly will be represented on the committee by three members of whom two shall form the quorum necessary to be present at all sittings of the committee. The House of Assembly had also suspended its standing orders to permit the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the House of Assembly.

The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries): I move:

That the members of this council on the joint committee be the Hons J.S.L. Dawkins, I. Gilfillan and R.K. Sneath.

Motion carried.

ADJOURNMENT

At 10.29 p.m. the council adjourned until Thursday 18 July at 2.15 p.m.