

## LEGISLATIVE COUNCIL

Thursday 5 December 2002

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

## PAPERS TABLED

The following papers were laid on the table:

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

Electricity Supply Industry Planning Council (ESIPC)—  
Report, 2001-02

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

Reports, 2001-02—

Actuarial Investigation of the State and Sufficiency of  
the Construction Industry Fund  
Construction Industry Long Service Leave Board  
Legal Practitioners Disciplinary Tribunal Report to the  
Attorney-General and the Chief Justice, pursuant to  
Section 90A of the Legal Practitioners Act 1981.  
Mining and Quarrying Occupational Health and Safety  
Committee  
Occupational Health, Safety and Welfare Advisory  
Committee  
WorkCover Corporation  
WorkCover Corporation Statistical Review, 2001-02.

## PRINTING COMMITTEE

The **Hon. R.K. SNEATH**: I bring up the first report of the committee and move:

That the report be adopted.

*Members interjecting:*

The **PRESIDENT**: Order! Members will pay due deference to the importance of this committee.

Motion carried.

## SCHOOLS, OB FLAT PRIMARY

The **Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries)**: I table a ministerial statement on the OB Flat Primary School made by the Minister for Education and Children's Services yesterday.

## WATER PRICES

The **Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries)**: I table a ministerial statement on water prices made today by the Minister for Government Enterprises.

## DRUGS SUMMIT

The **Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation)**: I lay on the table a ministerial statement on initial government responses to Drugs Summit recommendations made by the Minister for Health.

## CONTAINER DEPOSIT LEGISLATION

The **Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation)**: I lay on the table a ministerial statement on container deposit legislation made by the Minister for Environment and Conservation in another place.

## FOUNDRY INDUSTRIES

The **Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation)**: I lay on the table a ministerial statement on foundry industries made by the Minister for Environment and Conservation in another place.

## QUESTION TIME

## EXCEPTIONAL CIRCUMSTANCES

The **Hon. CAROLINE SCHAEFER**: I seek leave to make an explanation before asking the Minister for Agriculture, Food and Fisheries a question about exceptional circumstances drought funding

Leave granted.

The **Hon. CAROLINE SCHAEFER**: It is well known that stringent criteria have to be met to qualify for exceptional circumstances funding from the commonwealth. Some of the basic requirements are as follows:

The state government must be able to demonstrate that it has provided substantial new assistance that is not normally available to the EC area.

It has to be new assistance, not normally available. Taking money from an existing farm business program and reinjecting it, badged as drought relief, is not new money. Road maintenance money, although badly needed, would not qualify as drought assistance. Another criterion that must be met is:

State government drought assistance money must be seen to be being spent on the farmers affected now, not just promised in the future without guarantee.

In New South Wales, for example, the state government has promised \$15.8 million but the commonwealth has told it to start spending it now and this will demonstrate the urgency of the plight of the farmers. A third criterion states: 'The state government must declare its regions drought-affected,' which I note the minister did yesterday. However, the minister added a proviso, saying:

I have formally endorsed the areas proposed in the application to be in drought for the purposes of exceptional circumstances.

But here is the extra proviso. He said:

I have done this on the predication that such a declaration does not infer any other commitment to this state. Nor will it be used in any other manner than in the meeting of the commonwealth's requirements.

My questions are:

1. Can the minister assure us that the drought relief package of \$5 million is new, additional funding and definitely not money simply subtracted from existing PIRSA budgets?

2. How many farmers have actually received emergency financial assistance which would then demonstrate to the commonwealth government this state's concern for its farmers and precipitate commonwealth assistance?

3. Can the minister explain the proviso that I have mentioned—that is, 'The declaration does not infer any other commitment to this state, nor will be used in any other manner than in meeting the commonwealth's requirement'?

4. Will the minister assure us that, if the total bill for exceptional circumstances funding climbs beyond \$7.2 million, this government will provide more than the \$720 000 hypothecated in order to meet the 10 per cent

minimum requirement to ensure exceptional circumstances funding?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I have stated before that the \$5 million that the government is putting up is an additional appropriation to the budget. Some \$1.5 million of that package will go directly to farmers as business support grants, and I have given the details of that particular package to parliament earlier.

**The Hon. Caroline Schaefer:** Has it yet?

**The Hon. P. HOLLOWAY:** Has it yet gone out? Well, some of it has. As a matter of fact, the honourable member might have noticed that in last weekend's paper there were some advertisements for rural councillors for that part of the package. Yesterday in my statement I indicated how the South Australian Farmers Federation had requested that we actually extend the time period applying for these packages by one month, from the end of January to the end of February. Certainly the farmers in the area understand the need for additional time in relation to applying for those grants.

In relation to drought declaration, it was a matter discussed at the primary industries ministers' council in Sydney in October. At that meeting, I queried with minister Truss this issue of drought declaration. It is my understanding that in some other states, such as Queensland and New South Wales, drought declaration has some meaning within the terms of their state legislation, and I assume that that is the context in which a drought declaration was required by the commonwealth. When I queried it with minister Truss at that meeting, he said he wanted to see the states basically show some tangible acceptance of drought, and I would have thought the \$5 million drought package announced by this government would have met that more than adequately.

Subsequently, with the correspondence that has come to the department, the commonwealth has put in this proviso for drought declaration. It is not clear what it means exactly, and that is why I included the proviso. If this state government does not recognise drought by providing \$5 million in drought assistance for the central north-east pastoral district and the Murray mallee, then I do not know what does.

#### PLANT FUNCTIONAL GENOMICS CENTRE

**The Hon. R.D. LAWSON:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the Plant Functional Genomics Centre.

Leave granted.

**The Hon. R.D. LAWSON:** The minister was recently on radio 5AA talking about the Plant Functional Genomics Centre. He said:

There was no money provided in the budget when we got into government for that particular project. Although the previous government had negotiated that—and I pay tribute to them for doing that—

thank you very much—

there was no money in the budget.

Yesterday, when the minister referred to the Plant Functional Genomics Centre, he said in response to an interjection from the Leader of the Opposition:

You made promises about money that was not there. They made all sorts of promises but there was no provision in the estimates.

The minister also said that his government had found an additional \$12 million for this particular centre. The minister then said:

We will have a look at the documents [on this issue].

If the minister had looked at the documents he would have seen that, in late 2001, the Olsen government approved the establishment of an innovation fund with some \$40 million over five years. That was approved by cabinet, and the innovation fund was to be applied for by ministers for particular projects. The minister for innovation applied for \$12 million over five years for the plant genomic centre and that payment was approved by cabinet. Upon that approval, it became an item included in the estimates and the budget for that financial year. My questions are:

1. Has the minister had a look at the documents, as he said he would yesterday?
2. If he has, will he confirm the accuracy of the description that I have just given?
3. Will he withdraw the allegation that the money was not provided in the estimates and was not there?
4. Will he apologise to the public for providing misleading information on public radio and to this chamber for misleading the council?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** As the deputy leader just said, the former government came up with the fund in late 2001. Almost by definition that means there was no provision within the forward estimates because the budget was produced in May 2001, not late 2001. It is one thing for the former government, right before an election, to create a fund that would somehow fit into future budgets, and I assume it was coming from the former treasurer's headroom. We have treasurer Max Headroom over there. Everything was supposed to be coming out of headroom all the time. It is a bit like Alice in Wonderland, where the head keeps growing bigger until it crowds out the room.

I will have to get information from other departments, but my initial inquiries about this matter indicate that the then government did announce some fund, but the fact that it was announced in late 2001 means that there was no provision in relation to estimates. As to what I said about provision in estimates, it is my understanding, and I will look at it further, that it was not in the previous government's estimates, because it was announced after those budget estimates were decided.

**The Hon. R.I. LUCAS (Leader of the Opposition):** I have a supplementary question. Is the leader indicating that no headroom provision has been made by the Treasurer in this current budget for the forward estimates period, otherwise known or described by the Treasurer as a contingency fund? I refer the member to the statement made by the Treasurer that the extra \$1 million to \$1.8 million for the new cabinet minister was going to come from the Treasurer's contingency fund.

**The Hon. P. HOLLOWAY:** Governments have always had contingency funds, but governments have also always had contingencies.

*Members interjecting:*

**The PRESIDENT:** Order!

### NORMANDY MINING

**The Hon. R.I. LUCAS (Leader of the Opposition):** I seek leave to make an explanation prior to asking minister Max Holloway—

**The PRESIDENT:** Order! The honourable member will contain his mirth.

**The Hon. R.I. LUCAS:**—representing the Minister for Trade in another place, a question on the subject of government financial assistance packages.

**The PRESIDENT:** Order! I am sure that the honourable member meant to refer to the Hon. Paul Holloway.

**The Hon. R.I. LUCAS:** Thank you, Mr President.

Leave granted.

**The Hon. R.I. LUCAS:** I apologise, Mr President: I got the Max and the Paul mixed up. Early last year the former government negotiated a financial assistance package with Mr Robert Champion de Crespigny and other executives from Normandy Mining in relation to the protection of jobs and the retention of the significant head office of Normandy Mining in South Australia. There had been rumours on the public record (without indicating my knowledge of what might have been said to the government privately by representatives of the company)—and I refer to articles by Mr Greg Kelton in the *Advertiser*, and other business columnists—that Normandy Mining may well relocate its head office and jobs interstate, in particular, to Brisbane. That financial assistance package went through the independent Industries Development Committee of the House of Assembly and was also approved by cabinet.

As members will know, late last year, Normandy Mining was the subject of significant trade takeover activity with a number of potential suitors and, as a result, as the then Minister for Industry and Trade, I indicated to the department that the financial assistance package should be put on hold, because, clearly, if the company was to be taken over, the issue of whether or not an assistance package would be required should be the subject of a fresh decision by either a re-elected government or a new government after the state election. As members will know, Newmont Mining was the successful company: the US based Newmont took over Normandy Mining. I think that was announced either just before Christmas or in January of this year. I was pleased to see a number of business reports about the company's proposed location, for example, I refer to one by the business editor of the *Advertiser* on 21 January of this year, which states:

The likely success of Newmont is good news for South Australia because the company said it planned to retain Normandy's city office and use Adelaide as its Asia-Pacific headquarters.

Clearly, it will be evident to all members that Newmont had indicated publicly that it would stay in Adelaide and keep its business in Adelaide.

Obviously the view has been put to me that, in those circumstances, there would not be the requirement for the state government, the South Australian taxpayers, to continue with, or, in essence, to reaffirm a previous commitment given to Normandy Mining. Is the South Australian government providing, or will it provide, any assistance to the US based Newmont Mining Corporation to maintain employment levels in South Australia and to maintain its headquarters in South Australia as well?

There is one other bit of information I should have put on the public record, that is, a statement which, again, appeared in a number of the business pages and which indicated that

it was likely. I refer to a story, again by business editor, Anthony Keane, in the *Advertiser* of 22 February in which he states:

Mr Robert Champion de Crespigny has been invited to take a seat on the board of Newmont—which will be the world's biggest gold miner after its acquisition of Normandy—but nothing has yet been announced.

I must confess, I do not know whether or not Mr de Crespigny did or did not—

**The Hon. Diana Laidlaw:** No, he didn't.

**The Hon. R.I. LUCAS:** I am advised by my colleague the Hon. Diana Laidlaw that Mr de Crespigny did not take up that seat on the board, therefore that information is not required.

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I will refer the question to the Treasurer for a response.

### DRUGS SUMMIT

**The Hon. M.J. ELLIOTT:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the Premier, a question about the Drugs Summit recommendations.

Leave granted.

**The Hon. M.J. ELLIOTT:** Today, the Premier put out a press released titled '\$3.25 million in first response to tackling drugs'. Today, also for the first time, I have seen the Social Inclusion Unit's response to the Drugs Summit. In conversations I have had with people who have been involved with the Drugs Summit, I think that they have acknowledged that the things which are proposed within the Premier's media release today and also those things contained within the Social Inclusion Unit's recommendations are all worth while.

I think that, for the most part, they are consistent with the Drugs Summit recommendations. Such things as education in relation to young people, for instance, is something of which people from all sides have been strongly supportive, as well as the expansion of programs for people who are undergoing treatment. It has been known for a long time that programs in South Australia have been under-funded and inadequate. The comment that has been made to me is that both the Social Inclusion Unit and the Premier's response have picked up only half the story.

They have tended to concentrate on education and the 'tough on drugs' approach and, although the Premier himself said that the issue is not simple and that we do not need simplistic answers, the concern expressed to me was that the answers, while all worthwhile (those that have been adopted, at least within this set of recommendations), have left many issues untouched. As examples, the Drugs Summit was prepared to accept safe injecting rooms; it was prepared to look at heroin prescription trials; it said that the regulated availability of cannabis should be examined; and it said that there needed to be a very tough approach to alcohol, caffeine and nicotine (tobacco) if we were to have an education program for children that, ultimately, was to work.

Those are just some examples of issues which, perhaps, were at the harder end of the spectrum and which have not emerged. Noting that the government has said that this is its first response, and we know already that the Premier has decided to ignore the recommendation in relation to hydroponic cannabis, is the Premier in a position to indicate what other parts of the Drugs Summit are also to be ignored; and would he respond to the concern that, at the end of the day,

for hundreds of people, the Drugs Summit was a waste of a week?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** One would hope that the Drugs Summit was not a wasted week. I do not believe that is the case.

**The Hon. M.J. Elliott:** Did you spend the week there?

**The Hon. P. HOLLOWAY:** No, I did not; not the week. I did attend part of it. I thank the Hon. Mike Elliott for what might well be his last question in this place. I am pleased that—

**The Hon. T.G. Cameron:** What, that it is his last question?

**The Hon. P. HOLLOWAY:** Well, I am probably pleased about that, too; but I am pleased that his last question, if that proves to be the case (we still have 40 minutes of question time left), is about matters in which I know the honourable member has had a longstanding interest. A ministerial statement was made by my colleague the Minister for Health in another place today (which the Hon. Terry Roberts tabled) in relation to the initial government response to the Drugs Summit. I think that it is best that I take that question on notice and, I guess, we will correspond with the honourable member.

### AUTISM

**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, a question about autism funding.

Leave granted.

**The Hon. T.G. CAMERON:** I have been contacted by a family who has an 11 year old nephew and who are concerned over the level of funding for people with autism in South Australia. The number of children diagnosed with autism spectrum disorders is growing at an alarming rate. Caring for a child with autism is a 24 hour a day job, and often the only relief is when the child sleeps. Family support is very important but education, including the teaching of social skills as a subject, is also important, if not essential, for autistic children. Research has shown that various forms of intervention can assist in the development of children with autism and that the earlier the treatments are implemented the more effective they are.

The Autism Association of South Australia supports people with families who have children with autism, and the number of clients they assist has more than doubled in the past five years. I am informed that the government has cut funding to the Autism Association of South Australia, impacting on its ability to service its clients. Many of the services previously supplied no longer exist. At present, intensive interventions are available only to those families that can afford to purchase them privately.

The Western Australian government currently provides funding for children with autism at the rate of about \$10 000 per family per year while the New South Wales Autism Association receives government funding sufficient to allow children with autism to attend mainstream schools. As the government has strongly committed itself to improving services in the areas of health and education, my questions are:

1. Why has state government funding to the Autism Association of South Australia been cut; when were those

cuts introduced; and by how much were funds cut over the last two financial years?

2. As research has shown that early intervention programs can assist the development of children with autism, will the minister have her department investigate whether these recent cuts were justified and will she reconsider restating these funds and report back to the house as soon as possible?

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

### GOVERNMENT CONSULTANTS

**The Hon. D.W. RIDGWAY:** I seek leave to make a short explanation before asking the Minister for Correctional Services an important question about his government's obsession with consultants.

Leave granted.

**The Hon. D.W. RIDGWAY:** Yesterday, in response to a question posed by my colleague the shadow attorney-general (Hon. Robert Lawson MLC) the Minister for Correctional Services stated that Mr Greg Stevens, previously from the South Australian union movement, had been given a consultancy to undertake a review of bullying issues relating to Mobilong Prison. As members are fully aware, the minister replied that Mr Stevens had completed the review and handed in a report which was now being considered. Mr Stevens is an extremely experienced individual in industrial matters, this side of the council accepts that and, as has been stated ad nauseam by the government, Mr Stevens' experience includes a term as a commissioner in the Industrial Commission.

However, there are many extremely experienced occupational, health and safety (OH&S) inspectors and professionals in Workplace Services who undertake daily investigations into these types of issues. In fact, I think the minister will find that, last year alone, OH&S inspectors investigated over 50 bullying issues—I may be slightly off with the number. However, I can say today that I and this side of the house offer our continued full support to the government OH&S inspectors. Mr Stevens has been an extremely busy individual since this government has come to office as, in addition to completing a report for the Minister for Correctional Services in this place, he has been completing a report for the Minister for Industrial Relations in the other place, for which he has been extremely well remunerated. My questions to the minister are:

1. How much was Mr Greg Stevens paid for his consultancy for the report on bullying at Mobilong Prison and what was the total cost of this consultancy?

2. Was the consultancy advertised; if not, why not; and if the consultancy was advertised how many people applied?

3. Was Workplace Services asked to investigate; if not, why not?

4. Has Mr Stevens been offered another consultancy for the purposes of the industrial relations review; and, if so, what is the end date for that consultancy?

5. Has Mr Stevens completed any other reviews or consultancies for any other ministers or government agencies since 5 March 2002?

**The Hon. T.G. ROBERTS (Minister for Correctional Services):** I can report that the issue of workplace bullying, as the member acknowledges, is a major problem facing people in the workplace. There has been continued expansion

of programs devised to come to grips with workplace bullying. Before this concentrated attention was placed on workplace bullying, it was an accepted part of the workplace and it turned the lives of many people into a living hell. Many individuals had to leave their place of employment as the only way of dealing with it.

This is no longer the case. There is a more enlightened view in relation to workplace bullying: that it can be eliminated, that it can be controlled, that bullies can be counselled and that an approach can be taken to help them change their ways of operating within the workplace, because in many cases bullying does not lead to increased productivity as some may view the outcome; in fact, it probably leads to the direct opposite.

*Members interjecting:*

**The Hon. T.G. ROBERTS:** I think it is another case of some members of the opposition believing that they are in government. Under standing orders, I am entitled to answer the question in any way I feel fit in relation to content, as long as I am not repetitive. I take the question seriously. I understand that the member who asked the question has a sensitive understanding of the issue, and I am reinforcing the preliminary detail that the member gave to provide an answer. He is not expecting me to answer all the detail in the question, because he knows that a lot of the answers will be provided cross-agency, and I do not have the detail in relation to the question with me. However, in relation to the bullies and the bullied, those in workplaces who are at the receiving end of bullies also need support and assistance and, when specialists are brought in, that has to be considered.

It is an industrial relations issue. The choice of Mr Stevens as the specialist to head the investigation I think was a wise one. The investigation that he carried out into the industrial relations system was a major one—and certainly I agree with the honourable member's assessment that it took up a lot of time—but it is an important one that has to be carried out from time to time. As a review has not been done for some considerable time, it was a timely time for a report to be undertaken. I will take those questions on notice. I will consult with my colleagues and bring back a reply to a very important question.

**The Hon. D.W. RIDGWAY:** Will the minister join with this side of the council and offer his bipartisan commitment to the government's OH&S inspectors in Workplace Services by, in future, requesting Workplace Services to investigate before offering further consultancies?

**The Hon. T.G. ROBERTS:** I will refer that question to the Minister for Industrial Relations in another place. My view is that, over the years, in many cases the inspectors' workloads are extremely high and, from time to time, they have to deal with a multitude of issues. There will be times when the workplace inspectors have to be supported, but I am sure that they will be consulted at some point in relation to this issue. However, I will follow that up with the Director of Correctional Services.

**McEWEN, Hon. R.J.**

**The Hon. J.F. STEFANI:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries, representing the new Minister for Local Government, Trade and Regional Development, a question about the minister's priorities.

Leave granted.

**The Hon. J.F. STEFANI:** During the state election campaign, the Independent member for Mount Gambier declared that he would not consider switching positions after the election. In an article published in the *Border Watch* dated 5 February 2002, Mr McEwen, now the newly appointed de facto Labor minister, said:

I will not switch. It will be no different to last time. If you are elected as an Independent, you must remain independent.

Given the position declared by the member for Mount Gambier, who is now a minister in the Labor government, my questions are:

1. Will the minister indicate how he can reconcile his unequivocal statement that he will remain independent?
2. On whose policies will the minister campaign at the next election?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** The Hon. Rory McEwen is a member of a Labor government; he is not a Labor member. However, I will refer those questions to him to see whether he wishes to provide any information on that question to the honourable member.

**The Hon. A.J. REDFORD:** I have a supplementary question. Is the closure of a school in the minister's electorate on the same day that he was sworn in a sign of things to come and an indication of the level of influence he will have within this cabinet in relation to that closure?

**The Hon. P. HOLLOWAY:** I think we all know that Karlene Maywald introduced a bill in relation to this matter. After the previous government had closed a number of schools without consultation, Karlene Maywald moved amendments to the Education Act.

**The Hon. R.I. Lucas:** That is untrue.

**The Hon. P. HOLLOWAY:** The record stands for itself. Karlene Maywald obviously felt the need to move a bill so that any closures of schools would have to be voluntary. I do not believe that it is really a question for the Hon. Rory McEwen but, since I represent the Minister for Education and Children's Services, perhaps I can refer it to her for a response.

**The Hon. DIANA LAIDLAW:** My supplementary question is directed to the Minister for Education and Children's Services. Did she inform the member for Mount Gambier prior to her announcement late last night of the closure of the school? What was his reaction, if he was informed and, if he was not informed, why not?

**The PRESIDENT:** That is actually a supplementary question to a supplementary question. The minister can take his choice.

**The Hon. P. HOLLOWAY:** I will refer the question to the Minister for Education and Children's Services.

## GENETICALLY MODIFIED FOOD

**The Hon. IAN GILFILLAN:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about genetically modified crop trials in Tasmania.

Leave granted.

**The Hon. IAN GILFILLAN:** Yesterday there was media in Tasmania with the headline 'Tasmanian crops to be trashed because of GM contamination,' and a media release put out by the Hon. Bryan Green MHA, Minister for Primary Industries, Water and Environment, indicating that the

commonwealth gene technology regulator had ordered the destruction of 40 hectares of open field crops in northern Tasmania that have been affected by GM canola regrowth. This regrowth has occurred five years after the original trial of GM canola.

The Tasmanian Minister for Primary Industries, Water and Environment, the Hon. Bryan Green, made a media statement yesterday, supporting the destruction of the volunteer GM canola plants, and the media statement went on to state:

The measure was necessary to prevent the regrowth from posing an environmental risk. . . Mr Green said the government was determined to protect Tasmania's clean and green marketing image. . . that is why we now have a moratorium—

I emphasise 'moratorium'—

in place to prevent further field trials—

I emphasise 'further field trials'—

of GM food crops.

There have been and continue to be numerous trials of genetically modified crops in open field situations in South Australia. Minister Green also noted:

It is my understanding that under the terms of the GM trials farmers must be properly compensated for their losses by the company which conducted the original trials.

The question is asked—but obviously I do not expect the minister to answer it—what is 'properly' when it comes to compensation, and who determines it? Genetically modified canola is not yet authorised for commercial release in Australia, but having land that cannot be used safely for non-GM crops is a serious threat to international marketing and to farm management, due entirely to open field trial plots. My questions are:

1. Does the minister now agree, after the experience in Tasmania, that the long-term effect that open field crop trials can have is dangerous for our GM free status?

2. Can he explain why he believes that South Australia cannot have a moratorium on genetically modified crops, while Tasmania, which operates under the same commonwealth law, does?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I am not aware of the Tasmanian experience but I will certainly obtain that information and examine it. I will also pass it on to the parliamentary select committee which is looking at these matters because I think these are the sorts of issues that really do need to be carefully scrutinised by this state before we move further down the track towards growing GM crops for commercial reasons in this state.

The honourable member did ask another question in relation to Tasmania's declared moratorium. At this point in time it is my understanding that the policy principles have still not been determined under the commonwealth act. I repeat the information I gave to the council earlier, which is that our crown law advice is that it would be ultra vires for the state to proceed with any restriction. It would go against the commonwealth law, at least until those policy principles are put in place under the commonwealth act. It is my understanding that that should be done early in the New Year, but I think there are still some legal questions over that particular issue. Again, that is a matter that might well be considered by the select committee of the House of Assembly. It is certainly a matter I will be looking at when we have more information available.

**The Hon. IAN GILFILLAN:** As a supplementary question, does the minister's answer indicate that in Tasmania, given the Labor minister Hon. Brian Green's stating 'that is why we now have a moratorium in place to prevent further field trials of GM crops', that is illegal?

**The Hon. P. HOLLOWAY:** I guess the question under law has not yet been tried. I have made it clear to this house that I have written to the two GM companies seeking their cooperation not to introduce GM crops for commercial purposes, certainly in the 2003 cropping year and perhaps later, pending the findings of the House of Assembly select committee. I will certainly be seeking a situation which is a de facto moratorium, if you like, on the introduction of GM crops for commercial purposes within this state at least until we are in a position to have the full information we need to make a decision.

**The Hon. Ian Gilfillan:** We are talking about field crops—

**The Hon. P. HOLLOWAY:** Certainly, what we have looked at is in relation to commercial crops. It is my understanding in relation to field trials. The very fact that there have been field trials in Tasmania is in itself, I would have thought, an indication that the Tasmanian government would not be able to stop them under the commonwealth act. They are matters that really need to be considered by constitutional lawyers. I am not sure that I want to get too far down that track. There are very complicated legal issues involved here. I will investigate the situation in Tasmania and bring back a response.

## GOVERNMENT POLICY

**The Hon. A.J. REDFORD:** Might I say how pleased I am to see members opposite here today, and you, sir. I seek leave to make an explanation before asking the Leader of the Government a question about pesky members of parliament.

Leave granted.

**The Hon. A.J. REDFORD:** Recently, I was approached by a constituent in relation to a very personal and private matter and was asked whether I could assist with a very difficult problem she was facing. My constituent is a single mother raising a teenager and living with her aged mother who suffers a common aged mental illness. She was distressed and her problem was urgent. I immediately arranged an appointment with a relevant public sector agency, which I am happy to disclose to the minister—it is not one for which the minister is directly responsible—to meet with them and my constituent.

About 15 minutes into the meeting, there was a knock at the door and a person who described themselves as being 'from the minister's office' proceeded to sit in on the meeting. During the course of the meeting, she initiated a number of comments which, I might say, were not invited. I must say I was nonplussed by the intervention of the person from the minister's office. In any event, after the meeting I was told that representatives from ministers' offices sit in on all meetings with opposition MPs—a relatively unsophisticated monitoring system of opposition activity, I suspect.

I have since had a look the PSM Act, Determination 9, 'Ethical Conduct', entitled 'Interim determination, addressing access by members of parliament to public servants, and disciplinary processes'—an interesting juxtaposition, one might think. In any event, the document states a number of things, including:

This determination provides guidance for situations where members of parliament request information which is not publicly available from public servants, officers of statutory authorities and other public employees.

It further states:

All requests by members of parliament for detailed information from public officials must be submitted to the appropriate minister.

It then talks about situations where:

... issues involved are so politically sensitive that if information is to be provided it would be more appropriate for it to be given by a minister.

There is a good reason why ministerial officers might attend such meetings if they are giving politically sensitive information or if there are matters of policy to be discussed, and the opposition would fully support that process.

Recently a public servant said to me, in relation to a constituent issue, that he could not speak with me on a constituent matter concerning public transport unless I went through the minister. I am not sure why this government wants to have someone from a minister's office present when dealing with constituent matters but it does smack of paranoia and/or big brother and does hinder the ordinary work of MPs. It can be less than helpful if one is dealing with constituents who have intensely personal problems, particularly if the MP is unaware that they will attend. In light of that my questions are:

1. Does the government now have a policy of having present a ministerial officer at all meetings involving the public sector and members of parliament?

2. Why do ministers in this government feel it is necessary to have someone present from their office at all meetings, irrespective of their nature?

3. Does the government keep a register of opposition meetings with public servants or agencies? If so, to whom is that register distributed? Are records kept by ministers of those meetings and anything that happens at those meetings?

4. Does the government agree that there may be cases that are personal and therefore might be inappropriate to attend? Why does the government not have the courtesy to advise members that ministerial staff will attend such meetings?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** It is my experience that throughout the eight years of the previous government ministerial staff were present at all briefings. There were one or two exceptions.

**The Hon. R.I. Lucas:** That is not true.

**The Hon. P. HOLLOWAY:** It is. It was a standing policy and it was well known by all members of the previous government. There were one or two exceptions and I acknowledge that. The Hon. Rob Kerin was one minister who would allow senior public servants to brief members.

*Members interjecting:*

**The Hon. P. HOLLOWAY:** I have no idea what the circumstances are that the honourable member was referring to or what the situation was.

**The Hon. Caroline Schaefer:** You didn't listen.

**The Hon. P. HOLLOWAY:** I did listen to it. What I do not know and what he did not say is how much information had been provided to the minister's office previously about the meeting. That was not the honourable member's question. His question was: do we have a new policy? I can only talk about the policies that I have in my office. Yesterday I offered a briefing to the shadow minister in relation to the drought package, and I believe that senior public servants are quite capable of providing those briefings without ministerial staff present. Other ministers might have different policies.

In relation to briefings on bills, I find it useful to have staff members there because they can be aware of the concerns and issues that might be raised and that will facilitate debate. A case-by-case policy is needed in this matter. In relation to personal matters, I am not aware of what information was provided to the minister, but if the honourable member cares to provide me with those details I will have a look at the question.

**The Hon. A.J. REDFORD:** I have a supplementary question. Is the minister suggesting that members of the opposition have to go through a minister's office every time they go to the public sector or an agency or a public servant on behalf of an individual constituent?

**The Hon. P. HOLLOWAY:** It would depend on the people and the subject. It has not been the practice of any government, to my knowledge, that members of parliament should approach public servants in relation to policy and other issues without letting the minister know. It depends on the matter and it depends what the information is. It depends on the circumstances, and it is not helpful my speculating on this case. If we have the specific details we can all make our own judgment.

## ROAD ACCIDENTS

**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 about road fatalities.

Leave granted.

**The Hon. DIANA LAIDLAW:** I refer to the road fatality figures compiled by Transport SA's Transport Information Management Section for September, October and November this year. I note that the figures do not appear to record the four deaths arising from the level crossing crash at Salisbury in late October this year. I was prompted to check the Transport SA road fatality figures after attending the Australasian Rail Association National Conference in early October, and I should add that the shadow minister for transport, Malcolm Buckby, and the Hon. Sandra Kanck also attended. I am asking this question today—just taking up the matter that the Hon. Angus Redford has just raised—because I have been forbidden to—

**The Hon. T.G. Roberts:** Forbidden!

**The Hon. DIANA LAIDLAW:** —forbidden to ring public servants in Transport SA and they are forbidden to take my calls. Therefore, I ask the minister this matter of fact and take up the parliament's time. Anyway, I will not go further down that path, but it is an interesting new approach. The apparent failure of Transport SA to collect and collate fatality figures at level crossings presumes the fatalities to have been rail, not road, related, and highlights the inherent jurisdictional difficulties across Australia in defining whether level crossings are the responsibility, ultimately, of the owner of the road or the rail land and/or the owner of the infrastructure on that land. To compound this jurisdictional problem, and I must add, notwithstanding my best efforts over recent years, there remains no national approach to level-crossing safety.

In Victoria, for instance, all buses are required to stop at all level crossings, but the rule does not apply anywhere else in Australia. Meanwhile, rail operators continue to resist illuminating the full length of every train with lights or fluorescent strips so that a train approaching a level crossing

at night can be easily observed from some distance. There would also appear to be a big need for a public awareness campaign alerting motorists, as well as pedestrians and cyclists, to their safety responsibility at level crossings based on similar campaigns in Canada and the United States. My questions are:

1. Will the minister confirm whether or not Transport SA has included the four fatalities at the level-crossing crash at Salisbury in late October in the road fatality figures compiled by Transport SA since that incident?

2. Will he also confirm whether or not the work being undertaken on behalf of the government by the investigator, Mr Vince Graham, is to be forwarded to the Australian Transport Council subcommittee on level crossings, as they work through to seek to resolve the jurisdictional issues and to provide for a national operation and safety regime for level crossings across Australia?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will take those important questions up with the Minister for Transport in another place and bring back a reply. I am certainly not aware of any black ban being placed on the former minister in relation to making contact with public servants, but I am sure—

**The Hon. Diana Laidlaw:** Don't put your foot in it, because there is.

#### ROAD SAFETY STRATEGY

**The Hon. SANDRA KANCK:** I seek leave to make an explanation before asking the Minister for Aboriginal Affairs and Reconciliation, representing the Minister for Transport, a question about the Salisbury car, train and bus crash on Thursday 24 October and the lessons to be drawn from it.

Leave granted.

**The Hon. SANDRA KANCK:** I already have some questions on notice about this; in fact, relating to the issue raised by the Hon. Diana Laidlaw about whether these crashes are included in the road accident statistics. The Minister for Transport has indicated his support for a group to visit interstate, overseas, United States and Canadian organisations in order to further investigate this issue. In particular, I note that part of that trip will involve a review of the Operation Lifesaver project (which operates in that country with road and rail authorities) to establish both the content and effectiveness of the program. My questions to the minister are:

1. Are the circumstances where motorists disobey current laws relating to level crossings likely to be improved by increased policing and not just road signs?

2. Has he reviewed the literature, including internet resources on the Operation Lifesaver project (including the statistical information that shows its effectiveness in the US and Canada)?

3. Is he aware that as recently as March 2001 the Seventh International Symposium on Railroad-Highway Grade Crossing Safety and Research was held at Monash University and that Gerri L. Hall, President, Operation Lifesaver Incorporated, presented a paper outlining the success in the US of this campaign? Has he considered obtaining a copy of Mr Hall's paper as a cheaper alternative to sending a group to visit?

4. How many people would be involved in the tour and what is their current expertise in the area?

5. What is the projected cost for the proposed interstate and overseas fact-finding tour for fares and accommodation?

6. Does he consider that the cost of an interstate and overseas fact-finding mission on level-crossing safety could be better spent on increased enforcement of current laws in South Australia?

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

**The Hon. A.J. REDFORD:** As a supplementary question, will the minister advise whether any minister or member of parliament will be participating in that trip?

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

#### WINE GRAPE IRRIGATION & SOIL NUTRITION PRACTICES

**The Hon. T.J. STEPHENS:** I seek leave to make a brief explanation before asking the Minister for Agriculture, Food and Fisheries a question about the book *Wine Grape Irrigation & Soil Nutrition Practices*.

Leave granted.

**The Hon. T.J. STEPHENS:** I understand that an instructive book written by an officer from SARDI and entitled *Wine Grape Irrigation & Soil Nutrition* is about to be published. It is funded in part by the state government and also the commonwealth Irrigation Education Program. It will be the second volume of the grape series. It is eagerly awaited by a number of grape growers but, with no explanation, the publication has apparently been delayed. Is the minister aware of this important publication and will he advise the council when this book is to be published?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I will contact SARDI and bring back a response to the question.

**The Hon. T.J. STEPHENS:** As a supplementary question, is the minister aware of the publication?

**The Hon. P. HOLLOWAY:** I am aware that SARDI produces many publications on many subjects but, with respect to this particular publication, I will get more details for the honourable member.

#### NATURAL RESOURCE MANAGEMENT

**The Hon. J.S.L. DAWKINS:** I seek leave to make a brief explanation before asking the Minister Assisting the Minister for Environment and Conservation a question about the integrated natural resource management consultation process?

Leave granted.

**The Hon. J.S.L. DAWKINS:** I recently noted an article in the 27 November issue of the *News Review Messenger* in relation to the INRM consultation process, which stated:

A proposal to merge all the different state boards that control soil, water, animals and plants in SA is not being given enough local consultation, claims the northern water catchment board. Public meetings held during business hours at Hahndorf and Marion were too far away for local people to easily attend, the Northern Adelaide and Barossa Catchment Water Board said. Under the Natural Resource Management proposal, boards across the state would be merged into nine regions, with the northern suburbs becoming part of the Mount Lofty Ranges and Fleurieu region. Water board chief executive Kym Good said that northern residents wanted local decision making and did not want to lose services. 'People out here do not want any more services centralised, they don't want to go to Adelaide to talk to someone,' he said. Mr Good said the two public meetings might have attracted some northern residents had they been



held after business hours. No more meetings had been scheduled in other metropolitan areas.

My questions are:

1. Will the minister indicate the locations where INRM consultation meetings have been held across the state?

2. Does the minister agree that daytime meetings at Marion and Hahndorf did not provide residents in the Northern Adelaide-Barossa region with sufficient access to the consultation process?

3. Will he also indicate why a meeting in the Northern Adelaide-Barossa region was not organised by the newly created Office of the North and the responsible minister, the Hon. Lea Stevens?

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I will refer the honourable member's questions to my colleague in another place and we will both work through them and bring back a reply. I understand the issues related to the timing of meetings for people involved in agricultural and horticultural business activities, because the time that they spend at meetings is not time that they spend on their own activities. Many northern regions are heavily involved with the input of labour.

*The Hon. Caroline Schaefer interjecting:*

**The Hon. T.G. ROBERTS:** Yes, and if you keep reminding me—

*Members interjecting:*

**The Hon. T.G. ROBERTS:** Start the Christmas count-down. I also understand the inherent content of the question relating to whether Marion and/or Hahndorf would be appropriate for future meetings. I will talk to my colleague in another place who shares the portfolio (perhaps with some input from the honourable member regarding the consultations that he has with people in the North) and bring back a reply.

### FISHERIES ACT

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

Leave granted.

**The Hon. CAROLINE SCHAEFER:** As we know, there are a number of public consultations (as published) taking place with regard to the review that I have mentioned at Port Pirie, Port Lincoln, Mount Gambier, Berri, Ceduna and Adelaide. My question is: why are there are no public consultations taking place on Yorke Peninsula or in the Lower to Mid North where there are a large number of fishing communities?

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I believe there are to be some more meetings in February. Those that have been announced are the earlier ones. I will check that with the officers conducting the fisheries review. I was asked a question the other day by my colleague the Hon. John Gazzola who, of course, is a keen fisherman on Yorke Peninsula.

*Members interjecting:*

**The Hon. P. HOLLOWAY:** The absence of Yorke Peninsula did strike me, and it is a pretty reasonable point. I will see whether there are any plans to include Yorke Peninsula in these reviews; if not, I will see whether it can be added.

## REPLIES TO QUESTIONS

### NORTH ADELAIDE

In reply to **Hon DIANA LAIDLAW** (22 August).

**The Hon. T.G. ROBERTS:** The Minister for Urban Development and Planning has advised:

1. I am aware of the call by the member for Adelaide and the director of the National Trust to list all of North Adelaide as a state heritage area.

2. I have recently agreed to the City of Adelaide commencing investigations towards amending its development plan through a General Plan Amendment Report (PAR). These investigations will recognise the unique urban form created by the street grid of Light's original plan and surrounding parklands, enhancing the city's cultural heritage. It is not expected that the general PAR will address heritage issues to any significant extent. I am advised that the City of Adelaide will undertake separate investigations into heritage matters at a later date.

It is not appropriate for me to intervene in the plan amendment process already underway to promote establishing a state heritage zone across North Adelaide.

The designation of North Adelaide as a state heritage area would have significant implications in that council would be required to seek the advice of the Minister for Environment and Conservation when assessing every development application within the area. This is considered an inappropriate restriction on development within a capital city, particularly as the whole of the City of Adelaide has demolition control through the Development Act and regulations.

Protection of cultural/heritage aspects of the built form of North Adelaide is supported by the Development Act 1993 through the following:

- Permanent demolition controls currently apply to the whole of the City of Adelaide as a geographical area prescribed under the Development Act.
- The Development Act provides for the designation of local heritage and state heritage places, and historic (conservation) zones and policy areas. The City of Adelaide development plan designates about 125 state heritage places and over 500 local heritage places in North Adelaide.

The current development plan includes assessment provisions that address townscape and urban form issues. The City of Adelaide is investigating urban form and a performance approach to residential development for the whole of the City including North Adelaide. This will clearly identify the desired future character of localities and will further clarify guidelines for assessing applications for new development. It may increase recognition of the contribution of streetscapes to the character of an area.

### OFFICE OF THE NORTH

In reply to **Hon. J.S.L. DAWKINS** (14 November).

**The Hon. T.G. ROBERTS:** The Minister for Health, Minister Assisting the Premier in Social Inclusion, has provided the following:

The Minister for Health, Minister Assisting the Premier in Social Inclusion is the lead minister for the Office of the North and will be responsible to ensure that a whole of government approach is adopted in order to tackle the disadvantage faced by people in Adelaide's northern regions. DHS will share the funding of the Office of the North with the DTUP.

The Office of the North sits administratively within the Department of Transport and Urban Planning and reports to the Hon. J Weatherill, the Minister for Urban Development and Planning. The role of the office is to progress the government's agenda for the North.

The Department of Human Services shares funding responsibility for the Office of the North with the Department of Transport and Urban Planning.

### NORTHERN REGIONS STRATEGIC FORUM

In reply to **Hon J.S.L. DAWKINS** (13 November).

**The Hon. T.G. ROBERTS:** The Minister for Health, Minister Assisting the Premier in Social Inclusion, has provided the following:

1. and 2. The Premier announced the creation of the Northern Region Strategic Forum, or the Northern Partnership, during the opening of the Office of the North on Monday 4 November 2002.

The office aims to bring together the combined resources of the state government in the northern Adelaide region and to work in partnership with the area's local governments to advance the development of the region.

The Premier invited the chief executives of the cities of Playford and Salisbury, and of the Town of Gawler, to join with the state government in the Northern Partnership. He also proposed that the chief executives of the following agencies, constitute the Northern Partnership:

- Department of Education and Children's Services;
- Department of Further Education, Employment, Science and Training;
- Department of Human Services (DHS);
- Department of Transport and Urban Planning (DTUP);
- Office of Economic Development.

The role of the Northern Partnership will be to:

- promote and support the relationships between the state government, its agencies and the northern region councils;
- promote and support regional initiatives;
- lead economic and social development and environmental management through the development of strategic directions and joint action by the state government and the councils, in conjunction with other regional stakeholders.

3. The Minister for Health, Minister Assisting the Premier in Social Inclusion is the lead Minister for the Office of the North and will be responsible to ensure that a whole of government approach is adopted in order to tackle the disadvantage faced by people in Adelaide's northern regions. DHS will share the funding of the Office of the North with the DTUP.

The Minister for Urban Development and Planning, Hon Jay Weatherill MP, is responsible for the administration of the Office of the North. The Office must sit administratively within a particular department and connections of the Office of the North to urban development and planning are significant.

4. The Office of the North will have four full time staff, comprising a director, two project officers and an administration officer. It is established as an agency in the administrative unit of the DTUP and reports to the Minister for Urban Development and Planning.

5. The chief executive of DTUP has written to the three councils concerned confirming the Premier's invitation of 4 November 2002 to join the Northern Partnership.

#### DNA TESTING

In reply to **Hon. IAN GILFILLAN** (21 October).

**The Hon. T.G. ROBERTS:** The Attorney-General has provided this advice:

1. DNA sampling is not the most personally invasive and intrusive search that can be performed on a person in either possible sense of those words. In the sense of being physically invasive, it is clear that the taking of a saliva sample by buccal swab (which is the method police generally use) is not as invasive or intrusive as, for example, the taking of a forensic sample from a vaginal search. Of course, a DNA sample can be taken in more physically intrusive ways, but in the vast majority of cases, a buccal swab is the method contemplated. In the sense of an invasion of privacy, the DNA profile that is generated from the forensic sample for the purposes of identification uses non-coded areas of DNA (sometimes called 'junk DNA') which tells scientists at present nothing except the sex of the person to whom the DNA belongs. That position may change in the unforeseeable future, but it is not the case now. In any event, the forensic procedures legislation, both current and proposed, contains criminal penalties for the improper use of DNA information obtained pursuant to the legislation.

2. The position of the government is that those reasonably suspected of having committed serious offences should be liable to DNA testing. 'serious offences' is a category which is proposed to include all indictable offences and a list of summary offences.

3. See the answer to question 1.

4. One of the summary offences proposed to be on the list is an offence commonly referred to as 'create false belief'. It is found in s 62A of the Summary Offences Act. That section says:

Creating false belief as to events calling for police action

62A. (1) A person who intentionally creates a false belief that an offence has been committed, or that life has or may have been lost or is endangered, is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for 2 years.

In this subsection—

'belief' includes suspicion.

Members of Parliament are as capable of committing this offence as any other member of the public.

In reply to **Hon. R.D. LAWSON** (21 October).

**The Hon. T.G. ROBERTS:** DNA used for forensic purposes is almost always nucleic DNA because it is the most discriminating form of identifying DNA. The coded areas of DNA isolated for the purposes of comparison are currently those which tells scientists nothing except the sex of the person to whom the DNA belongs. That position may or may not change. Sometimes mitochondrial DNA is used for investigative purposes. It is also said to provide no genetic identifying information beyond identification of the female line of descent.

#### HIV/AIDS STRATEGY

In reply to **Hon SANDRA KANCK** (23 October).

**The Hon. T.G. ROBERTS:** The Minister for Health has provided the following:

1. The fourth South Australian HIV strategy has been developed by the HIV, Hepatitis C and related programs unit of the Department of Human Services in partnership with the South Australian Advisory Committee on HIV, Hepatitis C, and related diseases and in consultation with a broad range of community groups and affected communities.

This partnership approach is the hallmark of the success of this and all previous South Australian HIV strategies.

The HIV epidemic continues worldwide. In South Australia we have been fortunate to have not only one of the lowest notification rates in the nation, but to also have reducing numbers of people who have been diagnosed with HIV infection.

The Minister for Health has approved this fourth South Australian HIV strategy 2002—05 as South Australia's continuing strategic response to the HIV epidemic.

2. The Minister for Health launched the fourth South Australian HIV strategy at the AIDS Awareness Week launch on 23 November 2002.

#### NURSES

In reply to **Hon. SANDRA KANCK** (12 November).

**The Hon. T.G. ROBERTS:** The Minister for Health has provided the following:

1. The registration fees for nurses do not require the approval of the minister. The Nurses Board of South Australia is an independent statutory authority established and empowered by the Nurses Act 1999. Specifically, section 28 and regulation 10 under the same act empowers the Nurses Board to set fees, including the annual fee for nurses.

The question from the honourable member implies that the registration fees for all nurses increased. The transition to a common annual renewal fee (registration fee) did not result in an increase for all nurses. Rather the registration fee for *registered nurses* reduced and a range of other fees also reduced.

In the two years prior to this change, the fees charged by the Nurses Board remained unchanged.

2. In the interests of social equity, the board has a policy relating to the waiving of fees on the grounds of serious financial hardship. Therefore, if a nurse is unable to pay this part, or all, of any fee because they are experiencing serious financial hardship then they may apply to the Board to have their fees or part of their fees waived.

As part of its budget processes the board conducts an annual review of its fees and other income sources to ensure that it only raises sufficient funds to operate the Board's regulatory functions. This year, the Board closely examined not only the level of fees, but also the reasons why those fees are charged. After considerable deliberations the board determined that, as the board's role is regulatory and the services provided to both enrolled and registered nurses are essentially the same, that it could not continue to justify having a different annual fee for enrolled and registered nurses. It could be argued that keeping the overall level of fees down could be seen as a means of encouraging nurses to stay in South Australia.

In setting fees, the board considers the financial resources that it requires for the coming year. The board receives no remuneration from, nor does it pay any dividend to, Treasury. The board is fully funded from the income it derives from the fees paid by nurses and other income it derives from related operations.

Included in the board's deliberations were the salary differences between enrolled and registered nurses. The board identified that

although there was an identifiable salary difference between full-time nurses, the task was far more complicated given the many part-time, casual and seasonal nurses working in the profession. It is arguable that there are many full-time enrolled nurses earning more than part-time or casual registered nurses. The board also identified that it was the only nurse regulatory authority in Australia with a different fee structure for enrolled and registered nurses. It is important to note that the board does not have access, nor should it, to the income level of individual nurses—an important privacy issue.

The board determined that on balance, having a common fee for all nurses was the most equitable and would ultimately help to constrain the regulatory costs and therefore fee levels for all nurses. After making this decision the board requested a number of scenarios be developed for the implementation of a common fee over a period of up to three years. The board considered ten separate options using the current nurse numbers. A significant consideration was the financial impact of a \$23 increase for the 5,432 enrolled nurses and the \$10 decrease for 17,878 registered nurses and the desire not to increase annual fee income from the change process.

The Board determined that implementation in one year was the best option and it should be noted that in choosing this option the board expected to reduce its annual fee income by up to \$54,000 in 2002-03 as compared to 2001-02.

3. The state government would not support the reimbursement of the annual registration fee for nurses at the lower end of the award pay scales because:

- the registration fee is tax deductible;
- the registration fee is applied at the same time each year (August) and most nurses would budget for this expense. The annual fee of \$100 amounts to \$3.84 per fortnight; and
- the Nurses Board of South Australia has a process to waive part of or the entire fee for nurses who can demonstrate serious financial hardship.

In addition:

- The salaries quoted by the honourable member are base-rate earnings per annum and do not include penalties for shift work and salary sacrifice arrangements. These increase the take-home pay significantly for nurses in lower grades.
- The cost of registration was not raised as an issue by the Nurses and Midwives Recruitment and Retention Taskforce during its deliberations.
- There is little evidence or confidence that reimbursing the annual registration fee for nurses would encourage nurses to remain in or be willing to join the public sector workforce. Nurses would continue to seek employment according to their personal preferences, whether the state government met the cost of the fee or not.
- The estimated cost to the government of reimbursing the annual registration fee for nurses in the public sector would be \$1,111,400. The cost of reimbursement for all registered/enrolled nurses in the State would total \$2,423,700.

### REGIONAL HOUSING

In reply to **Hon. D.W. RIDGWAY** (13 November).

**The Hon. T.G. ROBERTS:** The Minister for Housing has advised:

1. *What is the composition of the local working groups in the regional housing review?*

The South-East regional housing forum is a small group comprising of representatives from local government, state government, Limestone Coast Regional Development Board, South East Area Consultative Committee, South Australian Housing Trust, the banking sector, and the real estate industry. It first met on 24 June 2002, and will meet again on 27 November 2002, to focus on policy issues that will improve the investment climate for the establishment of additional housing in the mid to upper South East.

The Murraylands Workforce Accommodation Network is a large group comprising of representatives from local government, state government, Murraylands Regional Development Board, South Central Area Consultative Committee, Murray Mallee Strategic Task Force, real estate agents, banks, progress associations, regional organisations, local health and education authorities, business, accommodation providers, developers, and the building industry. It will meet for the first time on 25 November 2002, to select viable strategies in addressing workforce accommodation shortages, as the basis of a regional action plan.

2. *What is the \$10 000 seed funding being used for?*

The Limestone Coast Regional Development Board used the seed funding to employ a part-time project officer to establish a regional housing forum, and to implement some of the recommendations of the regional workforce accommodation solutions study, particularly those relating to caravan park expansion.

The Murraylands Regional Development Board has recently engaged a part-time project officer to establish a regional accommodation network, develop an action plan, and co-ordinate implementation of the action plan.

3. *Where does rural and regional South Australia fit into the housing minister's new state housing plan?*

Rural and regional South Australia is a critical component of the government's state housing plan. The plan will develop strategies to increase the supply of affordable housing across the state, and ensure housing becomes an integral part of regional economic development. Extensive consultation is planned with rural and regional communities to identify and address the unique housing issues each region faces. The particular focus will be on improved, healthy housing for indigenous communities, and targeting investment in social housing as a catalyst to a private market housing response in areas of rapid economic growth.

### DUBLIN DUMP

In reply to **Hon IAN GILFILLAN** (13 November).

**The Hon. P. HOLLOWAY:** A point of clarification regarding the statement that foot and mouth in the United Kingdom resulted from inefficient waste storage and handling; the outbreak was not associated with waste disposal but appears to have begun from the direct feeding of food scraps (swill) to pigs, a practice banned for some years in Australia.

The Department of Primary Industries and Resources (PIRSA) responded to only three of the questions asked by Mr Jones because they were considered to be the only ones directed to matters considered falling within PIRSA's responsibility. The others were considered to be EPA responsibilities and this was stated to Mr Jones in the letter but Mr Jones specifically requested that the EPA not be involved.

In response to the direct questions:

1. PIRSA input to the disease risk assessment on the proposed Dublin dump was directed to a specific query at the time as to what it thought were the risks to a neighbouring export feedlot and a meat chicken farm. The response took into consideration the conditions specified as part of the operating licence, which were for materials to be delivered in bales and then buried. Only infectious diseases were taken into consideration, as these were the only concerns raised at the time.
2. PIRSA determined the risks to the feedlot and the meat chicken farm to be insignificant from either exotic or endemic disease. This assessment was based on the likely nature of materials being dumped and the conditions in the licence as to how the material would be handled.
3. PIRSA is not engaged in any continuing risk assessment.

### MINING, CODES OF CONDUCT

In reply to **Hon. M.J. ELLIOTT** (12 November).

**The Hon. P. HOLLOWAY:** I am not aware that any formal discussions have been held concerning the development of a national enforceable code of conduct for environmental management in the mining industry.

There was input by government agencies into the development of the Minerals Council of Australia's (MCA) code for environmental management through the Australian and New Zealand Minerals Energy Council.

The whole idea of the minerals industry code is that it is voluntary; its strength being that companies volunteer to commit to the code and its principles; the belief being that voluntary commitment will lead to continual improvement in environmental performance. The most important thing about the code is that it is not about setting standards or prescribing how companies will manage their performance, its focus is on achieving positive change in values and behaviour. The code is not meant to replace government regulatory frameworks, but is an adjunct.

A number of mining companies operating in South Australia are signatories to the MCA code including WMC which operates the Olympic Dam mine.

Prior to embarking upon any national code of conduct a full assessment should be made of the effectiveness of current legislation and the effectiveness of the minerals industry code. A national code should only be considered if major deficiencies are found that cannot be addressed through the amendment of existing legislative frameworks. In other words they need to provide some real evidence that the industry needs a nationally enforceable code.

It is possible that in order for a national code of conduct to be enforced, new commonwealth legislation would be required. As I pointed out previously, the industry is already regulated through state legislation. It is unlikely that there would be any significant advantages in having another layer of commonwealth legislation to deal with—unless existing state legislation has been found to be grossly inadequate to deal with in terms of accountability. The same would apply for all the other states as well.

The review of the Mining Act 1971, will be based upon the same principles of the Petroleum Act 2000, will include provisions for improved environmental regulation in South Australia.

This will be sufficient to address the environmental conduct and accountability of companies. In other words the 'code of conduct' requirements and accountability would be imbedded within the legislation including the Mining, Petroleum and EPA Act and in licence conditions and requirements.

### FISHING, RECREATIONAL

In reply to **Hon. T.G. CAMERON** (23 October).

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

1. The South Australian Water Corporation commissioned a study into recreational use of reservoirs. The study completed in 2001 found a general level of concern amongst water authorities throughout Australia about the continued use of drinking water supply reservoirs for recreational use. There was a shift in attitude, most noticeably following the Sydney Water incident, in the willingness to permit recreational access on or adjacent to reservoirs. The Sydney Water incident highlighted the vulnerability of traditional water filtration processes to failure during extreme events and the important role of catchment and reservoir management as barriers to the prevention of contamination. This differed markedly from the general attitude of water authorities up to as late as the 1980's where multiple use of reservoirs was considered acceptable practice.

2. The above mentioned report recommended that 'in order to minimise treatment costs on consumers and continue to supply high quality drinking water to the people of South Australia, SA Water's current policy to restrict recreational use of water supply reservoirs should be maintained.' The report also recommended that a quantitative risk assessment of recreational use be undertaken in the South Australian context. A risk assessment model is being developed to allow this process to occur. A copy of the report can be made available.

3. South Australia is recognised nationally for its management of drinking water supplies. This is confirmed by the location of the head office of the Australian government's Cooperative research Centre for Water Quality and Treatment (CRC) with the Australian Water Quality Centre at Bolivar. Along with the other major water authorities in Australia, SA Water is a partner in the CRC research project on 'Understanding the impacts of recreational access on drinking water catchments and storages in Australia. This project is due for completion in June 2004.

Through the policy of restricting access to its reservoirs, SA Water is operating in line with the Australian drinking water guidelines in maintaining a multiple barrier approach against contamination and minimising the risks to public health.

### RURAL SEWERAGE RATES

In reply to **Hon. D.W. RIDGWAY** (23 October).

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

Country people do not pay more than their metropolitan cousins to, as the Hon. D.W. Ridgway expressed it, 'go to the dunny'. Country sewerage customers in fact pay the same, or less, than equivalent customers in the metropolitan area.

Sewerage rates comprise a fixed annual charge calculated on the basis of the property value, subject to a minimum. In 2002-03 these charges are:

- Land in the Adelaide and Aldinga drainage areas: 0.220 per cent per \$1 000 of capital value.

(55 cents per \$1,000 of capital value per quarter)

- Land in all other drainage areas (i.e., country): 0.277 per cent per \$1,000 of capital value. (69.25 cents per \$1,000 of capital value per quarter).
- A minimum charge of \$60.25 per quarter applies to both the metropolitan and country areas.

Whilst the rates in the dollar used to calculate sewerage rates imply a higher charge in the country than in the metropolitan area, property values in the country are on average substantially lower than in the metropolitan area. For example, the average property valuations for country residential customers are 38 per cent lower than the metropolitan equivalent. As a consequence, more country customers pay the minimum charge, 50 per cent compared with 30 per cent in the metropolitan area, and those who do pay more than the minimum on average pay less than their metropolitan equivalents.

The government has no intention of reducing the surcharge that currently applies to the rate in the dollar applied to calculate country sewerage rates. Rather than discriminate against country customers, the level of charge applied actually reflects an inherent advantage to country customers, not a disadvantage.

### SEWERAGE RATES

In reply to **Hon. J.F. STEFANI** (21 October).

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

A major review of sewerage pricing was undertaken only two years ago following the public release of a discussion paper on sewerage pricing in March 2000. That review identified no more equitable way of levying sewerage rates. As with all areas of government policy, should some more appropriate means of levying rates become available in the future, the government would certainly consider it.

I note from the preamble that the issue of sewerage rating has been raised in the context of the large increase in valuation of all properties. Increases in property values do not of course automatically result in an increase in sewerage rates as the rate in the dollar is adjusted to take account of changing property values. For example, in 2001-02 metropolitan sewerage rates were determined using a scale of 59 cents per \$1,000 of capital value per quarter, subject to a minimum. In 2002-03, to offset higher capital values, the scale has in fact been reduced to 55 cents per \$1,000. Movements in the bills for individual customers will of course be influenced by the change in their property value relative to the average property value increase.

In relation to the Hon. J.F. Stefani's question about whether I acknowledge that increased government charges are forcing self funded retirees to sell their properties, my answer is 'no'. I do not acknowledge that the assertion is correct.

### STATUTES AMENDMENT (ROAD SAFETY REFORMS) BILL

Adjourned debate on second reading.

(Continued from 27 November. Page 1511.)

**The Hon. CAROLINE SCHAEFER:** This bill is a package of road safety reforms, many of which will be supported by the opposition. The first amendment to the legislation is a requirement for blood alcohol tests and prosecutions under the Harbors and Navigation Act for those who continue to exceed blood alcohol limits whilst driving or operating a boat. There is also a provision under which nurses outside the metropolitan area can perform compulsory blood testing, particularly of injured people after an accident. We will be supporting both those measures.

Other provisions require learner drivers to hold a learner's permit for a minimum of six months and there are changes to P-plate licence provisions with disqualification for certain

drink-driving offences. The provisions also cover instructors' licences, and there is an amendment to the Road Traffic Act 1961 with regard to photographs. As I say, a number of these measures will be supported by the opposition, many of them having been put forward by the Liberal government. However, a number of the requirements under this bill do not, in my view, conform with what one would consider to be commonsense, and we have a number of amendments on file.

I understand that the minister has indicated to the shadow minister that he, too, is aware that this bill has been rushed through without sufficient thought or understanding of either the conditions or the need for commonsense to apply, particularly in relation to country drivers. As I understand it, a series of talks will be held during the Christmas break. I am grateful for that indication, and I am grateful that the minister has seen the error of his ways. I look forward to the government proposing amendments over the Christmas break that will make this legislation more acceptable to us all.

The effect of the bill is to introduce an immediate loss of licence for drivers who exceed a blood alcohol limit of .05, and it introduces mobile random breath testing. It includes provisions that cover the use of red light cameras to detect speeding offences and the allocation of demerit points for camera-detected speeding offences. As I said, the measure imposes certain sanctions on a learner's permit and provisional licences, and it strengthens the difficulty, in both theoretical and practical terms, of tests for learner drivers. It seeks to change the content and number of questions, and I understand that it introduces a requirement that 80 per cent of the questions answered should be correct before that person is able to acquire a learner's permit.

We will oppose the proposition that, if a person fails their test, they may not reapply for two weeks. Again, I think this perhaps shows a lack of understanding of the conditions whereby people are tested. Many of them have to travel quite some distance. As members can imagine, many people are quite nervous at their first written test. It would seem to me that, if they were prepared to try this written test again, even on the same day, they should be allowed to do so. The bill also provides for a reduction in speed limit by default to 50 km/h within townships and a reduction of the open speed limit to 100 km/h.

I should outline my personal position. I have had a driver's licence since I was 16 years. However, like most farm children, I was a competent driver well before that age. In spite of the reputation that I seem to hold within this place, I have no demerit points and I have never had a serious accident. However, I must admit that I cross my fingers and say a prayer when I say that, because it is tempting fate. I worked out that I have averaged 40 000 kilometres per year for nearly 30 years. Prior to moving to Clare, I had to drive 45 kilometres on a dirt road to collect the mail or to buy a loaf of bread. So, even though I now drive backwards and forwards, when I used to fly, certainly I probably never drive less than 40 000 kilometres per year. So, anyone who says that I do not have any experience of this issue should look at my record.

I would like to refer briefly to some of the major causes of road accidents, because I think it is populist to say that speeding and alcohol are the two causes of road accidents. I say 'road accidents' despite the fact that I know that it irritates my friend and colleague the former minister, who prefers to call them 'crashes'. However, I do not think anyone deliberately piles their car; therefore, I think that they are indeed accidents.

I want to refer to some of the causes of accidents, some of which include hitting an immovable object, such as a tree, a stobie pole or a guide rail on the side of a road; and loss of concentration, and that particularly applies to people who are driving long distances and who, we now know, should stop every couple of hours and get out of their car. There is increasing evidence that dehydration affects drivers' concentration, and that is why pilots are instructed to drink water frequently when flying a plane. I believe that loss of concentration is, indeed, a major cause of road accidents.

Some work has been undertaken on 'road hypnosis', which can occur if you drive for a very long time looking at nothing but black tar and white lines, and again that tends to happen when driving across the Nullarbor Plain or along the Stuart Highway. Another cause of accidents is hitting or trying to avoid animals. I plead guilty to having put to death a number of kangaroos in my time. I sometimes believe that they have suicidal intentions, because they wait until you are right there. You do not have time to see them, they jump out and they certainly do some damage.

Blow-outs are another cause of accidents, particularly on country roads. People who are not used to driving on open highways quite often lose control of their vehicle. I give the federal government and, indeed, the former minister credit, because I think that one of the significant factors in the reduction of road accident numbers has been the flattening out of roads and the widening of shoulders. Certainly, many rollovers occurred in country areas where the shoulders on roads had worn away: one wheel would come off the shoulder, the driver would over-correct and either lose a tyre or almost certainly roll the vehicle.

If we look at a graph—particularly if we line it up with our population increase—we see that there has been a steady decrease in the number of road accidents over the last 30 or so years. I think that is something of which we can all be proud. However, that, of course, does not mean that we should be complacent. As people have said on many occasions, one road death is one road death too many.

I think, realistically, none of us believe that we will ever be able to completely prevent road accidents unless we are prepared to do things like pull out all trees and stobie poles and, if we are really serious, we could always ban the motor vehicle. But, if we fall short of that, our cars are now much safer than they were. Inventions like power steering, ABS brakes, airbags and car bodies which take most of the impact of an accident rather than allowing the passenger or the driver to take the impact, have certainly saved many lives.

I think this legislation is discriminatory against country people. I have read carefully the debate that took place in another place, particularly with regard to immediate loss of licence for drivers with a blood alcohol content of .05. The argument is that there are more accidents in the country, but I think I have illustrated that country people are on the road much longer and much more often, in any given year. So, it stands to reason, unfortunately, that many of the accidents will occur on country roads. The immediate loss of licence at .05 seems to me to have no basis in science. That limit was introduced at the demand of former prime minister Bob Hawke, and extensive testing has taken place since then.

I understand that an exhaustive test was undertaken by the Road Safety Council which showed that there is no impairment at .05 and only limited impairment of driving ability at .08. At .15, a driver is severely impaired in their ability to drive a car. In this day and age, I do not think any of us condones drink driving, and I am not suggesting that.

However, .05, as I understand it, is about two standard drinks. It is well-known and well-publicised that about four standard drinks in the first hour and one drink each hour from then on can be metabolised by the average male, and two drinks in the first hour and one drink per hour from then on can be metabolised by the average female. So, what we would be actually doing is dropping the limit below that.

I think that would be unfortunate because in many places in the country there are no taxis, so there is no way that someone can have a social drink. I do not condone driving while drunk—I do not condone that at all—but I do think, at point .05, people should be given the opportunity of a warning. Give them a fine by all means and give them a warning. I commend the ignition interlock system which is for repeat offenders, because I do not think any of us want to see irresponsible behaviour on the roads any longer. However, I do think many people, in absolute innocence, will be trapped at .05. They will have no idea that they are exceeding the blood alcohol limit, let alone that they will immediately lose their licence. Similarly, I do not condone random breath testing in cars, because I have a basic belief—

**The Hon. Diana Laidlaw:** Mobile breath testing.

**The Hon. CAROLINE SCHAEFER:** Sorry, mobile breath testing. I have a basic belief that driving should be undertaken with commonsense. I have no tolerance at all of people who drive dangerously. As I say, when you drive as much as I do, you see a lot of dangerous drivers. I see many people weaving in and out of traffic lanes, jamming up behind, tailgating and passing people on the wrong side of the road. However, I do acknowledge that the passing lanes on the main highways have made a major difference to our safety and our ability to drive without being harassed by irresponsible drivers.

All those things aside, I think it is a revenue raising exercise for police to randomly pull people over, probably in an unmarked car, and breath test them if there is no indication that there is anything wrong with their driving. I do not mind the random breath testing stations. I think we have all become used to those and we did agree to 10 days per year, the major public holidays, where we all know that there are less experienced drivers and people taking more risks, people who are less used to driving on the roads, and simply more traffic, so they are higher risk times. I guess we may as well try implementing some higher risk remedies, but to do that on a regular basis is, as I see it, quite an irresponsible thing to do, and, as I say, I think it is a revenue raising exercise. It is not a deterrent. It is not something there so people will say, 'Okay, I'm not doing this again because this might happen,' because it is done in a subversive fashion. So, I cannot support mobile breath testing.

One of the things that can happen in isolated areas, and I think this was raised in the other place, is that, if you are pulled over by an unmarked car at night, it can be a very harrowing experience. In fact, it happened to my daughter only 12 months ago, driving back from the Barossa Valley after working all day and then going to a cooking class at night. She was pulled over quite suddenly in the middle of nowhere by a police car with its lights flashing, and she was accused of speaking on her mobile phone, which she had not been doing. She was some seven months pregnant at the time and to be pulled over, in the middle of nowhere, quite unexpectedly when you have done nothing wrong, can be quite a frightening experience. So, while I understand that the police have a job to do, it is quite important that they are visible and do not operate undercover—they should be

upfront with what they are doing. So, I cannot support those particular amendments. There are other amendments that we will be moving which I hope will be supported. Finally, I seem to have something of a reputation in this place for being a reckless driver.

*Members interjecting:*

**The Hon. CAROLINE SCHAEFER:** I will not mention names, but there seems to be a few people who think I am. Having travelled the number of kilometres that I have, and carrying no demerit points, I do not think I can be accused of that.

**The Hon. J.S.L. Dawkins:** I don't think there would be anyone in this place who has driven as far as the Hon. Mrs Schaefer.

**The Hon. CAROLINE SCHAEFER:** There are a couple; I think the Hon. Graham Gunn would challenge me. However, as I say, I do not believe our speed limits are applied with any degree of commonsense. I believe that it is very seldom safe to drive down North Terrace at 60 km/h; it probably should be 40 or 50 km/h. I do not believe that the road to Lyndoch, for instance, should be 110 km/h. However, I do think there are a number of roads in the state where one can safely drive at 120 km/h. If I happened to be on one of those roads and doing, say, 122 km/h, which is a perfectly safe speed, and I drive from Port Lincoln, Kimba or Wudinna to Adelaide, I could conceivably be caught by a speed camera or a laser gun three times and therefore lose my licence before I even became aware that that had occurred. In fact, I could be driving around for another fortnight before being informed that I had lost my licence.

I do not think that is fair. I do not think that it does anything to convince me to drive any slower. All it does is gather a heap of revenue for the state when in fact I have not been driving dangerously. So, I do not support this accumulation of demerit points without a policeman pulling me over, warning me that I was driving too fast and giving me those points. Again, I think it is a measure that has been included by people who rarely drive on open roads.

On the other hand, I have no objection to the offences being created for those who speed through red lights, because every week when I am down here I see what I consider to be dangerous driving taking place. I drive down North Terrace and turn right into King William Road most mornings to come to work, and I know that one of these days I will see a fatality at that intersection because almost everyone runs the yellow light through to the red light. The pedestrians start walking before they get a green light, and those of us who are turning right have no choice but to turn on the red light because we are stuck in the middle of what I think is an horrendous situation.

When we start talking about road safety measures, my plea is to not look, necessarily, at the populist thing to do, or what will get the headline, and not to seem to be beating our chests and saying, 'We have gotten tough with reckless drivers.' Let us have a sound look at what a reckless driver is and tailor our laws to allow people to live their lives by enjoying a social drink without being drunk when they drive, and to allow people to drive safely.

I am not suggesting, as one of my colleagues does, that we change our speed limits to 130 km/h. What I am saying, however, is that those of us who drive often do drive over 120 km/h, and I am the first to admit that. I do not believe that we do so in a dangerous manner. In fact, I am positive that I do not. Therefore, I would be offended by a law that would turn me into someone who cannot drive and which would remove

many people's right and ability to go to and from work when they have in fact endangered no-one.

**The Hon. DIANA LAIDLAW:** I support the second reading of this bill and, like my colleague the Hon. Caroline Schaefer, I support most of the measures that the government has introduced under the umbrella of this so-called road safety reform package. I will support most, but not all, of the amendments to be introduced by my party during the committee stage.

The debate and thinking in our community and across the nation, which is therefore reflected in this parliament, have changed radically over the years in respect of road safety. Certainly, in the two decades that I have been a member of this place, attitudes have changed. I remember that, before I became a member of the Legislative Council in late 1982, a bill had been introduced to make it compulsory to wear seatbelts. I was an active Young Liberal at the time and I campaigned vigorously through the forums of the Liberal Party and more broadly to oppose that measure on civil libertarian grounds.

Today I see it as a very wise measure and drive my nieces, nephews and sisters—most of whom are in the country—mad because I am insistent that they wear their seatbelts all the time. As they do not tend to wear them on the farm, they are more casual than I would wish to see when driving on the open roads. Today I am a strident convert to the compulsory wearing of seatbelts and find it quite distressing that the many deaths and great number of unnecessary injuries on the roads arise from the fact that the victims have been involved in crashes when they have not been wearing their seatbelts or have not been wearing them correctly.

I also find it disturbing that many argue today that they do not need to wear a seatbelt because more recently manufactured vehicles are assumed to be safer on the roads and because they incorporate air bags—not only at the steering wheel for the driver but also for the passenger, and more regularly at the side doors. That is wrong. We have a lot of work to do to convince people of the commonsense, wisdom and necessity of wearing a seatbelt whenever driving a vehicle, whether it be on the farm or on the open road, particularly in country areas where compliance rates are poor and, more particularly, on Aboriginal lands where compliance rates are even lower and where, in the event of a crash, death and injury levels are very high.

I readily admit that until I became Minister for Transport in December 1993 I was a civil libertarian. My transformation was dramatic because, in the month that I gained that portfolio, I inherited a horror year of deaths on the roads. At the end of last year, eight years later, the number of deaths had fallen to 154, a decrease of 64 deaths a year, and I am pleased that I and my Liberal colleagues, and the parliament as a whole, made a contribution to that fall in the number of deaths of 64 a year at the end of last year.

The number of deaths this year is slightly lower than last year and, again, that is good news, although as I indicated in my question earlier today, I am not sure whether the figures include the deaths at the Salisbury level crossing in late October, which would change the figures markedly and certainly change them in terms of the breakdown between metropolitan and rural deaths on our roads.

The one issue that remains extremely distressing when one looks at road fatalities is the increasing proportion of deaths that occur in rural areas of the state. The figures have fallen dramatically overall, as I have indicated, but that fall has been

more pronounced in the metropolitan area than in the country, and as a proportion of the figures overall, rural road deaths remain higher today of all road deaths than they did in 1993 when I became Minister for Transport. So, there is just no doubt that, if we are to target safety messages, reforms and enforcement practices, it must be to the rural situation. But it must not be just to rural people, because the majority of those who die on our rural roads are people not resident in country areas. That is an important message that we have to get through to city people, and it is one of the reasons that I support an amended form of the government's proposal for mobile random breath testing focused on periods of highest road usage, particularly when city people are using rural roads, but I will come to that issue in a moment.

There is something fundamentally unhealthy in our community about death caused by transport crashes. I have made the point before but emphasise again that, if there is an air crash, a bus crash or a rail crash, there is almost hysteria in the community, from the headlines to the people who indicate that they will not again wish to fly or will look at any other means than flying or going by boat, rail, or whatever. That is not the same response that is generated by road deaths. We somehow seem to accept—and our task as a parliament is to make it unacceptable—this complacency towards road behaviour and death on our roads. So much of it is preventable and that is why I say that deaths and injuries arising from crashes are not accidents, because that is far too casual a reference to what I regard as a high proportion of preventable death.

We are not in every case of death talking about the impact on just one person but about the impact on that person's wider network of family and friends. It affects us all through health costs, both the immediate hospital costs and longer term recovery costs, and through insurance. This is a community issue and we have got to work at the community level, getting a culture of understanding that demands that the same focus be devoted to personal safety on the road and our responsibility for safety of others on the road as we would apply in our home, in the workplace, or as we would apply to aviation, tram, train or bus safety issues.

Over the eight years of the former Liberal government, 64 fewer deaths were recorded at the end of 2001 compared with the end of 1993. That reduction is exactly the same order of magnitude that is now required by this state by the end of 2010 because South Australia has to meet a target of 86 road related deaths by that time. That is the commitment that this state has made as part of signing off the National Road Safety Strategy 2000-10. I highlight again that what this state has achieved in terms of the reduction in road deaths over the last eight years is of the same order of magnitude that we have to achieve to 2010. It is certainly not impossible by any means, but never easy because the easier measures have always been taken earlier. However, it is possible and we must for ever keep that in mind and not give up the challenge or dismiss the task because it would appear to be hard. What we are asked in this state, with the parliament leading the drive in this respect but with community support and some sense of urgency, is what we have achieved in recent years.

In relation to the National Road Safety Strategy, I have a question of the minister because this matter was unresolved while I held the portfolio of transport and urban planning. In terms of National Competition Council payments and assessments of a jurisdiction's performance, I recall that a couple of years ago the Northern Territory was threatened with a 5 per cent annual reduction in competition payments

for not meeting its supplementary second tranche commitments under the national competition practice. That was avoided at the time because ministers around Australia agreed to an exemption, which was taken into account by the National Competition Council and the Australian Transport Council. I would like to know whether there has been an assessment of South Australia in terms of our jurisdiction's performance in competition payments and road safety or whether the National Competition Council is no longer paying any attention at all to South Australia or to the performance of any other state in terms of national competition payments.

I now want to address a number of measures in the bill. The first is demerit points. The government's bill reintroduces demerit points for running red lights at intersections. This measure was passed by parliament in 2000. It was not immediately proclaimed because the cameras had to be installed, and the former government invested some \$2.2 million in installing 12 cameras at 25 intersections across the CBD and the metropolitan area from January 2001. Notwithstanding the installation of those cameras and their operation, the demerit points legislation was not proclaimed because I was told at a later date that the police claimed that they did not have the computer equipment necessary to process the demerit points. Is the minister now confident, and does he have sign off from the Minister for Police that, with the passage of this legislation, hopefully with demerit points for speeding offences and running red lights, the police are equipped to immediately implement the measure and that they will not be the cause for further delay of this important road safety measure?

The bill also seeks to extend demerit points for speeding offences detected by cameras and, unlike the rest of my Liberal colleagues, I strongly support this measure. I have been advocating it since 1997 but over those years I did not have majority support in my party and it is clear that my views are still not held by the majority of Liberal members.

I have advocated demerit points for speeding offences because we now preside over a bizarre situation in this state, and one that is unlike any other in any other state. We have the one offence, speeding on the open road—this is in contrast to speeding through intersections—but we have two different penalties, depending on the means of detection and the area of South Australia in which the offence occurs. For instance, laser guns operate in country areas and they attract not only a fine but demerit points. However, speed cameras operate in the city areas and there is a fine only and no demerit points.

In addition to this bizarre situation of one offence but two penalty regimes, I find that it is highly discriminatory against country drivers. It also strongly favours the more wealthy in our communities, that is, the people who can pay the fine. It certainly does not promote proper education and deterrence against repeating the offence, because some people can afford to pay the fine time and again, whereas demerit points and the accumulation of those points will lead to the loss of licence, which will have an effect on many people who choose to speed and who are caught for so doing. I ask the minister for the number of speeding offences detected by cameras in the past 10 years and for that information to be presented in a table form, because that will be important in looking at the effectiveness (if this measure passes) of demerit points for speed camera offences in terms of its being an educative tool. It is that matter and the deterrence factor of further speeding

that has such a great appeal to me in terms of demerit points for speed camera offences.

In terms of the proposal in the bill for loss of licence for drink driving offences between .05 and .079 blood alcohol concentration, I do oppose this proposition. I certainly never promoted it to my colleagues while I was minister, and it was not presented as a policy by the Liberal Party because I had endeavoured to implement it but failed—I have never favoured it and I still do not. The proposition was last before this parliament in March 1991 as part of a 10-point black spot program, which was readily acknowledged as a blackmail package from the federal government; that is, the states had to implement 10 so-called road safety projects in exchange for a certain sum money—and money always has a great deal of appeal to any state at any time.

The government of the day led by Frank Blevins as minister for transport sought to accommodate the federal government, take the funds and introduce the legislation. He was based in the country as the member for Whyalla, and I think that he had many of the same reservations that the Liberal Party expressed strongly at that time, and, ultimately, a compromise was reached. In South Australia, unlike other states, it was determined that drink driving with a BAC limit of between .05 and .079 would attract an expiation fee rather than loss of licence.

I believe the wisdom in coming to that compromise at that time is the wisdom that should still prevail today. I feel strongly that the argument of the minister in the other place that uniformity across Australia is required in this matter is completely compromised and is not convincing when he has been prepared to entertain an amendment on this matter which would allow people caught driving between .05 and .079 not to lose their licence fully if they require it for work. I would have thought that, if you want consistency across government, you would not entertain such an amendment, which would again make South Australia different from other states. I do not see the difference as highly important, and therefore why not keep to what we have and what we know works. We should not seek to complicate the issue with legal argument and a whole range of other issues by legislating that, if you are required to drive as part of your employment, you can keep your licence, but you lose your licence if you did not need it for work.

It is illogical in terms of the minister's arguments. There are many people in paid work for whom it could equally be argued they need their driver's licence. Therefore, you have one penalty for that offence, rather than making it discriminatory and favouring those who are not in paid employment. I think it is a ridiculous situation. I also highlight that the Independents in the other place, other than the Speaker, voted in completely contradictory ways on this matter. They opposed the loss of licence for .05-.079, and then, on the substantive clause, voted in favour of the measure. I will not comment further on the quality of thinking of the Independents in the other place.

The government's penalty regimes both through the demerit point system and the progressive addition of demerit points leading to a loss of licence or the mandatory loss of licence for a BAC level between .05 and .079 raises the question about the production and carrying of driver's licences. The Liberal Party will be moving an amendment which we moved as part of a road safety bill in government and which the Labor Party supported. It is based on the Victorian system for production of driver's licences. South Australia does not have the compulsory carrying of driver's



licences as in New South Wales. However, because of Victoria's loss of licence for various offences (which we have not had in this state before), it is important that we have a more effective, credible system that is not so open to fraud, as is our current system for the production of a driver's licence.

Today, if a person is caught by the police and asked to produce their licence and they do not have it, they can give the name of any person who they know has a driver's licence with a photograph on it. That person—not the offending driver but the person named by the driver—can then turn up at a police station and produce their licence, and the police just sign off and tick that it was presented within 48 hours. There is fraud in the system today. Victoria had similar circumstances some years ago. It has developed an outstandingly successful new system for the production of a driver's licence whereby, when the offender is asked to present their licence and they do not have it, they sign a form.

They nominate a police station to which that form will be sent and, within seven days, they must present. That means that they can nominate a police station that is just down the road or in their home state (if they are from interstate) but, within seven days, they must present their licence, and the record shows the signature. The police have the record of a signature when the person presents. You cannot therefore send a person under a fraudulent circumstance. In Victoria this scheme has proved highly successful. I am bemused that the minister in the other place rejected our amendment on the basis that the police in this state do not support it.

The police in this state should do a little more homework. If they so strongly want loss of licence through the progressive addition of demerit points for speeding offences they had better work out a much more thorough and credible system than that for which they are now responsible for the production of licences. I do not accept the rejection of this scheme by the police, and I think that it behoves government, if it is going to push these loss of licence measures, to ensure that it is responsible also for a credible system for the production of a driver's licence. I support a few other issues: namely, that every learner driver must hold their learner plates for six months.

I have introduced a private member's bill into this parliament advocating a similar measure that no L-plate driver, at 16½, can simply get their Ls one day and be driving unsupervised on the road the next. That is possible today. We must fix that loophole. I introduced a private member's bill to do so, and I am pleased that the government has reflected exactly the same provision in this bill. The government seeks to extend the period for driving on a P-plate. Everyone must be on a P-plate until at least 20 years of age, or for some people two years. The Liberal Party has an amendment, which I strongly support, that is, that just as we would advocate that everyone on an L-plate must hold it for six months, irrespective of age, everyone must hold their Ps for two years.

In government the Liberal Party introduced a scheme of promoting mobile random breath tests but applying them only in school holidays, public holidays and four other periods nominated by the Minister for Emergency Services. I think that is a much better scheme and, at the time, the Labor Party supported it. The government has now introduced mobile random breath tests 24 hours a day 365 days a year. I do not think that targets the periods of high road risk and usage in this state. Certainly, I favour the more limited targeted scheme which the Liberal Party will be moving as an

amendment to this bill and which was favoured by the Labor Party in the past.

The Liberal Party has amendments that the Labor Party supported last year in this place in relation to excessive speed and also reckless dangerous driving. The reckless dangerous driving amendment, which was rejected by the Minister for Transport in the other place, is one that the Democrats, the Labor Party and the Hon. Mr Cameron, in particular, had advocated strongly as amendments to the law in South Australia when I was minister, and the former Liberal government accommodated that. These amendments arise from the incident when the truck hit and killed a young student near the Loreto Convent on Portrush Road after she had alighted from a school bus.

The Director of Public Prosecutions did not progress the matter because of a definitional difficulty in our law. I would very strongly argue that the government support the amendments the Liberal Party is moving to remedy that oversight in our law. New South Wales has a similar proposition on its books now. I am not today going to get into the debate on the issue of 100 km/h on our open roads and 50 km/h on our local and residential streets, or the private member's bill proposed by the Hon. Graham Gunn in the other place in respect of 130 km/h on designated national highways.

The latter proposition I strongly oppose and look forward to its failure. I would just say that it is okay for the Hon. Caroline Schaefer to argue that. She believes that, because she is a safe and experienced driver and may know a road, she is not driving dangerously and recklessly at 120 km/h. That may be so, but she is not on an open road with no other vehicle users. There could be inexperienced drivers—her own children or grandchildren—on the open road, and a speed limit of 120 km/h or 130 km/h would apply as equally to them as it would to the experienced driver familiar with the road.

There are a variety of road users at any time, from trucks to bicycles. In country areas, cattle can stray onto the road. Oil, fog, rain and a range of factors would require not only attention but care, including being alert for kangaroos. The experience to deal with those hazards is not uniform and it is best, in terms of duty of care, that this parliament sticks to a lower maximum limit, taking into account the range of users of the road at any one time and the range of circumstances any driver may encounter. It is not an argument about whether or not one is an experienced driver or driving recklessly or dangerously. It is these other factors that matter, and our overall responsibility to a duty of care. I welcome the opportunity to speak to this second reading and look forward to the committee stage sometime next year.

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

#### WATER SUPPLY

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I lay on the table a copy of a ministerial statement on delegated responsibility for SA Water made earlier today in another place by my colleague the Minister for Government Enterprises.

#### SCHOOL CARD

**The Hon. P. HOLLOWAY (Minister for Agriculture, Food and Fisheries):** I lay on the table a copy of a minister-

ial statement on disadvantaged student payment made earlier today in another place by my colleague the Minister for Education and Children's Services.

### HOUSING TRUST

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I lay on the table a copy of a ministerial statement on an Internal Report of the Difficult and Disruptive Tenants Policy and Procedures Review (South Australian Housing Trust 2002) made earlier today in another place by my colleague the Minister for Housing.

### ADJOURNMENT DEBATE

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

That the council at its rising adjourn until Monday 17 February.

In moving this motion, I wish to acknowledge the efforts of all members to deal with a busy legislative program. A number of important bills have been debated over the past few months and I thank members for their contribution to that process. I particularly wish to thank the Hon. Andrew Evans for the way in which he has dealt with a somewhat rigorous parliamentary agenda during his first year as a member. In many cases, he has been in the hot seat in relation to the debate. I am sure that at times his task has been quite frustrating, and I thank him for his cooperation in dealing with legislation, especially at short notice.

I thank you, Mr President, for your guidance of the chamber during this first year of government, and I thank the leaders of the parties for a vigorous parliamentary sitting. I thank the whips, Carmel and John, for their assistance in the coordination of business in this place. I also thank Jan, Trevor, Noeleen, Chris and the table staff for their invaluable support. I add my thanks to Margaret, Graham, Todd and Sean, because without them I am sure that the business of the council would quickly grind to a halt. I also thank the many other parliamentary staff (including Hansard, the messengers and attendants, kitchen and dining room staff, the police and security staff, the library staff and anyone else who works in this building) for their diligence and hard work during the year. I would also like to thank my staff and those of other members for their contributions during 2002.

I take this opportunity to wish the Hon. Nick Xenophon continued recovery from a debilitating illness. I am sure that all members join with me in hoping that Nick will be present and in good health when parliament sits again in the new year.

I also wish to pay tribute to the Hon. Michael Elliott, who retires tonight after 17 years in state parliament. On behalf of the government, I wish him every success in his new position with the University of South Australia. Mike was elected to the Legislative Council in 1985 and has been Leader of the Democrats in this place since 1993. His parliamentary career includes membership of the Environment, Resources and Development Committee, the Statutory Officers Committee and the Occupational Safety, Rehabilitation and Compensation Committee, as well as many select committees.

During my time as a member of the Legislative Council and as Leader of the Government, I have found Mike to be a man of his word, a member who has worked hard to represent the people of South Australia. As the *Advertiser* stated upon the announcement of Mike's resignation:

Mike Elliott has played a key, often decisive, role in some of the most important political decisions in the state's history. He was among those who opposed the privatisation of ETSA, he had a hand in negotiating industrial relations and workers' compensation reforms, and was always a strong champion of environmental causes.

While I am aware that Mike's decision to leave the parliament has caused him a great deal of contemplation, I am sure all members would agree that his contribution to this place has enhanced the reputation of the Legislative Council. In his maiden speech on 12 February 1986, he said:

One [referring to a member of parliament] is at risk of feeling important: one only talks to important people. One receives a comfortable salary, and there is a risk of losing contact with real people and their problems. I hope that by the end of my term people do not believe that that has happened to me.

I believe from my own personal experience in dealing with Mike that this has not been the case. I wish him well. I wish all members and their families a very happy and peaceful Christmas, and I look forward to a productive new year.

**The Hon. R.I. LUCAS (Leader of the Opposition):** I rise to support the motion moved by the Leader of the Government. I join with him in thanking all the staff who support us. As the leader has indicated, the table staff and all other staff of Parliament House provide invaluable support and assistance to us and, on behalf of the Liberal members, I would like to join with the leader in acknowledging them.

Mr President, we thank you for your guidance and forbearance on occasions during the first parliamentary session of the new government. We trust that you have enjoyed your task and we look forward to working with you in what will be an important year for the Legislative Council next year. We see you as an important cog in the wheel of contemplation of constitutional reform, and we know that you will join with all members of this chamber in wanting to see continue the strength and presence of the Legislative Council and our democratic process in South Australia.

I thank the Leader of the Government, leaders of the other parties in the chamber, and the Hon. Andrew Evans and the Hon. Terry Cameron and others for their cooperation not only with the government but also with the opposition in terms of the passage of legislation. From the Liberal Party's viewpoint, particularly as this is the first term of the new government, we have sought to assist in the consideration of the legislation wherever possible. As members will know, on a number of occasions we have acknowledged that the tradition or convention of laying legislation on the table for one week before it is considered and voted upon has not been possible. We hope that next year and the year following we can settle back into a routine where bills that have to be rushed through are the exception rather than the rule. We acknowledge that all governments (ours included) will find reasons for legislation sometimes having to be rushed through at the end of a session. The opposition accepts that it will not be possible on every occasion for that to occur.

I join with the leader also in wishing the Hon. Nick Xenophon a speedy recovery. All Liberal members hope that the Hon. Nick Xenophon will have not only a happy Christmas but also a rapidly improving and healthy Christmas and that we will see him back on deck in February when the parliament reconvenes.

I, too, join with the leader in acknowledging the Hon. Michael Elliott's contribution to the Legislative Council. In the words of a famous orator, politician and statesman on the national stage, occasions like this are an appropriate opportunity to look at the things that unite us rather than the things

that divide us. I will not acknowledge who that statesman and orator happens to be. I have known Mike from schooldays, as I have acknowledged before, both of us having come from Mount Gambier. We played a bit of tennis competitively—

**The Hon. M.J. Elliott:** And footy.

**The Hon. R.I. Lucas:** —and a little bit of footy together. He probably sorted me out on occasions because he was a bit bigger than I was. I confess that for a brief period I dated Mike's sister until he decided I was not suitable brother-in-law material. We were at university together, although in different courses, and we maintained contact. As members will know, Mike spent a brief period with the Young Liberals in South Australia and worked with the Liberal Party when I was working in Parliament House with David Tonkin, the then leader of the opposition, in about the mid 1970s. In Mike's words, he saw the light and moved away from the Liberal Party to the third force which is now the Australian Democrats.

As the leader has indicated, Mike commenced his parliamentary career in the mid-1980s soon after I started. All members would acknowledge that Michael has been a passionate believer in a number of causes. The leader has referred to environmental causes—he may well make some comment—but, given Mike's teaching background, education was always a passion of his in issues that he raised not only in this parliament but in other areas. The worth and value of the public sector was always an abiding interest of Mike's in issues that he raised, and I am sure members will acknowledge Mike's contribution to the broader portfolio of social justice issues.

He has also been a passionate defender of the importance of the Legislative Council. In that respect the Liberal Party has much in common with Mike and the Australian Democrats and, as I said, in your case, Mr President, and, we hope, that of all members of this chamber. On behalf of his political party, he has been a tenacious fighter for the value of a third force in South Australia—that is, parties other than the two big parties, Labor and Liberal—and its worth in the parliamentary scene, not only in the Legislative Council but also in the lower houses of parliament, whether in the state or federal parliament. I am sure that he will continue to be a power behind the throne or an influence within the Australian Democrats, even after he has left the parliament.

On behalf of Liberal members (and there may well be one or two others who wish to speak), I formally congratulate Mike on almost 17 years of parliamentary service to the Australian Democrats. I sincerely wish him well in the challenges ahead. From the description that we have seen in the paper, the skill set base that Mike has in teaching and in the parliament seems to well suit him for the task that he has ahead of him for the next three years or so. I am sure that he will make a success of that. We also wish him good health and much happiness in his future challenges.

I conclude by saying that I hope that the new job description will allow him that important couple of hours off at 1 o'clock on Christmas Eve this year for the annual Christmas reunion at the Dynasty restaurant with his friends and associates from university days and Mount Gambier days and with others who have joined in over the years.

**The Hon. M.J. Elliott:** This is my last opportunity to support this motion, so I guess that I will make the most of it.

*An honourable member interjecting:*

**The Hon. M.J. Elliott:** Yes, get a bit of social justice into it, make it environmentally sound! I thought that I would dust off what I had to say 17 years ago to reflect on whether I lost my way over those years and to look at what has been done and what still needs to be done. I know that I commented on the Governor's speech, which commenced in that parliament, expressing a concern that it had an unduly heavy focus upon matters economic.

I hope that people know by now that I do not treat matters of the economy lightly or treat them as unimportant. However, I think that sometimes people lose sight of other important issues. We do not live in an economy: we live in a society. The economy is part of that society, and it is a tool that we use to achieve certain outcomes. Unfortunately, at this stage, I think that we have lost sight of that as a society. I said then, and I repeat, that the Democrats have not been anti growth or anti prosperity. We try to ensure that we achieve the best possible outcomes from all directions.

One of the first issues that I came across, which was mentioned even in my first speech, was Jubilee Point—the precursor of the current Glenelg development. I remember way back then being involved in the debate and saying that, if they were to build out on the beach and beyond, which is what was proposed, we would have major problems with sand movement. After a significant community backlash, the then government backed away; unfortunately, however, it was revived and the fears about sand movement were absolutely spot on.

My concern about development is not whether it happens: it is whether it is done appropriately. I think that the Glenelg development is an example. There could have been a redevelopment of the foreshore that did not entail messing around with the beach. Early on, if somebody with guts had said to developers, 'Yes, you can put up redevelopment models, but you're not going to interfere with the beach, because it's going to interfere with sand movement,'—and the experts were saying that right from day one—we would not be spending \$2 million a year, as we are now, to pay that bill. I do not think that we have seen the last of the consequences of the obstructions on the beach, either at Glenelg or West Beach.

If we were looking to build boat harbours, they should have been at Port Adelaide, behind Outer Harbor, where you can almost park as many boats as you like. Of course, I do not mean siting it amongst the mangroves but coming in off the main harbour itself at Port Adelaide. I will not linger on that any longer.

A more recent example is the problem emerging with the magnesium plant at Port Pirie, which is starting to eye off the southern Flinders Ranges. It should be noted that there has been absolutely no opposition whatsoever to the development of a significant high-grade resource at Leigh Creek, but concern is starting to arise about another resource, which I doubt will be of any better quality but the development of which is likely to have very significant environmental ramifications in terms of long-term potential in areas such as ecotourism. Some people do not recognise how special the southern Flinders Ranges are. They tend to drive straight past them and head further north. However, there are some magnificent places in the southern Flinders Ranges, with colonies of endangered species such as the yellow-footed rock wallaby within probably 20 kilometres of Port Pirie and close to due east of where the processing plant will be sited.

All I have ever asked is that we show balance. It is not that we should not have development but that we should think

very carefully about location, scale and form. We can have our cake and eat it too, but we should not be bullied by people who say, 'If we can't do it this way, then we can't do it at all.' When I first moved legislation to ban chlorofluorocarbons, I recall that, within 24 hours, several executives flew over from Sydney to tell me that it was not possible to phase out CFCs for at least five years: CFCs were gone within six months.

The executives said that they would all go broke and that this was the end of the world. The fact is that CFCs went because community resistance was so great that people would not buy the products. However, as it was, that industry was not affected one iota. I always treat those who say that things cannot be done with a great deal of caution, because that is quite different from saying that some things should not be done.

Having just come from the Riverland at that stage, I made comment about my concerns in regard to the wine industry, and I expressed concern about the fact that there were three major wholesalers. I think that we were lucky that there was a subsequent boom, but the independent growers were having a pretty hard time back then in the mid 1980s, and I think that is about to happen again. Pressure will come from all sorts of directions. We now have two major retailers—Coles and Woolworths—expanding very rapidly into the market, and small wineries will be the first to go, and small independent grape growers will be at significant risk. If people doubt that, they should talk to people who were growing grapes back in the mid 1980s.

The grapevine pull occurred at that stage and, as I recall, the government was giving growers about three months to decide whether they would pull, or they would not be paid. In my speech, I said, 'Give them two years to respond, or even three years to respond. Let's do this grape pull slowly, or else we'll pull out stuff that we later regret pulling out.' Half of the grapes in the Clare Valley went, and a lot of other important vineyards were stripped because the homework had not been done beforehand. I was attacked in a media release, which went out to the country papers, which said that I did not know what I was talking about.

Having come from the Riverland, I focused on the issue of the River Murray. I do not know whether people remember back to 1982, but I said that at that time Adelaide received 96 per cent of its water from the Murray River. Members may recall that the mouth of the Murray blocked up and that the river stopped flowing. No-one really liked to contemplate what would have happened had the drought continued for another six months. In fact, Adelaide would have been economically ruined. We were lucky: it rained. I have seen no evidence of any action that has been taken to prevent that sort of thing from ever happening again.

In the last 17 years all I can tell you is that the amount of water coming out of the River Murray has escalated dramatically. We are lucky that we have got some water sitting in our catchments at present; not a lot, but in 1982, the river was flowing backwards. We were drawing water out of Lake Alexandrina, and we know that that is highly saline water. We were on the brink of absolute disaster and there was no relief in sight, at that stage. When you consider how much extra water is now being drawn out of the River Murray, due to developments both within this state and in the eastern states we are within a hairsbreadth of a disaster even now. I am surprised that there has not been more action in South Australia to address the issue.

I was a strong advocate of regional development councils and, in fact, with a member of the Murray Bridge Council, was involved in setting up the Regional Development Association of South Australia, which I am pleased to say has gone from strength to strength. I believe a lot more effort has to go into assisting the development of regional areas. The government must start looking at decentralising public services. We have tended to claw things back into Adelaide. We should be doing what I think New South Wales and Victoria have done, where whole government departments have shifted facilities out into regional centres. That is one way of addressing the problems of urban sprawl, and also addressing the problem of decline in some areas.

I had been a public school teacher and not long before I came into parliament I had joined the AEU for the first time because I was concerned about what was happening in schools. I can only say that every year since, as far as I have been concerned, it has effectively got worse. With many friends still in the public education system, I hear people spouting figures but I also talk to people who actually do the work, and numbers and reality are not always the same. There is enormous pressure out there in the public education system and it worries me that public education could go the way of public housing. Public housing has become welfare housing now and I do not want public education to become welfare education, or we will all be the losers for that. I am glad the government has now acted on class size in the junior schools, although I wish it was across all schools and not just some. I call on the government to look very closely at middle schooling. Frankly, I think years 7 through 10 are a disaster at this stage in our schools, and we need a significant change in the pedagogy but I will not speak further about that now.

In the area of the environment, and I talked about developments earlier, the environmental impact assessment process is seriously flawed. Now that we have a panel set up which sets the guidelines for an EIS, that panel, in my view, should follow the process right through to the very end and make sure that the EIS process remains totally independent. I have been a long-term critic of the EPA but there are real signs that at last it is getting its act together. I guess that after the current amending bill is brought into force we will see if we do really have a truly independent EPA with teeth. I certainly hope so.

I continue to have concern for small business. I am pleased with the select committee. One of the things I will miss over the next couple of months is the select committee which was set up in relation to shop trading hours. It has already started looking at issues around monopolies etc., and it is an issue that we just cannot afford to ignore any longer. Some of the action might need to happen at the federal level in terms of legislation, but if small business is to have any real chance, and I include farmers in that, we have to do something about monopolies. Monopolies have all sorts of effects, including expecting unrealistically low prices for agricultural produce, which was something I commented on in my maiden speech. I said then that I thought agricultural produce was becoming too cheap; the price it was expected to be produced at was too cheap, and that pressure has not lessened since and will get worse. When you see that one supermarket chain was able to say to one of the biggest dairy companies in Australia, 'We're not going to sell your stuff'—and we know why they would not sell for the price the supermarket wanted to pay for it—then what hope, indeed, has a small farmer. Increasingly, those two supermarket chains are sourcing their stuff directly from farmers. In some

cases, they are starting to buy farms and actually put people on the properties to work them on even worse margins. It is a bit like the way some of our petrol stations are run these days.

Retail tenancies have improved, I think, in the time that we have been here but the right of first refusal is the only long-term solution in my view, to retail tenancy issues. Drugs have been a real passion of mine, and it worries me that at the moment we are really going backwards. I understand the appeal of law and order but most other countries have worked out it does not work. At the end of the day you have to do something that works. As a parent myself with three children, I hope to God they do not tangle with drugs. As a former teacher working with hundreds of kids, I did not want any of those to tangle with drugs either but, the reality is, among those hundreds I taught and, of course, the many thousands I did not, for a range of reasons some will try and some will make mistakes.

What do we do from there? The law and order approach alone, and it is almost our only approach—although there is a bit of education being talked about—simply will not solve the problems. However, I have given plenty of long speeches in this place on that matter, and I will not do that again. I just find it a matter for deep regret that some people have not really done their homework or, in some cases, have received information from only one side of the fence. I have been to Switzerland and the Netherlands and spoken to what I thought was a very broad cross-representation of people. Then I hear of other people who have been to the same countries and they come and tell a very different story. I think their itinerary has been organised by people whose agenda has been a little narrow. I did not do that when I organised my trips, and it worries me that people are not working on full information.

Work patterns was another matter I raised when I spoke 17 years ago, and I made the comment then about the rich getting richer and the poor getting poorer. It just has not got any better in the last 17 years, in two senses: I know that in the last 10 years there has been no growth in full-time jobs in South Australia. All the growth in employment has been in casual and part-time work. So, we have got the work-rich families, those who often have two jobs and are working ridiculously long hours, which is the other aspect I have raised concern about, and then you have others who do not have work, and if they get work it is casual and part-time work, unpredictable in terms of when they will be working next. There is not a lack of work in South Australia; there is not lack of work in Australia; there is a lack of jobs, and we just have to work on how labour in this country is going to be redistributed for everybody's benefit including the silly devils who are working too many hours at present, which is a matter that I have raised in here previously, too.

To the parliament itself: it has been interesting to see the wide range of approaches used by different people. You see governments come and go. When ministers first come in they do not seem to understand the upper house at all. They basically say, 'I am the minister,' beat their chest and say, 'Get out of the way, I should be able to do what I like.' They do not seem to understand the parliamentary process, which is made up of two houses, the upper house being the more democratic—representing the community as a whole—and the lower house, which is the house where government is formed but is not the parliament. Neither is the government the parliament. Many did not understand it.

I have not singled out many people but one minister whom I found to be very pragmatic at the end of the day was Graham Ingerson. He had his problems here and there but he was a pragmatic politician. He came in with some incredibly hard-line legislation on industrial relations and workers compensation but, at the end of the day, he sat down and talked and worked hard. There were members of the Liberal Party, the Labor Party and the Democrats, the UTLC and the Employers Chamber, as I think it was then called, sitting around the table and we worked for months, particularly through the workers compensation issues. We now have a workers compensation system which has, arguably, I would say, the best benefits in Australia and has the lowest costs. It was achieved because everybody had a say and we worked our way through the problems. There is always more than one solution to a problem. The simplest one is not always the best and the one you are most biased towards is not always the best either. I found Graham to be very pragmatic: I have found other ministers I have worked with from time to time to be so, but those who decided to adopt straight-out confrontation got absolutely nowhere.

I think the future of this parliament will lie increasingly in the committees. I have been a member of the Environment, Resources and Development Committee since it was formed, and in all that time it never had a minority report. It never became party political. It took on a very wide range of issues. In many ways, I think governments would have found it of assistance, because it did a lot of in-depth work. It took on some controversial issues from time to time and sometimes picked up something that was going wrong and alerted the minister to it.

I think it could be taken a lot further. I know that many parliaments around the world, including New Zealand and Germany, set aside one day a week as committee day. As I understand it in Germany, the week starts with one day of party meetings, followed by a day of committee meetings, and then the next two days are parliament. All the legislation goes through committees first, and I think that is a far superior way for a parliament to work.

Instead of coming into the rough and tumble of parliament, with the government having a fixed position and the opposition very quickly taking a fixed position, but then having nothing more than chest beating until something emerges out the other end, to send it into a committee which, on the whole, does not work in a political way, I think would do enormous favours for the government and the state as a whole. I would really like to see the committee system further examined, to see whether we can streamline it more and beef it up.

In my view, the committees should be meeting, except for the Christmas break, almost on a weekly basis and probably for a whole day. Rather than saying the parliament should be sitting more as a parliament, perhaps we should look at what the committees are doing. The committees can do a lot of the work that the houses do. Instead of question time, ministers and senior public servants could appear before the committees, and you would probably get far more useful information than you would ever get out of question time. I would ask people to consider that suggestion, particularly with the Constitutional Convention coming up. There is a steering committee, and I just note that there is no Democrat or any other member of the third parties in the upper house involved on that steering committee. That appears to be politically opportunistic at best, and how can one treat a process with respect when that has been done?

There are a lot of people I want to thank. I should start by thanking the party members who put me up as a candidate in the first place, and for the voters who elected me here on two occasions. I thank most of the reporters in the media. I have found the reporters in this state to be excellent, but I must say that there are people who sit at sub-editors' desks, some of whom in 17 years I have never met, who take enormous liberties with stories, not just deciding whether or not a story is included but what part of the story is included. They change stories quite dramatically and frequently get things wrong. You find that the journalist gets the kick, but it is usually not their fault. On the whole, I think the media in South Australia are very fair.

I would like to thank all other members and their staff, both in this place and the other place, and those who have left this place. It worries me that the level of cooperation has perhaps broken down a little bit. I remember fondly in the early years that games of snooker and billiards were played upstairs when we sat late. They involved members of all three political parties and the different factions. I do not lament the loss of a game of snooker, which I was not particularly good at anyway, but to me it seems symptomatic of the level of cross-party and cross-factional friendliness in the place that to some extent that has broken down. Things have become a little more personal.

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

**The Hon. M.J. ELLIOTT:** All the port? Not me. But I thank all members and their staff. I particularly hope that Nick Xenophon recovers from his current illness and is back in this place when it resumes in the New Year. I thank the council staff. I have had nothing but absolute cooperation from the staff in this place, and I include the JPSC staff, Hansard and the library. They have all been very cooperative, and they do their job very efficiently.

I thank my fellow Democrat MPs. We have a very small party room, and we do not have time to have factions or anything like that. It has been a great experience. We have had to work very closely together, which I think we have done successfully, and I thank their staff. I thank you, Mr President. I think all the presidents who have been in this place have been very fair. If we ever get a president who does not maintain that standard, we would be in a great deal of difficulty.

I particularly want to thank my own staff. Pat Macaskill has been with me for almost the entire time I have been in this place. I remind people that, when I was first elected, the Democrats were treated very favourably. We had one personal assistant between the two of us, and that was a much better ratio than anybody else in the place. We applied an enormous amount of pressure to get a researcher. When we were successful, everybody else screamed blue murder, which I understand. Eventually we were assigned a PA each and eventually a PA and a researcher each. Basically everyone else followed suit, although at the time they screamed about what we did.

I must say the resourcing now is good. When I entered parliament we did have a typewriter and, if you wanted to type a press release, you would put in three or four carbons, run off a couple of copies and hope you got it right the first time. Somebody would then deliver them to 5KA, the News building and the *Advertiser* building to, but all the rest were posted. The television stations and 5DN were too far away, so you would post them their press releases.

I recall that, within 12 months, Ian and I had bought our first computer. It was probably the first computer in the place

at that stage. Everyone else had computers, but Parliament House was always lagging behind. We bought our first fax machine not long after that as well. I think the parliament supplied those a couple of years later. Eventually, we had a PA each—and Pat Macaskill has been with me both as a shared PA and as my own PA through almost all my time here. She has been an absolute support, and I thank her.

I have had some wonderful researchers. Members may remember some of them, including Neroli Rooke, Helen Beringen and then Brenton Prosser. I am extremely fortunate that each of my researchers was very competent. Over the past couple of months I have had Cherie Prosser and Julia Grant with me. If I had stayed, I would have loved to have them with me, because they have done an excellent job, too.

Finally, I want to thank my family. It has been a damn hard time over 17 years. My wife Belinda has been very supportive and was supportive before I came in. My children, the poor devils, have known nothing different other than dad being in parliament, but they have been very tolerant of that. I look forward to having more time to give them, if they are not too busy out doing things kids do by the time they get into their teens. I think the problem I will find is that I will be home and they will be out, but we will face up to that one. I extend best wishes to everyone in this place for Christmas and also for the next session. I hope things go well for all of you in the future.

**Honourable members:** Hear, hear!

**The Hon. SANDRA KANCK:** In supporting the motion, I particularly pay tribute to my colleague Mike Elliott. I first became aware of Mike's existence back in 1982 when he was living in Renmark and was our candidate for the unwinnable seat of Chaffey. I was on the party's campaign executive and was responsible for vetting all the publicity material that the candidates put out. Members will not be surprised to know that Mike's offerings did not need much editing. We next had an association in 1984 when Mike and I were both on the Senate team. He was at position No. 3 and I was at No. 4—again unwinnable. But I came to know him particularly well in 1985 due to unfortunate circumstances of party infighting at that time, and halfway through the year Mike became state president and I become state secretary. I have to say that, between the two of us, we were a formidable team. However, it must have put a lot of stress on Mike, because he was living in Renmark and making trips on an almost weekly basis between Renmark and the city—

**The Hon. M.J. Elliott:** Three times a week!

**The Hon. SANDRA KANCK:**—three times a week, he says—to attend meetings to resolve some of the difficulties we were facing. I do not know what speed he travelled getting to and from Renmark. All I know is that, when I was elected to parliament and made my first trip to Renmark in the time that he told me it took him to get to Renmark after these meetings, I found I needed at least another three quarters of an hour. All I can suggest is that Mike got a very fortunate run of green lights each time!

In that same year, Mike headed our Legislative Council team, and that election was back in the days of the hand counts. It was a nail-biting time because we did not know for many weeks whether or not Mike had been elected. Eventually he came through, to our great delight. Once Mike was elected, I worked part time for him for about eight months as a researcher and media officer, shared with Ian. They paid for my salary out of their own pay packet. Continuing on with Mike's role in the party, in November 1989 he was our state

campaign director. That was one of our more successful campaigns and, in that election, under Mike's directorship, we came within a whisker of getting two people elected to the Legislative Council. I think our incumbent President, the Hon. Ron Roberts, might remember that he was the person who just scraped in at the last minute.

In 1993, Mike made an unsuccessful attempt to win the lower house seat of Davenport but came in with a very respectable result of 26 or 27 per cent. In 1994 he came back to fill Ian Gilfillan's casual vacancy and, from that point on, he was elected to be the state parliamentary leader of the Democrats and he has held that position since then. He was re-elected in 1997 with a record vote, this time with Ian Gilfillan as his running mate. Last year, he was the director of the Democrats' federal campaign in South Australia and over the last few years he has been responsible for a couple of very successful fundraising dinners for my party.

**The Hon. M.J. Elliott:** In my spare time.

**The Hon. SANDRA KANCK:** In his spare time, yes. When Mike gave his Address in Reply in 1986 he stated:

My politics is not left or right. To be such leaves the trap of falling into bigotry. It is the politics of open mindedness.

When he spoke, he talked about quality of life issues, nuclear issues and the Jubilee Point proposal, which was the beginning of a campaign that he waged against Jubilee Point. He targeted questions and speeches in parliament for a very long time on that issue and was the key person in this parliament to do so. He spoke about the state of the Murray River, and 20 years on we have seen that history repeats itself. Mike must look at what he said then and what is happening now and sometimes feel that he has been hitting his head against a brick wall.

The things that Mike had to say in 1986 are very evocative in terms of what it is to be a Democrat because so much of what he had to say was seeing beyond the next election. It was about seeing a sustainable future. His first question was on national parks, about the number of rangers and non-rangers who were being employed by the National Parks and Wildlife Service. The question he asked 17 years ago could just as well be asked again now.

He held the shadow environment portfolio for all his 17 years in this place and had many firsts to his name, not the least of which was his private member's bill, called the chlorofluorocarbons bill. I believe that was the first bill in Australia to deal with the damage to the ozone layer that CFCs were causing. He introduced that bill at a time when most people hardly knew the difference between damage to the ozone layer and greenhouse effect. He was ahead of the pack, including environment ministers, on most environmental things, raising issues such as the Mundulla yellows before the government had ever heard of them.

With his prodigious talents, if Mike had stayed with the Liberal Party in the 1970s, he would have been a minister, I believe, in the Brown and Olsen governments, and that is something to reflect on. From being a candidate in an unwinnable seat in 1982 to being the party leader in South Australia for almost nine years, Mike has really left an indelible mark. In 1985 he played a vital role as State President of the Democrats in steering the Democrats into calmer waters. We all know that life has been somewhat difficult for Mike in the last few months and he began the process of looking for calmer waters for himself and, in so doing, he has decided to leave parliament. I wish Mike well and I hope that he enjoys the calmer waters that he has found.

**The Hon. T.G. ROBERTS (Minister for Aboriginal Affairs and Reconciliation):** I support the motion and give my thanks to all the parliamentary staff, the table officers, Hansard, and to you, Mr President. I also thank the new members who have bedded themselves in. They have played a very important role in the formation of a new parliament, a new time, and I think that their cooperation has added to the pleasures of having to be in this forum for long hours. From time to time we lose the plot a little bit but, in the main, this session has been a very good one for personal cooperation in trying to get through, as the Leader of the Council said, a difficult legislative period. In a lot of cases, insufficient time was apportioned to the consultation that perhaps could have occurred.

That was in part as a result of the carryover legislation from the previous government, as part of the Westminster transfer, where we picked up a lot of bills without amendment. Some amendments have been made along the way but, in the main, the intention of the legislation has been to pick up the progress of the consensus that was part of the previous government, and everyone has cooperated in being able to do that. There were a couple of hiccups along the way, but I think everyone for the effort that they have put in to try to make a difficult job a little bit easier.

I take note of the honourable member's comments about the stress that this house and parliamentary life in general place upon personal relationships, and I think that anything that we can do to help ourselves to ease the transmission of business is useful. That does not mean to say that we should not have spirited debate, but anything we can do to facilitate the time that we spend here debating issues is helpful for all of us.

The Constitutional Convention is coming up and it will study the role and function of the Legislative Council, and we need to put the council's position at that convention so that whatever we see as the future role and function of the council can be spelt out and given some airing. If it is a change in the way the Hon. Mike Elliott has proposed, it needs to be put into the forum in such a way that those options can be discussed before the fate of the council is decided. Other options could be looked at, as well, in relation to improving the way in which we do business here and the outcomes that we try to achieve.

I got to know Mike more through the committee system than in the parliament in the role he played for and on behalf of his party and the community. He was able to promote, as he has today with what was almost an Address in Reply, all his pet subjects and those matters that he felt were important in relation to the environment and quality of life issues.

There was certainly no self-interest tied up in the formation of the views, ideas and philosophies that he projected in those committees, just as there has not been in the chamber: it is all done on behalf of the party through party policy developed through membership. I think that pointed out to me the character of Mike. He would make compromises to suit the majority. When the majority were at extremes on the committee, he would position himself to ensure that he was not caught out on a limb by having one position and not having a backdoor through which to get back in. He would keep the discussions going and put his best position. I thought that he was a very good *modus operandi* which I observed over a period. I thank Mike for the role that he played on those committees.

I also pass on my best wishes to Nick. I wish him a speedy recovery and hope that he gets back on his feet and returns

to the chamber where he adds that little bit of a spark that he has. It is almost an enlightening experience when he flits around the chamber, pollinating us all with his position on a whole range of issues—

**The Hon. R.I. Lucas:** Maybe you!

**The Hon. T.G. ROBERTS:** He only pollinates the blossoms that he thinks will fertilise and grow. He thinks he will drop his pollinating powers on to fertile ground—

*Members interjecting:*

**The Hon. T.G. ROBERTS:** No, I will finish it off. Anyway, those of us on this side of the chamber have missed him. I do not believe that members on the other side have missed him too much. He always has a reason for voting in a particular way. I wish him a speedy recovery. I wish everyone a safe and merry Christmas, and hope that, when we return, there will be the same cooperative spirit even without the Hon. Mike Elliott. I am not quite sure who will win the pre-selection ballot, but I am sure that, if the quality of the candidates the Democrats have put in here over the years is maintained, certainly the council will be the better for that. That is a tribute to the other two Democrat members, plus their staff members.

The other thing about Mike is that, over the years, the work load he has carried has probably been underestimated by many of us. I have observed the work load that he has carried and the quality of the advice and support that he has had over the years. He probably would not have been able to carry that same work load had it not been for the quality of the staff and the people he has mentioned from the early days. It is difficult, and I do not think that major party backbenchers appreciate the work that is involved in having to have a position and make a contribution on each bill. Many of us in the major parties supported ministers and were given roles and functions to play in isolation, whereas the Democrats and the Independents have to carry a work load which we tend to underestimate. I am sure that the quality of the advice and the backup support service that he has had over the years has allowed him to do that.

Mike, I wish you all the best in your retirement from this chamber and wish you well in your new job. I hope we do not lose contact. Just as you were lobbying us during your valedictory speech about your major projects (which you expect us all to take up on your behalf), I am sure that you will still keep in contact with us as a lobbyist. I suspect that, given that you have had to resign from the select committee on shopping hours, you will probably come back as a witness on behalf of an organisation in relation to some of the social issues that you hold near and dear to your heart.

I reluctantly say goodbye to Mike, because he came in at the same time as I did and, throughout the years, we have developed a working relationship as well as a friendship. It is the end of an era for the old school who used to play billiards and snooker on the first floor during the breaks. They were good times and good memories. We would wait for the bells to ring and then, halfway through a game, race each other to the chamber to see what the whips had in store for us. I am sure that, in some of the games we played, the balls were shifted by the time we returned to the game and the colours were sitting over the pockets. There are some good memories—but not too many, because most of it is hard work, interspersed with good camaraderie—in relation to the social aspects of this life. I will say a final farewell and wish everyone a happy and safe Christmas.

**The Hon. IAN GILFILLAN:** I cannot let the occasion go by without having a few words to say, primarily wishing everyone a happy, safe and rewarding break embracing Christmas, and also an observation or two about my old colleague, Mike Elliott. I have watched his hair colour change from behind for many years, but the TV shows me that I am losing mine pretty fast. I remind members that hospitality is extended in the office which my staff occupy on the lower floor and everyone is very welcome. I will certainly not speak at any length because I do not want to keep people away from that festivity. It will be a chance to have an informal drink with Mike and say farewell.

**The Hon. T.G. Roberts:** BYO?

**The Hon. IAN GILFILLAN:** No, Sandra and I are the magnanimous hosts. You will find that everything—

*Members interjecting:*

**The Hon. IAN GILFILLAN:** I would like to indicate that it is with regret that I see Mike leave this place because, having seen and worked with many members of parliament over the years that I have been here—I had a brief break from 1993 to 1997, but I have been around the place since 1982 (very few of us who belong to the class of 1982 are still around)—I say objectively, and I have said it before in other situations and to his face, that I believe Mike Elliott to have been one of the best politicians who has been in this place during my time. A feisty character, from time to time headstrong, he would not take the lead from his elders, but, after all is said and done, I suppose that is the right of youth.

I believe that Mike's dedication was to a bigger cause than just filling a seat in parliament. His sufficiency in dealing with argument and his ability to speak strongly and well have been outstanding characteristics. I believe that not only the Democrats but this parliament—the upper house and the parliament at large—will miss substantially the contribution that Mike has been able to make. However, I will add—and I am sure he knows that it comes from the bottom of my heart—that I wish him a very rich, fulfilling and happy life in the years ahead.

**The Hon. J.S.L. DAWKINS:** I wish to support the motion and very briefly make one or two comments about the Hon. Michael Elliott. I spent four years on the Environment, Resources and Development Committee with the Hon. Mr Elliott. Much hard work went into that committee. As he said, throughout his time on that committee there were no minority or dissenting reports. There was quite a bit of work behind the scenes and cooperation.

One aspect of this place, or any parliament, that does not get enough publicity is the amount of cooperation that does occur, particularly in committees. I understand that Mike has been on the ERD committee since its inception in the early 1990s, so it will be the end of an era and the start of a new one for that committee. That committee has had a complete change of personnel since the last election. I was very pleased to be present at Mawson Lakes last Friday for the announcement of the Hon. Mr Elliott as Director of the UNI SA Northern Adelaide Partnerships Program (UNAP). I was pleased to be present for that announcement. I wish Mike well in that job. As he knows, I have a strong interest in the northern parts of the metropolitan area and that peri-urban area nearby. No doubt Mike and I will bump into each other in those pursuits; so, Mike, all the best.

**The PRESIDENT:** I want to make a short contribution. I commence with a valedictory in respect of the Hon. Mr



Elliott. I have known Mike since 1989 when I arrived in this place. I was a member of a couple of select committees, and I replaced the Hon. John Cornwall on the select committee relating to Aboriginal health, together with the Hon. Mike Elliott and the Hon. Trevor Crothers. The committee was transported to the Pitjantjatjara lands to investigate the merits or non-merits of the Aboriginal health system at that time. I do not think that a heck of a lot of progress has been made in that area since that time but it was an interesting exercise.

That is where I first got to know the Hon. Mike Elliott personally. We were, in fact, roomies. In the general tradition of the Legislative Council, we were acting very efficiently so it was cheaper to double up. I can remember one particular incident when we flew into Marla Bore after being in the Pitjantjatjara. The facilities in the Pitjantjatjara were not that great, so committee members decided to go straight to Marla Bore. The system required the pilot to buzz the plane over the pub to let someone know that you were going to land and someone would come and get you. No-one heard the buzzing and we were out there for sometime.

I was impressed by the resilience of the Hon. Mike Elliott because, whilst everyone else was crossing their legs and three or four blokes were trying to get behind one myall tree, Mike was interested in his other passion—range land studies. He was studying the plant life in particular, and I can remember his picking up samples. We travelled into Marla Bore, where I then learnt of his courage and his willingness to be adventurous. Anyone who has been to the bush is always careful. I am sure that the Hon. Mr Sneath, who has worked in the bush, knows some of the pitfalls related to any food that has been curried.

What happens in the bush is that, when meat gets a little iffy, it is curried. I was not about to partake of the curry. The Hon. Mike Elliott was feeling somewhat adventurous and ate the curry. We then had to fly back in a small aircraft, that is, the Hon. Mr Dunn, the Hon. Mr Cameron, the Hon. Mr Elliott and me. The effects of a bad curry started to attack my friend and colleague the Hon. Mr Elliott. We were halfway back and someone said, 'We will have to try to either get further down to Port Augusta', I think it was, 'or we will have to land at Roxby Downs.' Given the circumstances in that small plane, I was a vote for landing at Roxby Downs. When we landed, I have to tell members that the Hon. Mike Elliott could not wait to get off the plane to visit Roxby Downs.

I remember that I recounted the story to the Hon. Mr Cameron, who is not with us just at the moment. I told him of our misadventures and, funnily enough, a story turned up in the *Advertiser* about how the Hon. Mike Elliott, despite his protests about the place, could not wait to get to Roxby Downs. That is when I learnt that Mike was very quick on his feet. He did make a quip about the situation, which the standing orders do not allow me to recount to the council. Also, when we were rooming together, we were both awakened by very loud snoring and I blamed Mike, but when I looked at him he was absolutely silent: it was Trevor Crothers in the room next door.

*Members interjecting:*

**The PRESIDENT:** Members can laugh—Mr Trevor Blowes was in the room with him! Over the years, and on other committees, I have shared with Mike. He has always been a friendly sort of character. In his maiden speech, I noted, the Hon. Mike Elliott talked about how easy it would be to think that you are important. I happen to believe that politicians do play an important role in society, and I think that the Hon. Mike Elliott has maintained that tradition. It is

nice to be important but it is much more important to be nice, and I think that Mike has demonstrated that quality throughout his political life, and that is much appreciated.

When I was a shadow minister, Mike and I did not always agree. I tended to be very passionate and was probably more single-minded than I necessarily should have been but, at the end of the day, accommodations were made and the matter that you raised about workers' compensation, in particular, and industrial relations, I think, demonstrated the role that you played in the Legislative Council. You have been even-handed and you have enhanced the role that the Legislative Council has always taken. It is a proud tradition of this place that cooperation, commonsense and amendment often brings about the best situation at the time.

You acted that way and I think that some of the workers in South Australia can thank you for your contributions in that process. I was particularly interested when the Hon. Mike Elliott talked about the process involving the Hon. Mr Ingerson, me and others in the exercise. I would endorse the honourable member's remark that that was a sensible way of changing the legislation, which is a proven success, and I think that the rest of us can learn from that. Of course, Mike, you have had very good staff.

I note that your personal private secretary, Pat Macaskill, is retiring also. She has been a strength not only for you but for those of us who deal with your staff. She is always a friendly character. She will not go unremembered—not while email is around, anyhow; the jokes will keep coming. I would like to take this opportunity to thank her for her service. I am sure that Mike has appreciated it as much as anyone.

Again, I must thank all members for the way in which they have conducted themselves throughout the session. By and large, there has been a measure of goodwill amongst us all. I have tried to be as fair as possible from this place. I have tried to allow people to have some flexibility. From time to time we have had a few hiccups. At one stage I was concerned about people using first names, but I note that practice has changed. I said in my opening address to this place that I wanted to maintain the practices, procedures and protocols of this council and to maintain its dignity. I think that, by and large, that is occurring. I am a little concerned because a couple of little things that are taking place relate to maintaining the dignity of this council. We are under some scrutiny in terms of the Constitutional Convention onto which members elected me to represent the views of the Legislative Council.

Very shortly I will be giving a report to all members on the progress of the Constitutional Conference so far. I am not prepared to look at any review of the procedures (or changes in activities) of the Legislative Council—which can proudly boast a record next to none—unless someone can convince me that something is wrong with the system. I am not convinced that there is a lot wrong. I am sure that the conference procedure that we are developing will give us a fair insight into what the people of South Australia think. I believe we will work those matters through and that they will be discussed rationally in the Legislative Council at the appropriate time.

This place cannot operate without the services of the table staff (Jan, Trevor, Noeleen and Chris) and the rest of the team. The messengers and all the catering staff have been wonderful. I have to give my personal thanks to my own staff. When I took on this job as President of the Legislative Council, quite frankly, I thought it was going to be a doddle. I thought I would only have to sit here and conduct the affairs

of the Legislative Council. Nobody told me about all the rest of the tasks I would have to do which I have embraced with some enthusiasm. I enjoy the job completely, but it would be much more difficult without the support of my staff, so on this occasion I thank them.

In conclusion, I wish Mike all the best in his endeavours, and I wish all of you peace—which I think should be the theme of this Christmas—and happiness with your families, and I look forward to working with you all next year.

**The Hon. M.J. ELLIOTT:** Would it be against standing orders to note that I did not thank my parents; and I would like to do so.

**The PRESIDENT:** I am sure that we can bend the standing orders to that extent.

Motion carried.

### MULTIPLE CHEMICAL SENSITIVITY

Adjourned debate on motion of Hon. Sandra Kanck:

1. That a select committee be appointed to inquire into and report on multiple chemical sensitivity, with particular regard to—
  - (a) which chemicals or chemical compounds are responsible for the majority of symptoms of multiple chemical sensitivity and how exposure to them can be minimised;
  - (b) the effect of chemical exposure on human fertility;
  - (c) the comparative status in other countries of multiple chemical sensitivity as a diagnosed medical condition;
  - (d) best practice guidelines in Australia and overseas for the handling of chemicals to reduce chemical exposure;
  - (e) current chemical usage practices by local government and state government departments and changes that could be made to reduce chemical exposure to both workers and the public; and
  - (f) the ways in which South Australians with multiple chemical sensitivity might more effectively access sources of support through government agencies.
2. 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 thinks fit, of any evidence presented to the committee prior to such evidence being reported to the council.
4. That 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.

(Continued from 13 November. Page 1288.)

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

Leave out 'select committee' in paragraph 1 and insert 'joint committee'.

Leave out paragraphs 2, 3 and 4 and insert:

2. That in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members of whom two shall form a quorum of council members necessary to be present at all sittings of the committee.

3. That this council permits 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 council.

4. That a message be sent to the House of Assembly transmitting the foregoing resolution and requesting its concurrence thereto.

The former health minister, Dean Brown, has acknowledged in correspondence with Mr Peter Evans of the South Australian Task Force on Chemical Sensitivity that multiple chemical sensitivity is 'emerging as an important environmental health matter that has national implications.' In the light of this recognition of the problem, it is the opposition's view that the shadow minister and the Minister for Health both have an opportunity to have an input and make a contribution to the select committee.

The Australian Chemical Trauma Alliance Incorporated describes multiple chemical sensitivity as an insidious complaint which can affect every part of the system of the body with either an instant or a delayed reaction. It produces a range of symptoms ranging from a mild flu-like lethargy to full-scale coronary, respiratory and gastric symptoms. Sufferers also experience fatigue, mood swings, forgetfulness and an inability to concentrate. As multiple chemical sensitivity worsens, reactions become more severe and increasingly chronic. Many patients with this condition have had to isolate themselves for fear of recontamination which may result in the exacerbation or recurrence of their symptoms. Special diets are often necessary and nutritional supplements which may be necessary quite often trigger a new set of symptoms.

In addition, the Multiple Chemical Sensitivity Association points the figure at many commonly used agricultural, commercial, industrial and domestic products such as building products, pesticides, paints, cleaning products, carpets, plastics and glues. One of the often popular causes of multiple chemical sensitivity is agricultural chemicals and pesticides. This may have been the case in the past with the older generation of pesticides and chemicals and inappropriate methods of handling and applying them.

Of course, there are a number of ways to be exposed to these products. In the very early days of the agricultural chemical revolution (40 to 50 years ago) it was quite commonplace for people using these chemicals not to use any protective clothing such as rubber gloves, face shields, respirators, plastic aprons, rubber boots or waterproof overalls. In fact, most farm chemicals were often mixed by hand and applied by hand. It was not unusual in those days for people to complain of headaches, nausea and other symptoms as a result of repeated exposure to these substances.

Application rates and the method of application in the early days were very hit and miss with inappropriate and poorly designed equipment with the view that if you had a bad infestation if you doubled the rate you might solve the problem quicker. While this may have been common practice in the past the new generation of modern agricultural chemicals and pesticides have undergone a far more rigorous evaluation for safety and efficacy than their forebears. I am pleased to note that, today, the vast majority of primary producers and chemical users use a great range of highly sophisticated effective chemicals. All these products are applied using precision equipment and, thanks to better training and community understanding and the extensive uptake of the ChemSafe program, virtually all users of these chemicals have had extensive training in the safe handling, mixing and application of these products.

It is also interesting to note that one of the many benefits of gene technology as we move into the 21st century will be a decreasing reliance on agricultural chemicals and pesticides. It would not be proper for me to pre-empt the findings of the select committee. However, I urge the committee to recognise across all industries the greater community understanding of safety concerns regarding the handling, storage and use of hazardous toxic substances.

It is interesting to note that, in her contribution on multiple chemical sensitivity, the Hon. Sandra Kanck almost exclusively mentioned agricultural and industrial substances. However, I believe she may have overlooked one very important group of products to which people have an allergic and sometimes fatal reaction, that is, food additives, preserva-

tives and food colourings. These products are often associated with behavioural changes rather than any form of toxicity. I know of a number of people in my local community who have children who react in different ways to different food colourings, especially in confectionery and soft drinks.

There has also been a suggestion that some attention deficit disorder problems are the result of reactions to many modern-day food additives and food colourings. Whilst the reaction to these food additives may not cause any lasting problems for children, the behavioural changes often make parenting even more difficult and challenging. There is also a view held by some members of our community that wine with a lower alcohol content than some of the more expensive premium labels contains more preservatives and antioxidising agents, therefore exacerbating their sensitivity to chemicals when they have consumed too much. Incidentally, I am led to believe that if alcohol had just been discovered it would not gain approval for human consumption from the national registration authority. While the Hon. Sandra Kanck's motion does not specifically include food additives and preservatives, I hope they will be included under paragraph (a).

Whilst so far I have discussed the problems of multiple chemical sensitivity which manifest themselves with daily or obvious symptoms, there are also problems associated with exposure to these chemicals and products that lead to chronic or sometimes almost undetectable illnesses until it is too late, such as low fertility in both men and women, neurological disorders and, of course, cancer. I have a family experience that may be the result of long-term exposure to petroleum products. In the early 1990s my father-in-law, Mr Trevor Olafsen, was diagnosed with pancreatic cancer and was given only a few months to live. Thankfully, through meditation and an alternative diet, he was able to overcome his cancer and is alive today. Trevor was a fuel distribution agent in Bordertown for nearly 20 years and, during his illness and since, he has come into contact with many sufferers of pancreatic cancer; a number of these people also worked in the petroleum industry. I ask whether this is pure coincidence or whether there may be a link to this prolonged exposure. On behalf of the opposition, I support the establishment of a joint house select committee to inquire into and report on multiple chemical sensitivity.

**The Hon. G.E. GAGO:** Multiple chemical sensitivity (MCS) is an extraordinarily difficult issue to deal with, and my colleagues in this place have described the complexity of the issues surrounding this condition in some detail, so I will not repeat those details. There are no discrete symptoms recognised by the medical profession that describe MCS, and there is no apparent scientific or medical consensus on the causes, progression or clinical treatment of MCS. It is, therefore, a very controversial issue, with vocal advocates both for and against MCS as a definable health syndrome. Notwithstanding this controversy, it is clear that people with MCS suffer, and many suffer severely. In my own nursing background and clinical experience, I have certainly come into contact with many of these people, and their suffering is indeed intense, incredibly debilitating and often chronic, which also appears to be another feature for some.

MCS affects not only the sufferers themselves but also their families and carers. Whether or not MCS is caused by exposure to low levels of a single chemical, a mixture of chemicals or any other substance in the environment may not be understood. However, this is not necessarily the most important issue for MCS sufferers. More often than not, the issue for them is the impact that it has on their life. I understand that health departments around the country are aware of the difficulties experienced by MCS sufferers, but they are also strongly committed to evidence-based medical and public health practice.

The impact of MCS can include difficulty in undertaking everyday activities that most in the community take for granted, including the use of public transport, exposure to cleaning products in the home or elsewhere, pesticides used in their neighbourhoods, perfumes and hair sprays and/or other scented products.

For people suffering with MCS, the impact can be quite debilitating, and such people often say that they feel that they experience social exclusion as a result. To make matters even worse, in relation to devising appropriate management programs, the individual needs of MCS sufferers vary greatly from individual to individual, making it extremely difficult for policy or practice guidelines to be developed which cover all patients. This was certainly a challenge that I experienced in clinical nursing, when the management practice was on a case by case basis, which made planning quite difficult.

Today, the government has undertaken a commitment, via the select committee process, to review MCS; to investigate its causes and the experience of sufferers; to identify the medical consensus on its symptoms and causes; and to identify ways which may help improve the health and wellbeing of MCS sufferers. The government recognises that the select committee will be faced with a number of challenges, which relate to identifying the scientific and medical evidence underlying MCS, balancing the needs of MCS sufferers with those of the broader community that use chemicals on a day to day basis and engaging with chemical regulatory processes undertaken by the federal government. The government intends to meet these challenges openly and consultatively and has charged the select committee to undertake its work and report expeditiously. I seek leave to conclude my remarks later.

Leave granted; debate adjourned.

#### **UPPER SOUTH EAST DRYLAND SALINITY AND FLOOD MANAGEMENT AMENDMENT BILL**

The House of Assembly agreed to the bill without any amendment.

#### **TERRORISM (COMMONWEALTH POWERS) BILL**

The House of Assembly agreed to the amendments made by the Legislative Council without any amendment.

#### **ADJOURNMENT**

At 6.30 p.m. the council adjourned until Monday 17 February at 2.15 p.m.