LEGISLATIVE COUNCIL

Thursday 1 July 2010

The PRESIDENT (Hon. R.K. Sneath) took the chair at 14:16 and read prayers.

PAPERS

The following paper was laid on the table:

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

Public Sector Act 2009—Appointments to the Minister's personal staff under Section 71
Response to the Environment, Resources and Development Committee Recommendations—Final Report: Public Transport

WORKCOVER CORPORATION

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:19): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P. HOLLOWAY: I was asked yesterday by the Hon. Robert Lucas a question concerning the annual stakeholder satisfaction survey carried out by McGregor Tan in relation to WorkCover SA. I have sought and have now received information on the results of the latest market research in relation to the views of injured workers on WorkCover and the claims manager, Employers Mutual. That research found satisfaction levels from injured workers with Employers Mutual's service was rated 5.60 compared with 6.10 in May 2009. Injured workers' satisfaction with WorkCover's service was recorded at 5.90 compared with 6.40 recorded in May 2009. Clearly, this is not good enough.

WorkCover and Employers Mutual, under their new chief executives, are both working to address stakeholder satisfaction and identify opportunities for improving customer service levels. The primary areas that have been identified as requiring improvement are better communication and improved case management.

In relation to employers, their satisfaction with Employers Mutual's service rated 6.82, which was essentially unchanged from the 6.80 recorded in May 2009. Employers' satisfaction with WorkCover's services was recorded at 7.0, unchanged from 7.0 recorded in May 2009.

With regard to the second point raised yesterday, I have been advised the executive summary of the satisfaction survey for 2007 was published on the WorkCover website on 1 August 2007; for 2008, it was 5 August 2008; and in 2009, it was 1 September. I have further been advised that the current survey will be available online later today on the WorkCover website.

MURRAY RIVER WATER ALLOCATIONS

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:20): I table a copy of a ministerial statement relating to the River Murray Drought Water Allocation Decision Framework and water allocations made by the Hon. Paul Caica.

NORTHERN EXPRESSWAY BRIDGES

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:20): I table a copy of a ministerial statement relating to the northern bridges' names commemorating war service made earlier today in another place by the Premier.

LAND TAX CONCESSIONS

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the

Premier in Public Sector Management) (14:20): I table a copy of a ministerial statement relating to concession increases and tax cuts made earlier today in another place by the Premier.

TRADE AND ECONOMIC DEVELOPMENT DEPARTMENT CHIEF EXECUTIVE

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:21): I table a copy of a ministerial statement relating to the new Chief Executive for the Department of Trade and Economic Development made earlier today in another place by the Premier.

MACKEN, MR M.

The PRESIDENT: Before question time, I would like to inform honourable members that it is our security guard, and friend, Michael's last day working in parliament today. I am sure we wish him all the best in his forced retirement.

Honourable members: Hear, hear!

QUESTION TIME

BURRA MONSTER MINE RESERVE

The Hon. J.M.A. LENSINK (14:24): I seek leave to make a brief explanation before asking the Minister for Mineral Resources Development a question about the historic Monster Mine at Burra.

Leave granted.

The Hon. J.M.A. LENSINK: As honourable members would be aware, Phoenix Copper has applied to lift the Monster Mine Reserve. The public consultation process was extended from 25 June to Thursday 8 July. I have been contacted by a constituent, who is a local resident there, and he has made some allegations. His email states:

> In the last few days, a matter of some concern has come to my attention. Phoenix has already been conducting exploration in the Mine Reserve. In their 2009 Annual Report...Figure 7 on page 14 clearly shows that they have carried out extensive geochemical exploration within the reserve area, and within 400 metres of dwellings without notifying landowners.
>
> Our house is within that zone, and neither we nor our neighbours have been approached by Phoenix. The data points on the map are not based on old data. Phoenix make it clear that they are from geochemical analyses that they conducted themselves in the 2008-2009 year.

He then goes on:

> Additionally, Phoenix have been conducting geochemical exploration in the north-east section of the reserve, less than 150 metres from the town reservoir. Anecdotally, I have also had reports of relatively fresh drill holes to the north-west of the pit, within the reserve. There are two data points on the Annual Report map that correspond to the area where these holes supposedly are, but this area is not typically accessible to the public and I have not been able to verify their existence.

My questions are:

1. Is the minister aware of whether Phoenix Copper has indeed breached the Mining Act; and, if so, what action does he intend to take?

2. Can the minister advise whether any representative from his office or from the department will be attending the meeting on Monday night at the regional council of Gawler?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:27): That is the first I have heard of the allegations. I have received a large number of letters in relation to this matter, and I have not read them all. I know that we have had a significant amount of correspondence, but I would certainly be very surprised if there has been any breach of the Mining Act by Phoenix Copper. They are well aware of the conditions that apply. When they applied, through the proper channels, to have the reserve over the area lifted, they certainly would have been made well aware of the requirements under they Mining Act. However, I will investigate that matter.

In relation to a public meeting next week, I had not intended to attend that meeting. Normally, when we have public meetings under DPAC and the like, I believe it is best that they are not turned into political meetings. After all, it is all about assessing that information. Clearly, I have

to look at all the facts. What happens on occasions, certainly under the Development Act, is that departmental officials provide basic information. However, generally speaking, as the umpire, if you like, in relation to these matters, the role of the government should be to clarify the position rather than be involved in the debate itself. I will see what further information I can provide and relay that to the honourable member.

BURRA MONSTER MINE RESERVE

The Hon. J.M.A. LENSINK (14:29): Can the minister confirm whether anybody from PIRSA minerals will be attending?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:29): I thought I answered that by saying that normally the role of departmental officials in meetings such as this is to, at best, observe and, if necessary, provide information; but it is not normally the role of departmental people to be involved actively in the debate for or against this particular proposal. I will see whether the department intends to send anyone as an observer or to provide information in relation to that particular meeting. It is normal that a public meeting is held. I am not certain whether Monday's meeting is part of the statutory process or whether it is one that has been called by the community.

An honourable member interjecting:

The Hon. P. HOLLOWAY: Well, in that case, it is obviously not the formal one, but I guess whether the department official goes would depend on the nature of the meeting and whether they were invited, and what their assessment was. As I said, it is normally the role of the department to provide advice rather than become directly involved in the debate, because they will ultimately make the recommendation to the minister in relation to what action should be taken.

BURNSIDE COUNCIL

The Hon. S.G. WADE (14:30): I seek leave to make a brief explanation before asking the Minister for State/Local Government Relations a question relating to the investigation into Burnside council.

Leave granted.

The Hon. S.G. WADE: On 27 August 2009, the minister announced that the government would be making the investigation into Burnside council exempt from requests made under the Freedom of Information (Exempt Agency) Variation Regulations 2009. At the time the minister claimed this was an interim step to facilitate the investigation. My questions are:

1. When does the interim period referred to in her statement of 27 August conclude?

2. Given the need for openness and accountability, will the government commit to repealing regulation 7, contained within the Freedom of Information (Exempt Agency) Variation Regulations 2009, when the investigation is concluded?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:31): I thank the honourable member for his question. My understanding was that the provisions were put in place only as an interim arrangement. In terms of the exact conclusion date, I will have to take that on notice and bring back a response, because I do not have that detail. That obviously deals with the second part of the honourable member's question as well.

MINISTER'S OVERSEAS TRIP

The Hon. R.I. LUCAS (14:32): I seek leave to make a brief explanation before directing a question to the Leader of the Government on the subject of overseas travel and Ms Laura Lee.

Leave granted.

The Hon. R.I. LUCAS: Members will be aware of the Premier's recent overseas trip in early June, which won—

The Hon. B.V. Finnigan: It didn't cost as much as your 30 grand little jaunt.

The PRESIDENT: Order!

The Hon. R.I. LUCAS: If the Hon. Mr Finnigan wants to compare the Premier's $1 million-plus spent on overseas travel with my travel costs, I am very happy to—

The PRESIDENT: The Hon. Mr Lucas is out of order by responding to the Hon. Mr Finnigan.

The Hon. R.I. LUCAS: I just can't hear myself think for the constant interjections, Mr President.

The Hon. T.J. Stephens: Badgering.

The Hon. R.I. LUCAS: Badgering.

The PRESIDENT: I can't hear yourself think, either.

The Hon. R.I. LUCAS: One media cynic referred to it as a magical mystery tour. As members will be aware, the Premier was fortunate enough to be able to catch up with Ms Laura Lee in London for a dinner to discuss matters of mutual interest, and then, fortuitously for the Premier, a couple of days later he was able to catch up with Ms Lee in New York, again for a dinner and to catch up with matters of mutual interest. The minister indicated soon afterwards, I think in late June, that Ms Lee had indicated, for what he deemed or termed professional and family circumstances, that she was unable to continue with the appointment as it had originally been contemplated.

The minister himself will be aware of his own overseas travel: some 16-plus overseas trips since he has been minister, and the opposition understands that Ms Lee has been assisting the minister in organising an upcoming visit to Europe to consider issues of urban design and other related issues as well. Finally, members will be aware that many members of the media are openly speculating at the moment that the minister, in the next 12 to 18 months, will be standing down from his position to allow the Hon. Mr Finnigan to move into a ministerial portfolio. My questions are:

An honourable member interjecting:

The Hon. R.I. LUCAS: Who is the CEO of the Department of Trade and Economic Development announced today?

1. What is the budget for the minister's proposed overseas trip and who will be travelling with the minister on that trip?

2. Will the minister be catching up with Ms Lee whilst he is overseas to discuss matters of mutual interest?

3. In the interests of ensuring that taxpayers' money is not being wasted, will the minister assure this house that he will not be standing down from his ministerial position in the next 12 to 18 months?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:35): I would have thought hypothetical questions are clearly out of order: to ask about a trip that I have not even gone on yet, that I haven't even planned or booked is a bit outrageous. Clearly, the honourable member has some public servant who is breaching the Public Sector Act in terms of supplying the honourable member with information.

Perhaps we do need an ICAC, after all, for these corrupt public servants who are actually breaching the law and telling the honourable member. Perhaps the Hon. Mr Lucas's telephone should be one that you would tap all the time: you might pick up a few journalists he is talking to. He has been peddling himself around to every journalist in Adelaide with his views. Sadly, he has too many of them who are not objective enough to filter the information that is being provided.

The Hon. R.I. Lucas: Yes, attack the media again.

The Hon. P. HOLLOWAY: Well, the honourable member mentioned Professor Lee. That article in *The Independent Weekly* was one of the most disgraceful and dishonest articles. The photograph, as I understand it, included one of the officers of the consulate in New York, but it did not stop that particular journal from making a complete misrepresentation. That is the sort of information and muckraking that is going around.

As far as I am concerned, this government is going to rise above this sort of sewage flow that we have heard from people like the Hon. Rob Lucas. He has been here now for, what is it,

28 years, and this is what we get. This is the future of the Liberal Party—the future looking backwards. In fact, the honourable member has actually been promoted, and that's how desperate they are for talent. At least within the Labor Party, we have some up-and-coming talent within our party. They certainly don't have it over there. They have got to have these people who have been around for 28 years peddling the same old lies.

Wouldn't it be great if the Hon. Mr Lucas came up with something positive for South Australia? He is supposed to be shadow minister for finance. Why doesn't he tell us how the Liberal Party would finance all these policies that they are talking about? Why doesn't he do that? We know what he was like in opposition: 'Red Ink' Rob. The budget was in deficit every single year he was there and we had that incredible fudge. He went to the election in 2006 pledging not to sell ETSA and then he did. Of course—

Members interjecting:

The PRESIDENT: Order! The Hon. Mr Dawkins has a point of order.

The Hon. J.S.L. DAWKINS: On relevancy, sir. What this particular line of answer has to do with the question escapes me and, I think, many other members.

Members interjecting:

The Hon. P. HOLLOWAY: The point is that this parliament—

The PRESIDENT: Order! I have to rule on the point raised by the Hon. Mr Dawkins. I have given it consideration, and it sounds something like the answers I used to get when I used to ask the Hon. Mr Lucas questions. The Hon. Mr Holloway.

The Hon. P. HOLLOWAY: As I said, I have not yet finalised any details of any future travel I might make, and really these sorts of questions are quite out of order. It really reflects upon the members of the opposition that this is the best that they can do—personal attacks. That question was not only aimed at me but mentions Professor Laura Lee. We have already seen what the media do with that, and no doubt they will get plenty of their cheer squad in the media who will be quite happy to play this up and say how wonderful—

The Hon. R.I. Lucas: Attacking the media again!

The Hon. P. HOLLOWAY: Why don't you ring up the ABC and tell them how clever you are? Why don't you ring up and tell them, 'Look, I asked this really clever question about Laura Lee, so perhaps you can get the minister on to talk about all the things that are irrelevant'? Don't talk about South Australia's future because they don't have a plan for it. Don't talk about what should be done in any of the areas of need in South Australia because they haven't got an idea.

They are just this sour whingeing opposition. They cannot get over the election loss. They are going to keep on whingeing for the next four years and if they damage South Australia in the process, too bad. I would hope that at least some members in this parliament—some of the non-Liberal members at least—would see the need to rise above that, but if the Liberals want to sink into the sewer, then let them go down into it.

MINISTER'S OVERSEAS TRIP

The Hon. R.I. LUCAS (14:40): I have a supplementary question arising out of the non-answer, Mr President.

The PRESIDENT: The Hon. Mr Lucas wants a further flogging.

The Hon. R.I. LUCAS: Thank you, Mr President. How does the minister reconcile his response to the council then when he said that he was not planning an overseas trip with the following statement from a document tabled by the Premier entitled 'Report on overseas visit' which states:

> I understand that Professor Lee is also assisting the Hon. Paul Holloway, the Minister for Urban Planning, in arrangements for his forthcoming visit to Europe to look at urban design initiatives.

The PRESIDENT: When a member asks for a supplementary, no explanation.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:40): As I said, I have been looking but I have not finalised anything. I have not booked tickets; I have not finalised—

Members interjecting:

The Hon. P. HOLLOWAY: I said I have not finalised the arrangements. I have not finalised the details of any trip, but if I do go over there, that would be the sort of thing—

The Hon. R.I. Lucas: You've misled the council.

The Hon. P. HOLLOWAY: I have not misled the council. They're incredible, aren't they, Mr President! As I said, I have not finalised any details. I have not made any bookings in relation to overseas trips. At this stage, I have purely been investigating the options about some matters.

The Hon. R.I. Lucas: You said you weren't planning a visit.

The Hon. P. HOLLOWAY: As I said, I haven't planned any details.

The Hon. R.I. Lucas: Mike Rann here says that Professor Lee is assisting you in your arrangements.

The PRESIDENT: Order, the Hon. Mr Lucas!

The Hon. P. HOLLOWAY: What Professor Lee is doing is making some suggestions as to suitable places to have a look at if I decide to go, and I am grateful for that advice. Perhaps the shadow minister of planning who is here should avail himself as well and look at some of those things if he has the opportunity. As I said, the question is hypothetical because I have not made any bookings or any final decisions in relation to travel arrangements

The Hon. R.I. Lucas: You said you weren't planning.

The Hon. P. HOLLOWAY: As I said, I have not made any bookings in relation to that. I have not made any arrangements at all. It is quite out of order for these members to be asking, as I said, hypothetical questions.

The Hon. R.I. Lucas interjecting:

The Hon. P. HOLLOWAY: I will sit down when I am ready, Mr Lucas, because the more you perform in the way you do from the backbench, the easier it will be for all the opposition members to see what you get if you are in this place for 28 years. This is the product. This is what you get, and to think this is the hope of the side to get the Liberal Party back into government. They ask you questions about trips that you may do.

The Hon. J.M.A. Lensink interjecting:

The Hon. P. HOLLOWAY: This is the sort of level too. Again I raise it with other members: do you want this parliament—and it is up to all members of this council—to descend into the sort of thing where you start talking about overseas visits by members? Is this the sort of parliament we want? Should this be question No.3—one of the top questions of the day—from the opposition about members? Do all the other members in here now want to make it the subject of debate: if they plan a visit for the betterment of the parliament, that now becomes a matter for debate? I will leave it up to members.

REGIONAL PLANNING

The Hon. B.V. FINNIGAN (14:44): Will the Leader of the Government advise of state government initiatives to ensure coordinated and sustainable planning in regional South Australia?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (14:44): I thank the honourable member for his question—and it is good to get a question about things which are of relevance to South Australia and which rise above the sort of sleaze that the previous questioner indulges in.

The government recognises that the sustainable future of our state requires a number of regional plans that consider the likely challenges we face and then shapes an appropriate strategy to respond to those challenges. I have spoken in this place on a number of occasions about the 30-Year Plan for Greater Adelaide. That document provides a road map for the sustainable and responsibly planned future for Adelaide and the Greater Adelaide region. Regional South Australia also requires a similar range of planning strategies to protect the culture and character of these diverse regions, their environmental sustainability and their economic success.

Five rural regions were identified in 2006 for the preparation of region plans, including targets for population and land supply for both housing and employment in each region. This regional planning strategy also includes structured master plans for major regional cities and towns. The five country regions identified for such regional plans are the Eyre and western region; the Far North region; the Limestone Coast region; the Murray and Mallee region; and the Yorke and Mid North region. These regional plans are in various stages of investigation or are being prepared for adoption.

Today a further milestone in this coordinated planning strategy has been reached, with the Far North regional plan formally adopted by this government. Underpinning this plan are 19 principles identified for the Far North, with corresponding objectives and strategies for achieving them through appropriate land use and development.

Members interjecting:

The Hon. P. HOLLOWAY: It is sort of funny, isn't it?

The Hon. T.J. Stephens: I'm not listening to your Dorothy Dixer; I'm reading the *Hansard*.

The Hon. P. HOLLOWAY: Of course, you would rather talk about trips, wouldn't you? You'd rather get into all the irrelevant things, because that is all you're fit for.

Members interjecting:

The Hon. P. HOLLOWAY: You are gutter politics, that's right.

The Hon. T.J. Stephens interjecting:

The PRESIDENT: Order! The Hon. Mr Stephens should not follow the example set by the Hon. Mr Lucas.

The Hon. P. HOLLOWAY: Underpinning this plan are 19 principles identified for the Far North, with corresponding objectives and strategies for achieving them through appropriate land use and development.

The Far North region plan comprises land within the Port Augusta City Council, the District Council of Coober Pedy, the Flinders Ranges Council and the Municipal Council of Roxby Downs, the majority of the unincorporated out-of-council areas of the state and also the APY lands. The range of townships across the region include Port Augusta, Roxby Downs, Coober Pedy, Quorn, Leigh Creek and Andamooka, as well as smaller towns such as Ernabella, Woomera and Hawker. The Far North region plan provides a new planning strategy that responds to the increased pace of growth of the mining and tourism industries that are already providing a catalyst for future development across the Far North.

Spending on mineral and geothermal exploration has risen consistently in South Australia and most has occurred in the Far North. The $7 billion Olympic Dam expansion proposes to make that mine one of the largest in the world, and as such mining was a key consideration in the development of this plan. The Far North region plan addresses the significant changes underway in the Far North and also changes in town populations. The Far North region plan broadly identifies where housing population and industry growth is best located across the region in a way that ensures the greatest future benefit for local residents as well as our state. The plan also identifies the requirements and needs for local businesses to succeed and to help create new jobs in their communities.

The plan identifies the important roles and functions different areas in the region can play, including the various towns and communities, and it identifies issues concerning the relationship between industrial and residential areas, the need for sustainable and innovative approaches to securing water and energy supplies, and for the management of valuable environmental assets such as the Flinders Ranges.

The Far North region plan was assisted through the contributions and collaborations of the four local councils covered by the plan as well as the Outback Areas Community Development Trust, the Northern Regional Development Board, the northern and arid lands natural resources management boards and other state agencies. I commend the Far North region plan and hope this road map can assist the future development and success of this important region.

This state government believes the future success of our regions is important not only to their local communities but benefits all South Australians. While we hear a lot about the challenges that consistently face the regions—droughts, pests and depressed world markets—there are lots of

good news stories from regional areas of South Australia. These regional plans undertaken will help identify the challenges and opportunities our regions face and help them to work towards overcoming them in a way that ensures a well planned and prosperous future.

DISABILITY, UNMET NEEDS

The Hon. K.L. VINCENT (14:49): I seek leave to make an explanation before asking the Minister for State/Local Government Relations, representing the Minister for Disability, a question about unmet needs.

Leave granted.

The Hon. K.L. VINCENT: Last night, along with 210 people, I attended a public meeting about the concept of a national disability insurance scheme (NDIS). I note that the Hon. Stephen Wade was there. I very much thank him for his presence, as I do thank everyone who attended.

At that meeting we heard from people who are desperate to access basic and essential services for themselves or their loved ones—people who are sick and tired of being left at the bottom of government priorities.

As the government well knows, the situation for people with disabilities in this state is, quite frankly, deplorable. According to the government, we have at least 663 people on the unmet needs list who are in critical need of services. These people are at risk of homelessness, self-harm or harm to others.

However, I do not need to reiterate the figures because the government knows about them. It has all the figures which represent unmet needs—at least the registered needs—on its website. I point out that the figures on that website are rather difficult to access. Unfortunately, it is difficult—even more so—to ascertain the needs of children with disabilities as that data is not published.

Of course, behind these statistics we find the people. We have young carers looking after their parents and children who come home from school or even skip school in order to do their duties. They do not come home to the television or an Xbox. They come home to give their mother, father, brother or sister something as basic and as difficult for them as a shower.

People are languishing in hospitals for months or years at a time while waiting for a couple of hours of in-home support. I note that I have spoken already on this issue—as I am sure members would recall. Mothers and fathers are worried about what will become of their disabled children when they pass away and can no longer provide for their needs.

Yesterday in this place the Hon. Mr Hunter pointed out the state government has increased its disability funding budget by $100 million over the past eight years. While that does sound like a big figure, quite frankly it is spare change for a government that is happy to increase its funding overnight for a sports stadium by $85 million.

An honourable member interjecting:

The Hon. K.L. VINCENT: So far, indeed. It is clearly not enough to meet the needs of people with disabilities. Again, that just points out how desperate things are when $100 million over eight years is still not enough. This is not new, of course. People with disabilities and their carers have always got a raw deal from our governments, yet we always seem to find ourselves at the bottom of the ladder when it comes to priorities. My questions are:

1. How much will it cost the government to clear the unmet needs list?

2. What is the true extent of the unmet needs list for children with disabilities and when will the government publish this data on the Disability SA website?

3. When will the government accord people with disabilities the respect that we deserve by prioritising people over sports stadiums and clear the unmet needs list?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:54): I thank the honourable member for her most important questions. She has raised a number of very significant issues in her explanation. I will pass those questions onto the Minister for Disability in another place and bring back a response.

OUTBACK AREAS TRUST

The Hon. R.P. WORTLEY (14:54): I seek leave to make a brief explanation before asking the Minister for State/Local Government Relations a question about the new Outback Areas Trust.

Leave granted.

The Hon. R.P. WORTLEY: Our state covers a huge area and contains some of the most sparsely populated areas in Australia. Will the minister update the chamber on the new arrangements for the new outback areas authority?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (14:55): I thank the member for his most important question. I am pleased today to be able to tell the council about the inception of our new Outback Communities Authority. The new authority will replace the Outback Areas Community Trust as the governing authority for more than 30 outback communities: those communities which do not fall within an incorporated area and which are not serviced by a council. The authority, like the trust, will service a vast region covering, I understand, 65 per cent of the state and containing around 3,800 people.

Under the new governance arrangements, outback residents will have a greater say in shaping the future of the outback, with the opportunity to put forward views on a five-year strategic management plan, annual business plan and also a budget.

The new authority will work in consultation with each community to develop these long-term plans for the development of community infrastructure and service delivery. These plans will set the priorities and guide the level of spending on defined projects over successive years, as well as the amount of asset sustainability levy, which can be introduced at a later date to help infrastructure and other service needs.

The new authority will retain continuity and the corporate memory of the previous body through the continuing involvement of Mr Bill McIntosh, who lives near Blinman and who has been the chair of the trust since 1996 and a member since 1988, and Ms Pat Katnich, who has been a deputy member of the trust—

The Hon. J.S.L. Dawkins interjecting:

The Hon. G.E. GAGO: No, I unfortunately have not had the pleasure of visiting. After advertising widely for expressions of interest in the outback areas, I am pleased to see the calibre and quality of those who put their names forward for consideration as members of the authority. Each member appointed brings unique experience particularly relevant to life in the outback in fields, including community governance and engagement, strategic planning, financial management, business, environmental management, health and medicine, land use, youth services, tourism and farming.

All seven members have strong connections with people who live in and service the outback, and four of the members come from different outback communities, thoroughly equipping them to engage with communities and supporting them to respond to infrastructure and service demands.

I am especially pleased that the former chair of the Outback Areas Community Development Trust, Mr Bill McIntosh, has been appointed as the chair of the new authority. Mr McIntosh's leadership as the chair of the trust and membership of the Regional Communities Consultative Council, SA Arid Lands NRM Board, SA National Parks and Wildlife Council, and the new State Bushfire Coordination Committee is a clear indication of his unwavering dedication to improving life in the outback. His leadership will help to ensure a smooth transition to the new governance arrangements. Other members appointed include:

- As previously mentioned, Ms Pat Katnich, a tourism development consultant, who has been a deputy member of the trust since 2005. Pat has strong ties to Andamooka, as a past member of the Andamooka Progress and Opal Miners Association, and she has extensive experience with tourism development in the outback.
- Ms Toni Bauer, a Marree-based student, who is currently completing a bachelor degree in urban, rural and environmental planning, through LaTrobe University. Her work experience includes membership of an Aboriginal cultural awareness committee and experience in the

New South Wales judicial system. She has also helped to mentor teenagers and young adults from disadvantaged backgrounds.

- Ms Frances Frahn, a pastoralist and participant in state and national leadership forums for young pastoralists. She also has had experience working with young people, and she developed the trust's youth development strategy.
- Ms Jennifer Cleary, a Port Augusta-based senior research development manager at University of South Australia's Whyalla campus, responsible for investigating regional and community development opportunities and sustainability issues. As chair of the RDA Far North board, and having had a number of other senior positions in state government, she brings a wealth of skill.
- There is also Ms Margaret Heylen, a strategic and social planning consultant based in Aldgate, who has undertaken work for state/local government over a number of years, specialising in community engagement. Margaret currently holds a number of positions on government and non-government boards and committees, and she also worked as a consultant to the trust in 2008 to facilitate and report on the outcome of community forums which tested future governance arrangements for the outback.
- Lastly, Mr George Beltchev, an executive consultant in SA Health, has had a key role in developing key performance indicators for small, community-based organisations funded by government. Mr Beltchev has also held a position as chief executive, Country Health SA, and since 1985 has held a number of executive positions in health, human services, mental health and correctional services portfolios.

The authority will be supported by state government staff based primarily at Port Augusta. I also take this opportunity to pay tribute to the previous trust members. Since it was established more than 30 years ago, the trust has had 31 passionate advocates who have supported outback areas in delivering a range of improvements, such as rainwater tanks, airstrips, public toilets—the list goes on. They have many achievements of which they should be proud. I would particularly like to thank the serving members of the trust who have paved the way to strengthen those governance arrangements for the outback which will operate from today.

The outgoing members are: Mr Gary Fuller, Ms Bernadette Giles, Ms Joy Baluch, Mr Stuart Knox and Ms Julie Mould. I am sure members of this chamber would also want to acknowledge the dedication and work of these community members and pay tribute to their efforts.

BURNSIDE COUNCIL

The Hon. J.A. DARLEY (15:02): My question is to the Minister for State/Local Government Relations. On 22 June, the minister provided the council with information pertaining to the investigation of the Burnside council. Included in this information was the fact that the cost of the investigation has now escalated to $800,000, with an estimated additional $150,000 upon the conclusion of the investigation. Does the minister intended to recoup all or part of these costs for the investigation from the Burnside council?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:02): I thank the honourable member for his most important question. Under the provisions of the Local Government Act 1999, I am advised that there is no capacity for recovery of costs incurred by the current investigation from the Burnside council.

The investigation of the Burnside council is being undertaken at my direction as minister. Under the Local Government Act, an investigation into a council may be instituted if the minister has reason to believe that there has been a contravention, or a failure, by the council to comply with a provision of the Local Government Act, or other acts; or failure to discharge a responsibility; or an irregularity in the conduct of the affairs of the council relating to matters arising from the Local Government Act.

As I have said in this place on many occasions, the fact that the investigation is instigated does not assume, obviously, an adverse finding. The investigation into the Burnside council is seeking to uncover the facts surrounding a particular set of circumstances, and that is the just and proper approach.

The act places a responsibility for commissioning and acting on investigations appropriately in the hands of the minister of the day in order to protect public interest. It is in the

public interest to investigate the facts in a thorough way so that the community can be assured that a public institution, such as a council—particularly an institution that has powers to raise revenue through rates—is functioning properly or, if not, that action can be taken to ensure there is a remedy for that particular situation.

Although that is the advice that I have received to date, obviously I will continue to explore any or all options that may become available to achieve cost recovery, or at least part cost recovery, if that is possible. I obviously do not exclude the possibility of continuing to explore any and all opportunities that might avail themselves, but that is the advice that I have received to date.

REGIONAL COMMUNITIES

The Hon. J.S.L. DAWKINS (15:06): I seek leave to make a brief explanation before asking the Leader of the Government a question about regional communities.

Leave granted.

The Hon. J.S.L. DAWKINS: In question time yesterday I asked the leader about his dismissive comments about the city of Dubbo in New South Wales. During his answer, the Leader of the Government said:

> I should have picked an example of a town that was going backwards, that was declining, that did not wish to embrace new ideas or new growth, or that does not want people from overseas to come and help them.

My questions are:

1. Why does the leader feel it is appropriate to pick on any regional community, particularly one he perceives as struggling?

2. As a former minister for regional development, does the leader comprehend that all communities are unique, have different challenges and opportunities, and should be encouraged and supported by the government?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:07): Isn't it extraordinary? Let me say it again, perhaps more slowly for the honourable member, that I was talking about the vision of the Liberal Party for this state—

Members interjecting:

The Hon. P. HOLLOWAY: That's what I was talking about in the context of the question; go and read the *Hansard*. That's what I was talking about, as I said—because that is what their vision for this city is.

DISABILITY ACCESS

The Hon. CARMEL ZOLLO (15:08): Will the Minister for Urban Development and Planning provide details of the commonwealth's proposed Disability (Access to Premises—Buildings) Standards to improve disability access to newly constructed buildings—

Members interjecting:

The PRESIDENT: Order! You don't have a debate across the chamber. The Hon. Mrs Zollo might want to start again. I haven't heard a word of that.

The Hon. CARMEL ZOLLO: I think that's a very good idea, Mr President. As I said, my question is to the Minister for Urban Development and Planning. Will the minister provide details of the commonwealth's proposed Disability (Access to Premises—Buildings) Standards to improve disability access to newly constructed buildings in South Australia?

The Hon. S.G. WADE: On a point of order, I am wondering why the minister would be accountable for commonwealth regulations.

The PRESIDENT: I just wonder why you are calling a point of order. The honourable minister.

The Hon. S.G. WADE: My point of order—

The PRESIDENT: Sit down! The honourable minister.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:09): I thank the honourable member for her question. The Building Ministers' Forum that is being convened today in Melbourne will be discussing a range of important issues for the future directions of the building and construction industry. Matters that have been discussed today include the national construction code and also the issue of disability access to buildings.

The issue of disability access to buildings is important to many South Australians. Since 1990, the Building Code of Australia has had requirements for providing access to new buildings for people with disabilities. In many cases, these provisions have not satisfied the intent of the commonwealth government's Disability Discrimination Act, implemented in 1993.

Although the Building Code of Australia has provisions for access for people with disabilities, under the commonwealth Disability Discrimination Act 1982, complaints can still be made against owners of new buildings that comply with the Building Code of Australia because those access provisions have not been considered adequate. This situation has created great uncertainty in the building and construction industry, with some new buildings required to make very expensive alterations well after construction has been completed as a result of a successful Disability Discrimination Act complaint.

After more than 10 years of negotiations, this matter is close to a resolution, with the commonwealth government tabling the Premises Standards in the federal parliament in March 2010. This now enables the adoption of the agreed Disability (Access to Premises—Buildings) Standards by both the Disability Discrimination Act and similar technical provisions in the Building Code of Australia on 1 May 2011. So next year on 1 May that will become part of the Building Code of Australia.

Development of the Premises Standards has involved a number of major public consultation processes, including consultation in 2004 as part of the initial development of the Premises Standards, and also the inquiry into draft premises standards undertaken by the House of Representatives Standing Committee on Legal and Constitutional Affairs, which released its report 'Access all Areas' in 2009 after extensive consultation.

I have been advised there has also been extensive consultation with stakeholders through the disability access reference group, Standards Australia, in the development of the revised Australian standards, involving numerous disability groups and industry associations and state and territory officials during the entire developmental phase of the Premises Standards.

The Premises Standards have been developed to prescribe new and amended work to provide certainty, so that new buildings will comply with the objects of the Disability Discrimination Act and complaints will be minimised. The Premises Standards will also provide protection against Disability Discrimination Act complaints for new buildings and new work on existing buildings. Unmodified existing buildings and unmodified areas in existing buildings are not covered by the Premises Standards and may still be the subject of a successful complaint under the Disability Discrimination Act, as they are now.

South Australia, along with the other states and territories, now needs to implement regulatory and administrative arrangements to ensure the consistent implementation of the Premises Standards on a national basis, and that is why the question is relevant particularly to South Australia.

An honourable member interjecting:

The Hon. P. HOLLOWAY: For the shadow attorney-general's benefit, we are actually a federation. We are a federation—do you understand what that means? Does he understand what a federation is?

In particular, an access panel needs to be established in South Australia for considering development applications involving work on existing buildings and departures from the prescriptive requirements. In South Australia it is proposed that the role of the existing Building Rules Assessment Commission could be expanded to include the access panel functions if additional persons competent in access are added to its membership.

It should be noted that the Building Rules Assessment Commission already had a member appointed to it with these qualifications, Mr Ross Sands. The Building Rules Assessment Commission has also previously considered applications regarding compliance with the current

Building Code of Australia access provisions. The role of the commission will now be reviewed to ensure that legislative requirements are appropriate for it to perform all the functions expected on an access panel. Any South Australian variations to the Building Code of Australia on access matters will also need to be reviewed before 1 May 2011 to ensure consistency with the Premises Standards and the Building Code of Australia provisions.

As mentioned earlier, these matters are to be discussed today at the building ministers' Forum and, unfortunately, with parliament sitting this week, I am unable to attend that. However, South Australia's interests are being ably represented by an official from the Department of Planning and Local Government. I hope that discussions at this meeting will result in a consensus and common-sense approach to this issue by all states and territories. The adoption of Disability (Access to Premises—Buildings) Standards 2010 is good news: good news for builders, architects, investors and, most importantly, South Australians with a disability.

BRITISH ATOMIC TESTING

The Hon. T.A. JENNINGS (15:14): I seek leave to make a brief explanation before asking the minister representing the Minister for Aboriginal Affairs and Reconciliation a question about British compensation for Aboriginal people affected and harmed by nuclear tests in South Australia.

Leave granted.

The Hon. T.A. JENNINGS: I draw honourable members' attention to the words of premier Rann with regard to the British government's atomic testing in the Australian outback that took place in the 1950s. Premier Rann said on ABC news posted online on 8 June 2009 that the British government should be held responsible for all those affected by the Maralinga testing. I quote as follows:

> After a big campaign we managed to get the clean-up but we didn't get the compensation. I think the British government has an absolute responsibility to do the right thing by its and our service personnel and, of course, our Aboriginal people.

I note that British service personnel who were involved in the atomic testing have won the right in the British courts to seek compensation. This is a welcome thing.

The UK court decision was made in 2009 and it has opened the door for UK service personnel and other internationals to pursue claims for compensation for harm done following those tests. It is my understanding that the UK claimants initially received legal aid funding from their legal services commission.

There is a great deal of interest among Aboriginal communities affected by the nuclear tests regarding being able to undertake similar litigation. The Aboriginal Legal Rights Movement has accessed legal advice from a UK-based barrister and a prominent QC which indicates that Aboriginal people will be able to pursue similar claims for compensation. It also advises them that, given the advances in technology that can provide causal links to injuries suffered from radiation, those claims have a great likelihood of success. In fact, a UK-based law firm, Hickman and Rose, has accepted instructions from at least 10 potential claimants and is willing to act on behalf of an even larger group, and, as I say, there is great interest in the Aboriginal community of South Australia in this issue.

However, I ask the question of the minister: given the Premier's call that the British government has an absolute responsibility to do the right thing by Aboriginal people, will the Rann government and the minister for Aboriginal affairs, in particular, also do the right thing and ensure Aboriginal claimants of South Australia are able to access the legal representation required to hold the British government to account and seek compensation for the harm that has been caused to them?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:17): I thank the honourable member for her most important questions. I will refer them to the Minister for Aboriginal Affairs and Reconciliation in another place and bring back a response.

POLICE VIDEO CAMERAS

The Hon. T.J. STEPHENS (15:17): I seek leave to make a brief explanation before asking the Leader of the Government, representing the Minister for Police, a question about in-car and body-worn video cameras for front-line police officers.

Leave granted.

The Hon. T.J. STEPHENS: As a former police minister, the leader would be well aware of calls from the Australian police association and police officers for the rollout of in-car and body-worn video cameras. Taking an interest in his old portfolio, I am sure the leader would also know that a six month trial of body-worn video cameras is set to begin in Queensland, while New South Wales highway patrol cars are being fitted with 360° cameras. Body-worn cameras, in particular, are affordable, costing as little as $200 each, and will increase public confidence in our police, help to secure more convictions and, most importantly, help protect our dedicated front-line police.

We all know that this government dragged the chain on tasers and semiautomatic pistols for police, as called for by the opposition ad nauseam in this place, maintaining that it was an operational matter for the police commissioner and not its responsibility. UK police have had these crime-fighting tools for some time to help them carry out the role effectively, in particular minimising the time officers spend in court, keeping them off the beat. My question is: will this government support an urgent trial of in-car and body-worn video cameras to ensure our police resources are maximised?

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:18): What I can say to the honourable member, having been police minister, is that, all the time, new emerging technologies come on the market that have the potential to improve the work of the police officers. Many of those are promoted by companies that seek the adoption of their particular product.

What happens is that, at any one time, one state will trial a technology, then make that information available to other states. It might be one particular piece, such as face recognition, for example. When I was minister, it was being looked at in one state, and other technologies in other states. There is always new technology coming onto the market and, clearly, like every other area of government, those responsible—the police commissioner—have to make their assessment about whether that is good value for money.

We do not have in this state, unfortunately, an open chequebook for every desirable cause, and members opposite are in this place every day telling us how we should be cutting taxes and spending more money here and more money there. Unfortunately, there are far more demands on the public purse than there is finance available. In relation to that particular technology, I will refer the question to the Minister for Police in another place to see whether that equipment has been or will be subject to any evaluation here.

BUSINESS SCAMS

The Hon. I.K. HUNTER (15:20): I seek leave to make a brief explanation before asking the Minister for Consumer Affairs a question about business scamming.

Leave granted.

The Hon. I.K. HUNTER: From time to time, businesses as well as consumers can get caught up in a scam. One small business owner of my acquaintance—and she is no slouch; she built her business up from scratch and is as shrewd and as hard-headed in business matters as most—got stung by a smooth-talking shyster who sold her a telephone contract at competitive prices with a great deal of free incentives in the way of electronic equipment.

As it turned out, the so-called free equipment came with some very costly strings attached and, as it turned out, the freebies were actually billed to her in some sort of hire-purchase agreement costing many multiples of what it would cost retail. Even the smartest of businesspeople can be caught out by scammers. Will the minister advise what scams businesses need to look out for in the present day?

The Hon. G.E. GAGO (Minister for State/Local Government Relations, Minister for the Status of Women, Minister for Consumer Affairs, Minister for Government Enterprises, Minister for the City of Adelaide) (15:21): I thank the honourable member for his most important question. Indeed, it appears that unscrupulous people never seem to run out of new and novel ways to rip people off. I would like to alert the chamber to a fairly recent scam that is occurring relating to a fax that is being sent by an international company claiming to be Yellow Pages.

I am advised that Sensis, the company that owns the Yellow Pages directory, has received reports about the fax that requests businesses to pay money for a free submission to the Google website. So far, companies in New South Wales, Queensland, Victoria and South Australia have all been in receipt of this fax.

I understand that the scam involves a series of websites that have been disguised to look like sites affiliated with Yellow Pages. I understand that they do it very successfully and that there are a range of visual cues that are used. They adopt certain aspects of the site so that it looks to all intents and purposes like the official Yellow Pages site when in fact it is not—it is just a scam. Businesses should keep their eye out for this particular fax and, if they suspect anything untoward, I would urge them to contact either the ACCC in the first instance or our Office of Consumer and Business Affairs, which will be able to assist them with lodging a complaint.

I can also advise that Sensis has put in place a process to deal with the scam fax as quickly as possible, including attempting to close the websites involved, so they have made attempts to address that as quickly as possible. Unfortunately this is not the first time that rogue overseas businesses have conducted scams falsely claiming to be, or be associated with, Yellow Pages. I encourage businesses to be vigilant about their details, such as the ABN and the names of the business owners and directors, particularly when requesting to renew their existing advertisements.

OCBA has consistently pursued a strategy of seeking to inform and educate the public about scams of this type and the hidden dangers they present. This strategy also involves regular media releases, radio interviews, brochures, community talks, information on OCBA's website and advice offered through personal contact with OCBA officers.

While many consumers and businesses recognise such offers as scams, many still participate, I have been told, for fun, but they do not recognise the real motive behind the scam, which is actually to secure identity and financial details, which are then used for other fraudulent purposes. A great resource I will alert members to is the Scam Watch website, operated by the ACCC. The website was created to help recognise, report and protect consumers and businesses from scams. The website is located online and allows consumers and businesses to report scams online.

The ACCC is also a member of the international consumer protection enforcement network, composed of almost 40 companies. Its members share information and intelligence on consumer protection issues and, through an internal mechanism, members can report scams perpetrated by cross-jurisdictional traders.

MINING (MISCELLANEOUS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 24 June 2010.)

The Hon. R.L. BROKENSHIRE (15:26): I rise to support the second reading of the bill. I note that the legislation is some 30 years of age and, in my opinion, is due for a full overhaul and a full review. Hence, Family First amendments seek to make comprehensive changes to the mining regime, and I note other amendments (some similar) from the Greens. We support the clearing up of what are mining operations and other modernisations of the processes under the act to reflect 21st century needs: for instance, the greater environmental concern and need for an environmental impact statement in applications, and for existing tenement holders to have an environment protection and rehabilitation plan in place.

We support the new environment definition and considerations subject to what we say about that in our amendments, which I will come to in a moment and speak to in detail when we get into committee. We support the clarification of powers under new section 9A for the minister to declare a special area where certain mining is not allowed. We are particularly concerned about the Arkaroola area, as indeed are many other colleagues—the Greens and the opposition, I understand, as well.

The Hon. M. Parnell: Some of them.

The Hon. R.L. BROKENSHIRE: Some of them—right. I know that the Hon. Iain Evans is very strong on that, as is the Hon. Nick Minchin—he is very vocal on that and is out there leading the charge for the Liberals.

With regard to our amendments, in consultation with constituents and the South Australian Farmers Federation—and as a farmer myself I place on the public record my appreciation of the commitment to farming by the South Australian Farmers Federation and to looking after the interests of farmers—I found that they have grave reservations about the unfairness of the way the act operates in relation to farmers and primary producers. I foreshadow here some of my amendments but will go into greater detail during committee.

We have had the benefit of looking at the Hon. Mark Parnell's amendments. Some overlap occurs; for instance, regarding notification before an exploration licence is granted. There has been much debate, and I understand that the new Prime Minister will fix all the problems with the resources super profits tax in the next week or so and then go straight to an election. There is no fear on our part that our amendments are a threat to the mining industry. Family First is pro mining and development but with caveats, and it is important that these caveats are included in the debate and passed as amendments to this bill. They are about justice for landholders, including farmers. I will highlight some statistics and show why farmers deserve a fairer go.

According to the ABS industry report, the profit margin of mining companies varies from 10.8 per cent for small enterprises to 46.1 per cent for large enterprises, with an overall average of 37.1 per cent. I compare that with agriculture where the profit margin is less than even small mining enterprises at 8.7 per cent. It is getting harder every day for farmers to get anywhere near a reasonable return on their investment; yet, at the end of the day, when you look at sustainability and at the most important provisions for a society, it is food and water.

On a cold cruel economic analysis one might prefer mining, but that is not our policy as we support family farmers, rural people and the nation's most sustainable industry—farming—compared to what eventually is unsustainable in an industry such as mining. It may be that we see Roxby Downs operate for 200 years, but at some stage it will run out of the uranium and other deposits. However, we will still be producing food.

Only 51.2 per cent of businesses in mining are profitable. Agriculture is the next worst in the spectrum on 57.5 per cent. It is interesting to note that the most profitable by percentage of total of businesses are the areas of health care and social assistance at 83.8 per cent and transport, postal and warehousing at 82.7 per cent.

Looking at the earlier data, one could draw the valid conclusion that big miners are pulling the weight of many smaller miners who are less profitable and probably exploring mining prospects of unknown potential. Therefore, the risk is that we need to have in place between two industry sectors with an unacceptably high proportion of unprofitable businesses something to ensure that there is justice between the two should a mineral explorer or a miner significantly harm the profitability of the farmer by their mining activities.

Data shows that agriculture employs more than double what mining does in this country yet often miners are getting preferential treatment under this act. In fact, I am sure they get preferential treatment at all times under this act compared with primary producers.

The amendments we have tabled today focus on food security, highlighting the importance of protecting groundwater resources as a primary environmental aim, better notice to landholders of an exploration licence, and making it harder for new mining to begin within the Greater Adelaide area since in the majority of cases new mining will be incompatible with the future of the Greater Adelaide region.

Fortunately, from a mining point of view, once you get out of the Greater Adelaide area, if you look at all the aeromagnetic surveys that have been done by successive Liberal and Labor governments, there is a lot of opportunity in more remote areas. Our amendments also focus on a better compensation regime for landholders adversely affected by mining operations and, finally, our amendments are about shifting much of the mining jurisdiction into the ERD Court instead of the Warden's Court.

The amendments begin with new considerations to be taken into account when mining activities are sought via the Mining Act, namely, food security and groundwater concerns—or what many of us know as underground water or bore water. Bureaucracy and decision-making ought to be driven from the wording of the legislation, being the intent of parliament in relation to mining. Therefore, we want to dictate from the act down to departmental staff what the parliament believes is important when assessing a mining application.

The government has already seen fit to do this, in a sense, adding in its bill 'the environment'. However, we want to particularly emphasise the major importance of groundwater and add the very important consideration of food security. We want food security to be a consideration when the minister grants mining rights. This minister would be very competent at that. I know he is passionate about mining, but he was also one of the better primary industries ministers, if not the best primary industries minister, under this Labor government.

The government bill adds the environment as one new consideration. Our amendment requires the minister to consider food security for South Australia and creates a definition of what food security means for South Australians. In essence, the minister will be forced by the act to consider the impact that mining activity would have on our ability as a state to produce our own best quality, healthy food for not only South Australia and the nation but also export and the regions if the mining activity were allowed to proceed.

We note that the government bill adds the environment to relevant considerations when granting mining rights. Having talked to the Farmers Federation and others, I believe that the Farmers Federation wants groundwater to be a separate consideration to heighten its importance. As I have said, the legislative definition of groundwater is underground water, bore water, and artesian and subartesian water. So, the amendments create that as a separate consideration to the environment.

In my own area, I have always supported the big sand mine across the road from our farm, even though I personally would prefer that it were not there, but I support it in the interests of the economy and jobs. However, you do wonder sometimes what impact these open-cut mines have on underground water and what checks and balances are in place. At some point in the committee stage, it would be appreciated if the minister could advise the council what checks and balances his department has in place to ensure the protection of our underground water. Other aspects of the amendments address the farming community's concerns about the operation of the decades old Mining Act and the inequities it produces for farmers throughout the state.

In relation to the banning of mining in the Greater Adelaide region, the 30-Year Plan for Greater Adelaide sets out what is to happen from Mallala to Murray Bridge to Sellicks. The farming community wants the parliament to exclude mining operations in the Greater Adelaide region for the future. Our amendments create an exclusion zone for Greater Adelaide, with any new operations to proceed only with the consent of both houses of parliament. It takes the pressure off the minister and the government and there is a proper check and balance before mining in those exclusion zones, if the Greater Adelaide plan proceeds, because it would have to go through both houses of parliament and have full scrutiny, which is probably what democracy is about if we are serious about enhancing and protecting this very important area.

It is anticipated that the general future for Greater Adelaide is housing, varied living from rural living to metropolitan, existing commerce and industry and, importantly, only existing mining and extractive industries, subject to what I have just mentioned, and protecting sustainable agriculture and the food bowl. The Greater Adelaide area has some of the best possibilities for intensive food production, with the highest rainfall and some of the best soil types for food and general agricultural production.

In relation to notifying landholders of mining rights, farmers often do not know who has a right to explore their land for mining; at present, there is no right in relation to notification, as I understand it. Our amendments require the department to notify all landholders of what rights presently exist concerning their land—be it exploration, reserved mining rights, extraction, mining or machinery use rights—and I do not think that is an unfair request. The amendments also require the minister to notify landholders whether new exploration rights are being sought by an explorer.

Farmers affected by mineral exploration, mining or other rights want the right to negotiate with the miner or explorer at the earliest opportunity on what the future holds for his or her land. Giving farmers early notice of those with exploration rights is one way to achieve this. In my opinion, justice requires that, if a farmer's land value diminishes when a farm is under exploration or has been found to have significant mineral deposits, the farmer should be compensated.

A case in point quoted to me recently concerns a family on Yorke Peninsula. This family had a generational change not long ago, with the farmer selling to the son and the son obviously borrowing some money to buy the property. The son wanted to bring his son home on that farm and was looking to expand the farm, only to find that a licence had been put over almost the entirety of the farm. The bank was concerned about what that did to the value of the farm. How can

you go to the bank and ask for more borrowings to buy and expand if there is a cloud hanging over the farm? I do not think that is fair.

Of course, the farm may be in very good order, but the farmer also has the issue of whether or not they could continue to upgrade it knowing that a mining right might knock off all the plans for the farm.

The Greens' public notification process of someone seeking an exploration licence and giving a right to any individual, such as environmental activists or a group, to take the matter to the court if they do not think the environment is being looked after goes further than our amendment. Our amendment gives that notification right only to the specific landholder affected by the exploration. So, there is a difference there, as I understand it, between the Hon. Mark Parnell's amendments and my amendment.

Our argument is that perhaps we have to be careful about how far we go, but that landowner farmers should definitely receive the advice. We would hope that, through departmental advice and due diligence, the minister would be alert to any environment issues potentially arising from the activity, be it exploration, mining or, subsequently, extraction.

I want to talk briefly about compensation for farmers affected by mining rights: acquisition by miners on just terms, I call it. Farmers also want the right to start a controlled process—and I want to emphasise 'controlled'—to compel a miner to buy their farm if they are severely affected by mining rights. The amendments allow farmers to invoke the land and valuation division of the court to set a miner purchase of the farm in process.

In regard to reforming court jurisdiction over mining disputes, our amendments shift the Warden's Court jurisdiction to the ERD Court. We believe, notwithstanding the groundwater changes made by amendments, that the government ought to be making this amendment anyway, with its own changes, to introduce the environment as an important consideration when assessing mining applications. It would only make sense in that case to shift the Warden's Court responsibilities to the court with environmental experience, namely, the ERD Court.

These Warden's Court to ERD Court changes represent the bulk of the amendments because they are consequential on that jurisdiction-changing concept. The ERD Court has a better understanding of environmental and groundwater issues. In the process of making that change, we also bring in the no-cost jurisdiction, common in the development branch of the ERD Court, to extend to the new mining division of the ERD Court created by these amendments.

The Warden's Court would retain jurisdiction for existing cases until they are wrapped up and the residual jurisdiction for petroleum and precious stones unless or until the government moves a separate bill to transfer that jurisdiction also. I note that the Hon. Mark Parnell's Greens Party's amendments, which seek to create a right for citizens to appeal against mining exploration, gives that right in the ERD Court, not the Warden's Court, which, to me, demonstrates that crossbenchers have some common agreement for supporting the ERD Court being the court of record for future expansion of the mining jurisdiction.

There are some Green's amendments about generally bumping up the penalties for noncompliance with the act and, across the board, forcing a far broader public consultation process in steps by the minister to grant exploration or other licences under the act. They give better protection for Arkaroola, as I have already said, and empower any member of the public to apply to the ERD Court to enforce the Mining Act, so it basically instils rights in the public to be the enforcers of mining laws, not necessarily only the government. This has obviously been inspired by what happened, I believe, with the Arkaroola debacle.

In summary, I congratulate the minister on bringing in amendments to the act. As I said, the legislation is 30 years old and a lot has happened in that time. I would have preferred to see a complete rewrite of the act, but this does give the parliament a chance to ensure that we have balance within the act. We are certainly supportive of mining. Yes, there would be some more conditions on mining activities, but in a fair and democratic world—and I am confident South Australia is still part of that—all sectors need to be considered, not the least of which is the sustainable sector of agriculture.

I believe that these amendments, and probably others that are before the council now, if supported by the government and the opposition, would give a much better balance to mining, agriculture and other industries in South Australia.

The Hon. P. HOLLOWAY (Minister for Mineral Resources Development, Minister for Urban Development and Planning, Minister for Industrial Relations, Minister Assisting the Premier in Public Sector Management) (15:45): I thank the honourable members who have contributed to this debate. The Mining (Miscellaneous) Amendment Bill 2010 was reintroduced into the Legislative Council on 11 May 2010. We originally introduced the bill at the end of 2009, prior to the election, so that it would be available for wider discussion.

Best practice management of South Australia's mineral assets, including streamlined regulation of exploration and mining activities, attracts investment that delivers outcomes of sustainable benefit and prosperity. The government recognises that the exploration and mining sectors require predictable procedures for access to land, security of exploration and/or mining tenure and predictable regulatory processes in order to commit to higher risks for investment in mineral resources exploration, new mine development and life of mine operations.

The government also recognises that landholders and communities require clear and timely advice on their rights under the Mining Act and on the responsibilities of exploration and mining companies seeking access to their land. The bill, together with government policies and publicly available guidelines, aims to ensure that landowners and the community are well informed through more effective and transparent government processes.

This bill proposes enhancements to the Mining Act to streamline tenement applications, assessments and approvals. The bill incorporates provisions for improving administration of regulatory compliance, enforcement and penalties under the act, leading to effective and efficient utilisation of the state's mineral resources.

The bill has been developed in accordance with three key objectives: reducing red tape, to repeal or amend legislative requirements that impede industry and the conduct of normal business operations; greater transparency, to require industry to provide more information on proposed and current mining operations and improved notification protocols for access to land for landholders and the community, and greater transparency in government processes; and effective regulation, to ensure that the regulator is authorised to effectively regulate mining operations and is adequately resourced to provide a quality and timely service to industry and the community.

A number of questions were asked during the course of his speech by the Leader of the Opposition. I will endeavour at least to provide some answers. A large number of amendments have been tabled in the last 24 hours by the Hon. Mr Ridgway and earlier by the Hon. Mr Parnell; so, clearly, all members will need more time to examine them. It is the government's intention to defer the committee stage of this bill until the next sitting week so that we can go through those amendments. However, I will at least try to respond to as many issues as I can today to facilitate that debate when it is resumed.

The Hon. Mr Ridgway first of all addressed the definition of 'mining operator'. He said:

> I indicate the opposition will be seeking to amend this definition as the industry is concerned that the person on the ground that the mining operation may not always be the tenement holder.

The honourable member has tabled that amendment to the definition of mining operator. The definition proposed in this bill is fundamental to the effective administration and regulation of the act. I would like to say more about this matter during the committee stage of the bill. The government has sought a lot of advice about this, because it is a key matter in this bill, and I know that the mining industry itself has a great deal of interest in this definition.

The Hon. Mr Ridgway also questioned the inclusion of 'public health safety and amenity' into the new proposed definition of environment. The definition of environment brings the act to the forefront of modern legislation, which adapts triple bottom line principles in the assessment and regulation of new mines. So, it is obviously part and parcel of modern mine management and regulation, but it was not part of the act back in 1971.

The bill introduces a new section—special declared areas—and the Hon. Mr Ridgway asked how I saw the main purpose of this new section and how it would work. According to Mr Ridgway, the opposition will be seeking an amendment to deal with the minister's accountability in terms of reasoning to declare a particular area a special area, and we feel that those reasons should be documented and made public.

A special declared area is a transparent mechanism to deal with such matters, which include the release of land to the open market which has been the subject of a reserve pursuant to section 8 of the act; the release of land to the open market, where the government has undertaken

geological, geotechnical or geophysical investigations pursuant to section 15 of the act; or complex competing tenement application matters. The Hon. Mr Ridgway then raised some issues in relation to authorised officers, and he said:

> I would like some clarification from the minister on new subsection 14(1), which provides:
>
> (1) The Minister may, by instrument in writing, appoint a Public Service employee to be an authorised officer under this Act.

It seems to be very broad that somebody, who might be very capable in their chosen profession of working for the government with a particular skill set, could find themselves becoming an authorised officer and then not having the appropriate skills to deal with the job at hand, so I would certainly like some clarification as to why the minister thinks that virtually…the 97,000 public servants we have could be appointed to be an authorised officer under this bill.

The bill introduces a new section specific to the appointment of authorised officers. The provision ensures that government is efficient and effective in the administration and regulation of the act. Authorised officers will only be appointed if they have appropriate qualifications and experience. Their powers will be individually specified, and only some officers will be authorised to exercise all the powers under this section.

There will be instances where authorised officers will not be officers of the department—that is, PIRSA and, as an example, could I say officers of SafeWork SA—who are qualified and experienced in the mining industry and whose primary responsibility is to ensure the safety of employees working in mines. They should also be able to report relevant information pertinent to environmental issues associated with mines. This is an efficient use of government resources and avoids duplication where possible. Clearly, one could name other officers from other departments where that would apply. The Hon. Mr Ridgway then raised the issue of retaining records in relation to authorised officers, and he said:

> …I think we can all accept that authorised officers may need to make copies of these records. However, it does not say how long the authorised officer can hold them…Maybe it could indicate that 72 hours or seven working days might be a reasonable time frame to allow the authorised officer to copy the records and return them.

In relation to the retention of records by authorised officers for the purpose of making copies, it is implicit that records should only be kept for such time as is reasonable to make the relevant copies required. The Hon. Mr Ridgway then referred to the deletion of the section on public undertaking. He said:

> Our next query relates to clause 16, granting of exploration licence. As far as we can see, previous subsection 28(7) basically provides that the minister cannot grant a licence if she or he had given a public undertaking that such an action would not be taken. Why amend the section to allow the minister to take actions contrary to his or her public statements?

The opposition has queried the removal of subsection 28(7) of the act, which provides:

> The minister cannot grant a licence that authorises the licensee to carry out exploratory operations for precious stones if to do so would be inconsistent with a public undertaking by the minister to the mining industry.

I point out to the honourable member that precious stones under the act relates to 'opal only'. The clause under section 28(7) of the act was introduced when the Opal Mining Act 1995 came into operation. This section no longer has any relevance as the respective acts have been operating in conjunction for 15 years with no practical issues arising. There are already sufficient provisions in both acts to support overlapping tenure between the respective acts.

The next issue raised by the honourable member was in relation to exploration licences and the new application process. To quote the honourable member:

> Clause 17 relates to the application for an exploration licence and the amendment is quite strange...Can the minister explain what he is trying to do with this measure, because it is somewhat confusing. Perhaps the minister can give us some examples to clarify how he sees this amendment working.

Further in relation to exploration licences, the honourable member sought clarification on the new provisions relating to the application process. The current legislation does not provide for a transparent process, which defines when ground officially becomes available to the open market for application.

The bill provides for the minister to publish a notice which specifies what ground is vacant and the time frame and due date for applications to be lodged. This amendment supports transparency of government processes and creates a level playing field in the open market which will maximise exploration investment, leading to new discoveries.

The honourable member next raised terms and conditions for leases and licences, and again I quote him:

> The next clause I turn my attention is clause 19, which relates to the term and renewal of exploration licences. The industry has indicated that it has some concerns in relation to this and those concerns are shared by the opposition. In simple terms, the amendment to section 30A(6), provides that the minister reserves the power to change the contract of an exploration licence. Clause 19 provides: 'The minister may, on renewing an exploration licence, add, vary or revoke a term or condition of an exploration licence.'...In what circumstances would they be used?

Further, the honourable member stated:

> Again, it is about the granting of a mining lease and our concern, again, is that it enables the changing or revocation of 'any term or condition imposed by the minister' and can 'impose any term or condition considered appropriate by the court'.

With respect to exploration licences, there is no substantive change to the current provisions in section 30A(6) of the act. What was one section has been split into two sections: 30A(6) and 30A(6a). The only amendment to the wording is 'licensee', which is now referred to as 'the holder of the licence'.

Section 30A(6) allows the minister to renew a licence over a reduced area and revise the expenditure commitment. The government's policies and systems have been developed to assess compliance with licence conditions and provide for an official renewal process which has been well adapted and accepted by the exploration sector.

In relation to mining leases, retention lease and miscellaneous purpose licences, new sections have been introduced which give the minister the power to add, vary or revoke a term or condition of a lease or licence where, in the opinion of the minister, it is necessary to prevent, reduce, minimise or eliminate undue damage to the environment associated with the mining operations conducted on a lease or licence.

The amendments have taken into consideration administrative law principles of natural justice, whereby the minister cannot take such action without first consulting with the tenement holder. The intent of this amendment is that no variation should proceed without consultation. However, should action be taken without the agreement of the tenement holder, there is the right to appeal.

The next matter raised by the honourable member related to the rights conferred by a lease. Clause 26 of the bill amends section 39 of the act to provide for the sale or commercial use of a by-product on a mining lease. Currently under the act, the tenement holder would need to apply for a superimposed mining lease to sell or use this by-product for a commercial purpose.

This amendment supports a significant reduction in red tape for both the mining industry and the government. Royalties will be payable on the sale or use of the by-product for a commercial purpose. This is important to ensure that a level playing field is maintained in a competitive environment, particularly for the extractive industry sector. The honourable member then raised the issue of suspension or cancellation, as follows:

> Clause 27 talks about the suspension or cancellation of the lease. Can the minister clarify section 41(5)?

The honourable member is seeking clarification on clause 27 of the bill which seeks to amend an existing provision relating to the minister's powers to suspend or cancel a lease if there has been a significant breach of the act or a condition of the lease.

In the circumstances of a suspension or a cancellation of the lease, the tenement holder has the right to appeal the decision in the ERD Court. The suspension and cancellation provisions throughout the act are being amended to give the tenement holder certainty of tenure should a lease or licence expire during the period in which an appeal is being heard. Should the tenement holder be successful in winning such an appeal, the provisions would ensure that the rights of the holder and the currency of the tenement are retained.

The honourable member then foreshadowed amendments to sections 54 and 61 of the act which deal with compensation in regard to an owner of land seeking to negotiate or raise a dispute with a tenement holder who wishes to access their land in accordance with rights under the act. I acknowledge the reasons proposed by the honourable member, and this shall be further considered in the debate on the bill.

The honourable member also asked for an explanation as to why the penalties in the bill had been significantly increased. The penalties outlined in the bill support our government's

approach to best practice compliance and enforcement under the provisions of the act. The existing penalties have remained unchanged since the act came into operation in the early 1970s.

The level of the new penalties is being considered in the context of equivalent penalties in other mining jurisdictions and also in state legislation such as the Environment Protection Act and the Petroleum and Geothermal Act. I note that the Hon. Mark Parnell has tabled amendments to further increase the penalties outlined in the bill. That is obviously something that we will consider further in the debate on the bill.

The Leader of the Opposition pointed out a potential unintended consequence of clause 38 in the bill in relation to an authorisation to use declared equipment within or adjacent to a specially protected area: that is, a marine park, Adelaide Dolphin Sanctuary, River Murray protection area. The amendment proposes to delegate the powers of the minister to the Director of Mines.

Pursuant to section 59 of the act, where an application for an authorisation to use declared equipment is situated within a specially protected area, the application must be referred to the relevant minister. If the relevant minister and the Director of Mines cannot agree, the mines minister must take steps to refer the matter to the government. I indicate that again we will give further consideration to that in the committee stage.

I now move on to the programs for environmental protection and rehabilitation (PEPRs). The honourable member sought clarification on the application of these programs, which previously were called mining and rehabilitation plans (MARPs) and have been a formal requirement for all leases under the existing regulations.

The proposed amendment seeks to clarify the content of PEPRs and formalise their application to exploration licences as well as leases. PEPRs will be required to be prepared in accordance with the regulations. The bill proposes to allow tenement holders to adopt a pre-existing PEPR rather than developing a new PEPR, effectively avoiding the need to reinvent the wheel.

The honourable member also then made some other comments on this matter. PEPRs are a similar concept to the statement of environmental objectives under the Petroleum Act. This proposal will considerably reduce red tape for the exploration sector, as a PEPR could relate to multiple licences within a particular area.

The government's current practice requires an exploration work approval for every ground-disturbing activity within exploration licences. There may be circumstances where it is appropriate that a site-specific PEPR be prepared particularly for mines, and comprehensive guidelines will be provided to assist industry in meeting these requirements. The Leader of the Opposition then raised a further question:

> If the minister has approved the plan and then determines that it needs to be altered, at whose cost will that be?

He is obviously concerned with the cost to industry where a PEPR needs to be updated. The cost should be negligible, as government will provide assistance to effect the change. Essentially, this is similar to existing requirements to alter MARPs where they are assessed to be deficient. The honourable member then turned to environmental directions and said:

> Our question is: if the operator is already working per the MARP, why should this subsection exist? So, effectively, if people are operating to the mining and rehabilitation plan, why do you need to have this particular subsection?

The objective of these directions is to ensure compliance with the approved PEPR. The honourable member then went on to talk about the review process (this is for environmental directions) and stated:

> Subsection (7) states that the director must establish a process for an internal review if the authorised officer has directed that action is to be taken. Why is that process not also established under the act?

It has been further raised that the internal review process of an environmental direction to the Director of Mines should be spelt out explicitly in the act. The review process will include the mechanism by which a tenement holder will contact the Director of Mines for an internal review of the direction. As the review process will require contact details, it is anticipated that the appropriate information will be spelt out in the written notice of the environmental direction.

The Leader of the Opposition then questioned why a person other than an authorised officer may need to be engaged to ensure compliance with an environmental direction or rehabilitation direction. In some cases it may be necessary to engage a contractor to undertake works on the ground to ensure compliance. This may likely involve the use of heavy earthmoving equipment, and departmental authorised officers may not be qualified to undertake specialised work, hence the reason for that clause. The Leader of the Opposition then raised the direction of compliance directions, and he asked:

> What we are trying to work out is why the minister needs to do this. We would like an explanation of what is actually not right with the current act that he needs to do this. If it is not broken, why fix it? Can the minister, when he responds, please give some examples of how and where this particular power might be used?

The honourable member raised the question of why the act needs compliance directions, which will cover all compliance matters on tenements other than those covered by environmental directions. This new provision provides a wide power to direct persons or tenement holders to take action to comply with the act. It is anticipated that the main use of this new power will be to stop illegal mining, which has been a major concern for the industry.

Illegal miners for construction materials gain a competitive advantage in the marketplace because they are not paying required fees and royalties. Legitimate suppliers are understandably not happy with this. There we are clearly referring to the extractive industries as an example of where this may be needed. The Leader of the Opposition then raised the question of compliance orders and said:

> We want to know why the powers of the Director of Mines have been lessened in this instance. On the one hand, we have compliance directions—we do not know quite why they are there—and now the director is taken out of the compliance orders.

In relation to compliance orders pursuant to section 74A(1), the powers of the Director of Mines have been deleted from this section as they are included in the new section 74AA dealing with compliance directions. Compliance directions are a better compliance tool in circumstances where an immediate response is required, for example, illegal mining. The remainder of section 74A, dealing with compliance orders, has remained unchanged as landowners have the right to retain their power to seek a compliance order from the ERD Court if needed.

This bill has been developed in conjunction with extensive consultation undertaken with industry, community, relevant government agencies, local government and tenement holders. The government has sought to address all issues and comments raised during consultation on this bill.

I remind members that this bill was first tabled in the parliament late last year. I have not referred to the issues raised by the Hon. Mr Brokenshire. I will take the opportunity when we go into committee to address some of the issues he has raised, because many of them relate to amendments he has filed. I have not had a chance to look at them in some detail, but I will make a few general remarks. I think the honourable member suggested that the Mining Act advantages mining over farming.

I make the general comment that the purpose of the Mining Act, of course, was to recognise the fact that mining generally takes a relatively small footprint in the environment but that the value of the minerals so extracted can be extremely large. That is why throughout the history of this state, when mining has played such a significant role in the state's economy, that provision has prevailed.

The honourable member talked about the Greater Adelaide region. Well, I suggest that the land being consumed by housing is far greater than the land that is required to be used for mining. In fact, the mining footprint is relatively small. It is a very low footprint for this country.

The honourable member in his amendments has suggested that he would outlaw all mines in the Greater Adelaide region. There are only a few metalliferous mines within the Greater Adelaide region. I can think of the Kanmantoo mine—which is going through its final stages of receiving financial approval from its board—and the Angus mine at Strathalbyn.

Of course, there are many extractive industries within the Greater Adelaide region. If one was to put a freeze on the number and require the approval of both houses of parliament, I suggest it would be extremely difficult in future to guarantee the availability of extractive material within that region and it could have a huge impact on the cost of housing and road construction, and the like. It would be particularly difficult for local government, I would suggest, in relation to that region.

I am well aware from talking to members of the extractive industries of the difficulties they face in Sydney where extractive materials have to be brought in hundreds of kilometres from the southern tablelands. Undoubtedly, that is one of the reasons that construction costs within cities such as Sydney are so much higher.

Without having examined the honourable member's amendment in detail, this government would have a great deal of concern about that if we were to make it more difficult to deal with those extractive issues. No-one wants quarries close to them, but they are an absolutely essential part of the economy and the proximity of their location is important to the cost of housing for our community.

The honourable member raised a number of other issues involving groundwater and food security. In relation to groundwater, when new mines are established those mines go through a very comprehensive process through environmental assessment. Of course, water extraction is a key element of those processes. Those processes, which mirror or are similar to those under the Development Act for major projects, are extremely important.

If one looks at all the mines that have been developed in this state—certainly over the period I have been minister—water has been a key issue in most of those new mines and it requires an extensive study. Of course, in many cases, there is the issue of licensing through the relevant government agencies. Certainly from my point of view, questions of groundwater are of course very important to the mining industry, and there are quite rigorous processes in place in relation to that. Again, I will consider the honourable member's amendments further during the week.

Finally, the honourable member talked about the issue of food security. Of course, food security is important but, again, I would suggest that, if one looks at the main food productive areas within the state, there is very little challenge to food security from the mining industry. Indeed, I would suggest that there is a far greater threat to food security from urban growth. It is in my other portfolio as Minister for Urban Development and Planning that I believe most of the issues in relation to food security arise.

If one looks at the footprint within the Greater Adelaide region, extractive industries, because they are effectively mining aggregate, are in areas that are generally not highly productive. In relation to the metalliferous mines, I have already mentioned that there are only a couple within that region, and they are certainly in areas that are not likely to be important for food security. So, I would suggest that really the far greater threat to food security is from factors other than the mining industry, which has a relatively small footprint.

I again thank other members for their comments. As I have said, we will have a look at those amendments from both the Hon. Mr Ridgway and the Hon. Mr Parnell, as well as considering those to be moved by the Leader of the Opposition, when we resume debate on this bill in a couple of weeks' time. Again, I commend the bill to the council.

Bill read a second time.

STATUTES AMENDMENT (SURROGACY) AMENDMENT BILL

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

At 16:18 the council adjourned until Tuesday 20 July 2010 at 14:15.