HOUSE OF ASSEMBLY

Thursday 13 April 2000

The SPEAKER (Hon. J.K.G. Oswald) took the chair at 10.30 a.m. and read prayers.

NATIVE VEGETATION ACT

Mr HILL (Kaurna): I move:

That the regulations under the Native Vegetation Act 1991 relating to exemptions, made on 16 December 1999 and laid on the table of this House on 28 March, be disallowed.

It is my sad duty to move this motion to disallow the regulations that were gazetted in December when parliament was up and some four months before parliament was able to deal with them. This is an example of the government's trying to deal with one environmental problem in the South-East, in particular, which concerned drainage to reduce salinity. At the same time as dealing with that environmental good it created an environmental negative, which was to clear some native vegetation.

I believe, and so do many others, that this has been a great misuse of the government's regulatory power. The regulations were gazetted in December when the parliament was up. That enabled the land in question, in particular at Bonney's Camp, to be cleared, which I understand has occurred, without parliament having the opportunity to discuss the matter. The regulations were gazetted to change the law, which provided at that time that land could not be cleared. The Native Vegetation Council did not approve the clearance, so the government brought in regulations and the clearances happened, at least on the Bonney's Camp land.

I will explain briefly what the impact of that activity was on the land. In the case of Bonney's Camp, a 17 kilometre long, 150 metre wide and 20 metre deep drain has been created. In effect, 17 kilometres of native bushland has been removed in an area that has been declared a heritage area. In other words, the owner of that land has been paid money to protect that land. The use of regulations in this way creates a bad precedent, a precedent by which a government, if it does not like the law, can introduce a regulation when parliament is not sitting, overturn the purpose of the law and get the deed done. When parliament disallows it, it is too late to do anything about it because, for example, the land has been cleared or the changes have been made.

There are three pieces of land in question in relation to these regulations: Tilley's Swamp, Bonney's Camp and a piece of land at Streaky Bay. I have already said that the South-East land concerned an issue of drainage that the government was keen to proceed with. The Streaky Bay case was more interesting because the land that was to be cleared contained native vegetation, and the concern was that the trees on that land were affecting the watertable in the town. A proposal was put that the land should be cleared in order to increase the amount of water flow to the community. At the very best it was dubious science, and it is a very strange notion to be clearing land at a time when we are having such debates in this state about land clearance in order to reduce the amount of salinity in an area.

It has been put that, in the case of Bonney's Camp, there were no alternatives for the government, so it had to proceed with this method of clearing the land. However, there was an alternative. Land was available adjacent to the land that was subsequently cleared but, apparently, the owner of the land objected to the clearance of that land. He wanted to keep it for his own purposes and he threatened the government, saying, 'If you try to clear this land, I will tie you up in the courts.' A time line of five years was suggested. I understand that the government has had subsequent advice that the legal case could well have taken two years.

As I said to the minister at the time, if that was the problem, the minister, by act of parliament, could have pushed through this private land reclamation and settled the matter in a much faster way than two years. I understand that the issue of drainage in that area has been on the cards for something like 10 years and, if the government had properly considered this, all the land could have been put in place long ago and all the legal battles could have been had long ago so that native vegetation would not have been cleared and private land could have been used.

I understand that Senator Hill has threatened the withholding of commonwealth funding as a result of the proposed clearance. I also understand that the gentleman whose land could have been used for the drainage has very strong connections to the Liberal Party, so it may well have been those connections—

The Hon. M.K. Brindal interjecting:

Mr HILL: I told you that. The minister asked whether I would have supported the government. I said that, had there been an alternative to clearing native vegetation, that alternative should have been taken. Private farmland that had already been cleared was available, the owner of the land had been given compensation for the heritage land, yet he said the government could not use his land. The government backed down and cleared more native vegetation. It is obviously irrelevant that only 6 or 7 per cent of native vegetation in the South-East remains. The government took the easy option. It could have put pressure on the land-holder and, if he did not concede or agree, the government should have come to the parliament and we would have helped it get access to the land, which would have been a better way of doing it. The government has set a disastrous precedent in this case. It says to land-holders that, if they say no long enough, the government will back away, and eventually it will clear more native vegetation. That is the wrong message to be sending.

The Hon. M.K. Brindal: He did that off his own bat.

Mr HILL: I understand that. The minister said that the land-holder did the clearance on his own, but after the regulation had been changed. It is a disastrous precedent and the government should withdraw these regulations. If there are problems with the Native Vegetation Act in terms of some of these management issues, we should go through a proper review process—I understand that the government has been undertaking a review of the native vegetation regulations for some time—and consider it in that context.

The Hon. G.M. GUNN secured the adjournment of the debate.

NUCLEAR WASTE STORAGE FACILITY (PROHIBITION) BILL

Mr HILL (Kaurna) obtained leave and introduced a bill for an act to prohibit the establishment of certain nuclear waste storage facilities in South Australia; and for other purposes. Read a first time.

Mr HILL: I move:

That this bill be now read a second time.

I am very pleased to move this important and historic piece of legislation on behalf of the opposition. This bill makes it an offence to construct or operate a nuclear waste facility in South Australia. In particular it bans any radioactive waste derived from the operations or decommissioning of a nuclear reactor, a nuclear weapons facility, a radioisotope production facility or a uranium enrichment plant. It also bans spent nuclear fuel rods which have been conditioned or reprocessed. Australia, of course, does not currently have either a nuclear weapons facility or a uranium enrichment plant. We do have, though, a reactor and a radioisotope production facility at Lucas Heights in Sydney.

This act applies to the crown as well as individuals and corporations. A penalty of $5 million applies to any person constructing or operating a nuclear waste facility. In the case of bodies corporate each person who is a director or manager will be liable for the same penalty. The bill also prevents the use of any public money for the purpose of encouraging or financing any activity associated with the development, construction or operation of a nuclear waste storage facility.

The intent of the bill is twofold and it seeks to achieve the following goals. Firstly, it would prevent any site in South Australia being developed for the storage of the world's medium to high level waste. This is the proposition which has been put by Pangea Resource Company and which is well known to honourable members and the public of South Australia. Recently the Labor opposition in Western Australia was successful in its parliament in passing legislation which achieves this first goal. The Democrats in another place have legislation before the parliament replicating the Western Australia bill. The bill that the opposition introduces today goes significantly beyond the achievements of our colleagues in Western Australia and the ambitions of the Democrats in South Australia.

The second goal of the bill is to prevent the use of any site in South Australia for the disposal or storage of any intermediate, long-lived or high-level radioactive waste from other parts of Australia. The federal government is in the process of identifying a site for the storage of intermediate to high level waste, in particular waste which either is stored at Lucas Heights or has been produced there.

Let me make it clear that this bill does not attempt to control what is known as low-level radioactive waste, of which a considerable volume is currently stored above ground in drums at Woomera. This material is known as category A, B or C waste. These categories are taken from the National Health and Medical Research Council's code of practice for the near surface disposal of radioactive waste in Australia, published in 1992. For the benefit of members I will read into the record the definitions of those various categories, and this comes from that research council's paper.

Category A covers solid waste with radioactive constituents, mainly beta or gamma emitting radionuclides whose half-lives are considerably shorter than the institutional control period. Long-lived alpha-emitting radionuclides should only be present at very low levels. This category of waste will comprise predominantly lightly contaminated or activated items such as paper, cardboard, plastics, rags, protective clothing, glassware, laboratory trash or equipment, certain consumer products and industrial tools or equipment. It may also comprise lightly contaminated bulk waste from mineral processing or lightly contaminated soils.

Category B covers solid waste and shielded sources with considerably higher activities of beta or gamma emitting radionuclides than category A waste. Long-lived alpha-emitting radionuclides should be at relatively low levels. This category of waste will comprise, typically, gauges and seals sources used in industry, medical diagnostic and therapeutic sources or devices and small items of contaminated equipment.

Category C waste covers solid waste containing alpha, beta or gamma emitting radionuclides with activity concentrations similar to those of Category B. However, this waste typically will comprise bulk material such as that arising from the downstream processing of radioactive material, significantly contaminated soils or large individual items of contaminated plant or equipment for which conditioning would prove to be impractical.

Category S waste, which this bill does cover, is all the rest. Category S waste can be defined to cover waste that does not meet the specifications of A, B or C. Typically, this category will comprise sealed sources, gauges or bulk waste which contains radionuclides at higher concentrations than are allowable under categories A, B or C. Waste within Category S shall be unacceptable for near surface disposal and shall be retained in storage until an alternative disposal method is available. I stress those words: 'an alternative disposal method is available'.

Quantitative criteria in terms of activity concentration limits for specific radionuclides shall be derived for each category of radioactive waste for each facility in accordance with the principles outlined in section 2.6.3, pages 14 to 15, of the code. The question must be asked, 'Why doesn't the bill cover these categories A, B and C?' As members would know, the commonwealth government has identified a number of possible sites in the northern part of South Australia for the possible location of a repository for the so-called low level waste.

The opposition does not support the use of any site in South Australia for this repository. We accept the argument that waste is best stored where it is created. We are also very concerned that the identification of a South Australian location for the repository makes it almost inevitable that the commonwealth will choose the same site for collocation of the storage facility for intermediate and high level waste.

The low level site is really a stalking horse for the more important and dangerous middle to high level site. However, we accept that the state Liberal government is likely to support this low level facility in South Australia. We do not want to give the government an excuse, by including the low level facility in this bill, to vote against the whole bill.

Why is the bill necessary? It is clear to the opposition that the three possible dumps can be linked. If South Australia is the ideal place for a low level facility, surely there can be no better place for the high level facility. Pangea has already identified Australia as the best place in the world to store international waste. If South Australia already has two facilities operating here is it not inevitable that Pangea will keeping pushing its proposal? It has, after all, a lot of time on its side—250 000 years.

It is the opposition's view that it is not in South Australia's best long-term interests to be the home of either of these two storage facilities. They will have a negative impact on the image of our state, tarnishing our clean, green agricultural image and threatening, in particular, our expanding wine and food exports. They will present an ongoing need for security in a remote part of our state creating a location which may well become the target of terrorist activity. The material that is stored will last in a radioactive state for 250 000 years. How can we, or anyone else, guarantee the

security for that period of time? Where uncertainty exists, the cautionary principle ought to apply. There is no guarantee that only processed material from France will be stored there. If the contract with France falters, we may well be home to the highly unstable hot rods direct from Lucas Heights which is a far more worrying proposition.

Where Australian waste will be placed is not a decision that will be deferred for 15 to 25 years as we await the return of processed waste from France, as Senator Minchin has said on a number of occasions. It is a decision that will be made this year, as I understand it. The federal parliament, I understand, will debate legislation about Lucas Heights later this year. It will have to make decisions about the long-term storage of waste as part of the process to decide on the new reactor.

Of particular interest is the view of Engineers Australia. In its publication of October 1999 it opposes the importation of radioactive waste on the ground that Australia is not as geologically sound as proponents of geological storage of waste claim. Central/western Australia is an earthquake potential zone and, according to Engineers Australia, is not well suited to construction of a structure such as a geological depository. Engineers Australia argues that there is no way that such a structure can be guaranteed for 100 years, much less the tens of thousands of years required.

In the case of the storage of Australian-based low level waste, the proposed facility is only an interim measure at best. Current thinking indicating that the waste needs final deep geological disposal—above ground, which is proposed by Senator Minchin's department—is only a temporary measure. If Engineers Australia is correct, permanent geological storage in South Australia should not be considered. In other words, even if the government were to go ahead with the medium to high level storage facility in South Australia, they would have eventually to move the material to another safer site or risk storage in a site that Engineers Australia says is risky.

The question should be asked: what do the people of South Australia want? Insight Research did a poll in September-October last year—I will admit commissioned by Greenpeace—when 1 043 people were interviewed by telephone. Eighty five per cent of South Australians opposed South Australia as a nuclear dump for all of Australia's waste. Eighty five per cent of all Australians oppose importation of overseas nuclear waste for disposal/storage here. So, the overwhelming percentage of South Australians oppose Australia storing its waste in this state, and the overwhelming percentage of Australians oppose storing waste from the rest of the world in Australia or in South Australia.

The regional councils have not been quiet on this issue, either. Last month, Wakefield regional council and Whyalla council both passed resolutions calling for the Olsen government to legislate to oppose the location of storage of medium to high level waste in South Australia. In addition, Broken Hill, Coober Pedy and Andamooka are all self-declared nuclear free zones. Port Augusta and Port Pirie councils are currently considering similar resolutions. After a public meeting in November last year in the town hall, organised by the ACF, the *Advertiser* in its editorial made these comments about the proposition:

> The thought of being a dumping ground for radioactive waste is dismaying. South Australia has enough problems already with the fallout from nuclear fallout.

Even the Premier has come on board on this issue, publicly opposing the establishment of a medium to high level radioactive waste dump in South Australia. In this place on 19 November he said:

> . . . I wish to make it very clear that I am opposed to medium to high level radioactive waste being dumped in South Australia.

The next day in the *Advertiser* he said, again, 'I just don't want it here.' We all say 'Hooray' to that. You cannot get much clearer than that. This bill gives the Premier the opportunity to put his money where his mouth is. He has talked the talk: now he should walk the walk. Some will argue that it does not matter what we do here: the commonwealth has power to overrule this state's autonomy. Perhaps this may turn out to be the case, but what a defeatist attitude. Let us send a clear and unequivocal message to Canberra that we do not want their waste: if you try to put it here against our will, you will be in for a fight from a united parliament representing the near unanimous point of view of the South Australian public—proceed at your peril!

To those who say that we have a moral responsibility to look after Australia's waste, I say that the reason the federal government wants to place the waste here is because of politics—not morality. The government has promised the voters in the electorates around Lucas Heights that they will not proceed with the new reactor at Lucas Heights until a permanent place has been found for the storage of waste. This is a sop to those voters who do not want a reactor in their backyard, but, in reality, if Lucas Heights is the preferred place for a reactor, which must be thousands of times more dangerous than a storage facility, why not store the waste there as well? Such a decision would mean that the waste would be under the care and control of the top nuclear scientists and whatever security measures are currently in place at Lucas Heights—and presumably they are the best available. If the government were being serious about this it would be advocating placing the new reactor in a remote location as well, and we know that it is not.

In conclusion, I thank David Noonan from the ACF who has raised this issue publicly in South Australia, who has led the campaign and who, I think, has done a mighty job to bring to our notice the dangers inherent in the federal government's covert operations to make this state Australia's nuclear waste dump. I have made other comments on this issue, as reported in *Hansard*, and I refer members to them for more detail. I urge members opposite, whose Premier has said he opposes South Australia's being the intermediate to high level waste dump, to support this legislation, to show their constituents and Canberra they are fair dinkum and to show all South Australians that we do not want South Australia to be Australia's or the world's nuclear waste dump site.

Mr MEIER secured the adjournment of the debate.

SELECT COMMITTEE ON WATER ALLOCATION IN THE SOUTH EAST

Adjourned debate on motion of Mr McEwen:

> That the Select Committee on Water Allocation in the South East reconvene to review its recommendations and report on progress and further consider the New South Wales white paper on a new water management act for that state.

(Continued from 30 March. Page 682.)

Mr McEWEN (Gordon): I move:

> That this motion be discharged.

Motion carried.

GAMING MACHINES (FREEZE ON GAMING MACHINES) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 30 March. Page 687.)

The Hon. J.W. OLSEN (Premier): I rise in support of the principle of the amendment that has been moved. My views on poker machines are well known and have not changed over the course of the last eight years or more. I firmly believe that we have enough machines in the community, and I support the principle of an immediate freeze to ensure that we do not see further growth of the number of machines in the South Australian community. Eight years ago the Gaming Machines Bill was a conscience vote. I have said since that time that that bill was a mistake. It was a mistake because it allowed the introduction of poker machines into hotels as well as into licensed clubs.

There is a sound argument today that if the bill had been different, if it had confined machines to clubs, thereby confining and controlling access to them, we would be without many of gambling's social ills facing the South Australian community today. It is a fact that easy access to gaming machines has led to a level of gambling in this state that no-one foresaw. It is fact that easy access to machines has led to a level of compulsive gambling that was not and could not have been foreseen at the time.

Even those who ideologically rail against the concept of a nanny state which legislates to protect people from themselves must be concerned at what this gambling freedom has created. That is why I moved against the proposed expansions of machines into what I describe as a shopping centre precinct. The fact is that I pursued that issue at the time; however, the matter was thwarted on a previous occasion in the Legislative Council.

There is no doubt that the people of South Australia do in fact reap benefits from the revenue that comes from poker machines: it would be remiss to ignore that fact. There are some 13 000 gaming machines in this state, and net revenue to government is in excess of some $200 million. They are figures that we cannot ignore, nor would we want to. The money is pumped straight back into our schools, our hospitals and other services, including the Gamblers Rehabilitation Fund. In addition, the AHA, to its credit, has established a code and contributed financially to many worthy causes, and I want to publicly acknowledge that. However, I support the principle of the amendment for an immediate freeze.

Further, we need to look at the unintended consequences of the amendment. The principle is right and the outcome that it seeks to achieve is right but we must make sure that we have addressed all the issues, the unintended consequences, to ensure that all South Australians are the beneficiaries. I support the principle but I have some issues with the consequences. For example, a freeze may well lead to a situation where licences become tradeable and, thus, more valuable. Those in possession of a licence would be in possession of a valuable commodity. This is something that concerns me on a personal level. There is a very real risk that we would create a cartel style environment, and I am ideologically opposed to business regulation that produces that outcome. However, because of the gravity of the issue, the social consequences of the alternative in this particular case—

Mr Foley interjecting:

The SPEAKER: Order! I warn the member for Hart.

The Hon. J.W. OLSEN: —I am willing to put that principle to one side. As I have already mentioned, I did introduce legislation to halt poker machines being installed in what I believed was a totally inappropriate environment—a major shopping centre. However, that legislation was thwarted through the processes of the conscience vote in the upper house. We had a chance then to do something good for the community and it failed. But we have the chance to again right the wrongs with this amendment to place an immediate freeze on the number of machines in this state. We should, and we can, draw a long line in the sand.

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: It is surely important to stop the spread of poker machines once and for all. It would cost South Australia millions and millions of dollars to get rid of poker machines altogether. It is unrealistic to contemplate that we could do that, no matter how much one would wish that to occur. But what we can do is work through, in an appropriate, logical and sensible way, to apply constraints and controls, and we can support that amendment with the principle it encapsulates. To the interjections from those opposite, can I simply say this: I have been absolutely consistent in my views publicly and in this chamber—

Members interjecting:

The SPEAKER: Order!

The Hon. J.W. OLSEN: —on this issue.

Members interjecting:

The SPEAKER: Order! The member for Spence will come to order.

The Hon. J.W. OLSEN: Let us not forget that this legislation was put in place by the previous Labor government in 1992. Let us just keep—

Members interjecting:

The SPEAKER: Order, the member for Spence!

Members interjecting:

The SPEAKER: Order! The Minister for Local Government also will remain silent.

The Hon. J.W. OLSEN: This legislation was put in place in 1992, and I have consistently throughout my parliamentary career expressed a view as it relates to poker machines. The view I express today is consistent with that theme over that period of time. With respect to the interjections from the member for Spence, I remind him it was last year that we sought to move an amendment as it related to—

Mr Atkinson interjecting:

The Hon. J.W. OLSEN: Yes, and I acknowledge that. But I ask the member for Spence to be at least careful and at least accurate in his interjections in wanting today, when I express a view on this, to cast an aspersion over the motives. My motives—

Mr Foley interjecting:

The Hon. J.W. OLSEN: The member for Spence has been consistent on the issue, has he not?

Mr Atkinson: Yes, all the way through.

The Hon. J.W. OLSEN: I would hope that the member for Spence would be big enough to acknowledge that, indeed, so have I. During the period of time I have had a consistent view; my support of the proposal before the House is consistent with that view.

Members interjecting:

The SPEAKER: Order! The member for Mitchell.

Members interjecting:

The SPEAKER: Order! The member for Hart will come to order.

Members interjecting:

The SPEAKER: Order! I warn the member for Hart for interjecting over the chair. The member for Bragg will come to order.

Mr HANNA (Mitchell): I support the bill, and I will explain why. But first, let me say that I agree that the Premier has been entirely consistent in his views over the last few years, and his view is to appease the Hotels Association, one of the most powerful corporate lobby groups we have in Adelaide. To be fair, I recall that, when I entered parliament in December 1997, the first action I took was to move an amendment to a government bill that would have placed a moratorium on poker machines. That bill was defeated in this place 31 to 13—and I do give credit to the Premier for voting with the minority. However, since the Premier several years ago expressed his concern about poker machines he has, effectively, done nothing. He has brought no legislation before this parliament that would do anything to solve the social problem arising from poker machines.

I point out that I have a bill on the *Notice Paper* right now that would stop a pub with pokies being built next to a primary school and a kindergarten at Woodend, and the government is not supporting that bill. The government has refused to knock that development on the head by supporting the bill that I have introduced into parliament, and it is purely for political reasons. I would be very happy if the problem could be solved by other means. But the fact is that my bill has been opposed by the government on purely political grounds. So, I am afraid that there is an element of hypocrisy in the Premier's professions of concern for those affected by poker machines.

I am the first to admit that a cap on machines at this stage, after the state has been flooded with them, may be nothing more than a symbolic gesture but it is an important symbolic gesture for this parliament to make. The fact is that everyone in South Australia has reasonable access to poker machines if they want to play them—and that includes even country residents; they do not have to go that far to find a pub or a club with poker machines, and it is certainly true throughout the Adelaide metropolitan area. So, putting a cap on them will not necessarily mean fewer people playing these machines but it will make an important statement by this parliament. Perhaps in some communities that do not yet have poker machines it will mean that this avenue for easy gambling and for losing money will be prevented, and that might be a real benefit in a few locations around the state if this measure is passed.

I think that the bill is as simple as that. As the member who introduced it said, it is so simple it does not even need any clauses explained. I see it primarily as a symbolic statement by this parliament, and I urge members to support it on that basis.

The Hon. W.A. MATTHEW (Minister for Minerals and Energy): I also support this bill and I commend the member for Gordon for introducing it. The cap on poker machines, in my view, is but a first step. I have always consistently opposed poker machines and their introduction into this state. I was probably one of the most outspoken opponents of the legislation which was introduced by Labor government minister Frank Blevins and which was supported by most members of the then Labor government.

Members interjecting:

The SPEAKER: Order! The minister is entitled to be heard in silence.

The Hon. W.A. MATTHEW: Thank you, Mr Speaker. It was supported by most members of the then Labor government. Perhaps some members of the now Labor opposition need a gentle reminder as to exactly what happened to ensure that that bill became legislation. Perhaps they need to reflect on what happened, because the antics that occurred outside the parliament in the corridors resulted in what we have today. That bill was going to be lost in another place, but it was adjourned before the final vote.

The Hon. Mario Feleppa, who is no longer a member of this parliament, had always been consistent in his opposition to poker machines; he was an honourable member of parliament, a Labor member of parliament, a very honest man who always opposed the introduction of poker machines. When the final vote was delayed the Hon. Mario Feleppa was bundled into an office in the Upper House. In fact, if my memory serves me correctly, it was the office of the Hon. Chris Sumner. In that office were Chris Sumner, Frank Blevins and John Bannon and for about 1½ hours Mario Feleppa was subjected to a constant tirade of verbal abuse that was clearly audible to those standing outside the door—

Ms Bedford interjecting:

The Hon. W.A. MATTHEW: The member asks whether I was there. Yes, I heard the abuse from the corridor and so did the people who were there, including Sister Janet Mead and the Sisters of Mercy who were in the corridor outside. They heard the abuse and they were disgusted by the language to which the Hon. Mario Feleppa was subjected as he was verbally berated and verbally beaten into submission in order to get an insidious piece of legislation through the parliament. As a result of those heavy, thuggish, bullyboy tactics—that seem to predominate only in the Australian Labor Party; and we saw examples of it again only last weekend—that legislation passed through the parliament.

I spoke to the Hon. Mario Feleppa afterwards and it is fair to say that he was distressed by the experience and he was not very pleased with the final outcome. I do not know why it was that the Hon. Mario Feleppa shortly thereafter left the parliament: I can only speculate, but the abuse to which he was subjected was a disgrace—and I sincerely hope that at no time ever in the future such a thing occurs again. It is very hollow of Labor members of parliament to try to turn a tirade back onto this government over their actions. I acknowledge that the member for Spence has always been consistent in his approach and, indeed, since his arrival, in the short time he has been here, so, too, has the member for Mitchell. It is a pity there were not more viewpoints similar to those of the member for Spence and the member for Mitchell in the ALP caucus room at the time the Hon. Frank Blevins introduced the bill. If there had been more such viewpoints, the bill would not have come into effect.

As a state we now suffer from the results of that legislation. Like all members of parliament, I suspect, regrettably I see the tragic result of what poker machines have done: families have been destroyed because one or both adults in a family have become hooked and lost their money, their possessions and their home. I have a constituent who was a good, hardworking, white collar worker who was imprisoned as a result of his addiction to poker machines. Regrettably, he defrauded his employer and went to gaol. But, so mortified was he by the result, that on his release he has dedicated a significant part of his life to forming gambling reform groups and telling others of his experience so they can understand

how he, who had previously never committed a crime in his life, became a white collar criminal simply to support his gambling habit. I pay tribute to him for having the courage to stand up and tell others what has happened to him and to implore them not to follow in his footsteps. He was not a man who gambled in any way before, but he occasionally went to a hotel. Because the poker machines were there, he tried them, he got hooked, he could not support his habit and he could not continue to support his family so he defrauded his employer and destroyed a significant part of his life as a consequence. If this bill put forward by the member for Gordon can stop one such tragedy, then it is a significantly worthwhile piece of legislation.

When we get to the committee stage, there needs to be consideration of the unexpected consequences of this bill and, like the Premier, I am concerned that there is potential to create wealth for those who are presently already deriving wealth from poker machines. I am concerned that the cap, if it is applied in the way presently intended, could result in the ability to trade licences at high cost and sell machines at high cost between hoteliers. I would not want to see that and I am sure the member for Gordon would not want to see that, either. I support the bill's intent and its thrust. Even with the imperfection I have detailed, I believe its passing is better than the status quo but, as I indicated during my opening remarks, this bill is but a start. I put on the record, yet again, that I will not be satisfied until we start winding back the number of poker machines in this state—and I have said freely to hoteliers that I will not rest until we have started to drive them out of this state. They should never have been introduced in the first place and we need to ensure that they are forced out.

An honourable member interjecting:

The Hon. W.A. MATTHEW: The member might care to put his interjection on the parliamentary record and he might live to regret saying it. I remind Labor members of parliament, again, who continue to interject, of the rather nasty way in which this bill became law—and of course those nasty ways still continue within the Australian Labor Party. Indeed, the members for Price and Ross Smith can put on the record in this House how the nasty ways of the Labor Party have done them over. It is worth mentioning that the member for Price has been strongly opposed to poker machines. Regrettably, he is ill and I extend my sympathies to him and best wishes for a full and rapid recovery, but I know that he would be keen to speak on this bill because he is one of the very small number of members of the Labor Party who has opposed poker machines. I also acknowledge his efforts in that area.

Mr FOLEY (Hart): I must say that those members of this House who support the notion of a cap, and indeed are anti pokies in their views, are not well served by the contribution from the member for Bright. The member for Bright selectively wants to rewrite history. What the member for Bright fails to say and fails to remind this House is that, indeed, a large number of his own party supported the passage of this legislation. Many senior members of the current and former cabinet supported the legislation; the current Treasurer of this state supported it; Dale Baker supported it; the member for Bragg supported it; my recollection is that the Minister for Government Enterprises supported it; I think the Minister for Transport in another place supported it—and you, sir, may even have supported it. You did not support it: I apologise for that. But, at the end of the day, it was a bill designed—

The Hon. W.A. Matthew interjecting:

Mr FOLEY: But about half your cabinet. The honourable member stands up and lectures us and bludgeons the Labor Party but he conveniently forgets the role played by senior members of his own party. When that bill came into this parliament, I was not in this House but I understand that it was government legislation, a piece of government legislation where members were given a conscience vote. From my recollection, the former Labor government received very little, if any, revenue from poker machines before it lost office. This Liberal government has received conservatively over $1 billion of poker revenue in the seven years in which it has been in government. Let us put on the record that this government was prepared to receive the revenue—

The Hon. W.A. Matthew interjecting:

Mr FOLEY: The member for Bright was happy to sit around the cabinet table and receive the money—

The SPEAKER: Order! The member for Lee should either go into the gallery or come back into the chamber.

Mr FOLEY: He was happy to receive the hundreds of millions of dollars to spend when he was police minister, when he needed money for the Y2K bug, when he had the Year 2000 problem. He was happy to use it when he had his motor cycle police escort to Elizabeth; he was happy to receive that money. For him to come in here in his sanctimonious manner and carry on like he does is pathetic. It is the action of a member who selectively recalls history to conveniently suit his argument.

But what must shock South Australians—and I will get to the Premier's speech in a moment—are the comments made by a minister of the crown today. Members need to read *Hansard* following today's contribution and just see what the member for Bright has said. He has said (to paraphrase it) that he wants to drive poker machines out of this state. The member for Bright is prepared to have this state incur more than a $1 billion—probably $2 or $3 billion—compensation payout so that he can drive out poker machines.

Ms Stevens interjecting:

The SPEAKER: Order! The member for Elizabeth will remain silent.

Mr FOLEY: So, he is prepared to put at risk significant litigation against the state to meet his objective. Now he says, 'We could pass a law banning poker machines.' Well, you are a minister who gets up here day after day and lectures this place about the economy. How good will we look and how favourably will our state be viewed as an investment site, a location for investment, if a parliament took a decision to retrospectively remove poker machines from this state that would see business failures counted in the thousands, that would see bankruptcies that would go close to crippling the small business economy in this state? That is what the member for Bright is prepared to do. He will bankrupt hundreds, if not thousands of hotel owners in this state.

The Hon. W.A. Matthew interjecting:

The SPEAKER: Order! I call the Minister for Minerals and Energy to order.

Mr FOLEY: The member for Bright will be prepared to destroy family-owned hotels and send the worst possible investment signal that any state could ever give to the investment community: we will let a business flourish for a decade, but when a parliament is of a certain view, we will change the law, we will bankrupt families, we will bankrupt businesses, and quite probably put at risk billions of dollars of litigation. He wants to force publicans out of this state. He wants to force out poker machines.

You do not deserve to wear the title of minister. You do not deserve to be a minister of the crown, with these loopy, dopey, ill thought through proposals that you have articulated here today. Don't you ever stand in this parliament ever again—

The Hon. W.A. MATTHEW: On a point of order, Mr Speaker, the member is clearly misleading by paraphrasing and drawing a very long bow—

The SPEAKER: Order! There is no point order. However, I remind members to use their electorates or titles in the debate.

Mr FOLEY: The member for Bright should never again stand in this parliament and lecture the Labor Party about economic or financial management and the economic health of our state, because the member for Bright's contribution today has put him in the category of an absolute troglodyte and incompetent when it comes to talking about economic and investment attraction in this state.

In one small contribution today, the member for Bright has destroyed his credibility on any issue of economic and financial management. You are an incompetent and a nincompoop when it comes to economic policy, and we will remind you of that; every day you rise in this parliament to lecture us, we will put on you the tag, 'The member for Bright is a nincompoop when it comes to economics.'

The Hon. W.A. MATTHEW: I rise on a point of order, Mr Speaker. The member for Hart, in hurling insults across the chamber, referred to someone as 'you'. As remarks are to be addressed to the Speaker, I am not sure whether he is impugning upon your reputation, but he may like to be a little more careful in the way he addresses the chamber and refer to members by their title.

The SPEAKER: In responding to that point of order, clearly the member has to respond through the chair and not directly across the chamber. The language he used was quite inappropriate for the chamber.

Mr FOLEY: Thank you, sir, and I withdraw the word 'nincompoop'. Incidentally, that was directed at the member for Bright. But at the end of the day I think people have got the message. It is a stunning admission from the member for Bright today that, as a minister of the crown, he has told the parliament today that we should drive publicans out of business, that we should drive poker machines out of this state, and that we should bankrupt family hotels and bankrupt businesses. A member of the Olsen ministry has said that we should make this state an absolute pariah for investment so that he can achieve his objective. The member for Bright wants us to be a pariah state when it comes to investment. Hang your head in shame!

I want to touch briefly on the Premier's contribution. Today the Premier walked into this place and said, 'I support a freeze on pokies.' With his hand over his heart, he said, 'I wish we never had poker machines in hotels. It was a bad thing to put poker machines into hotels.' Well, I have been at the odd Christmas lunch with the AHA, and he has never said that to the AHA when he has been in their company. He has said quite the opposite. He is their best friend when he approaches them for a business lunch. I think the Premier has to actually get serious. I have a press release here, and this is what John Olsen, the Premier of this state, said in July 1997:

> Enough is enough, and the poker machines should be capped in July 1997.

Since that time, to the end of December last year, some 2 646 machines have been put into this state. The Premier, faced with an opinion poll that puts his Government's approval rate at 42.5 per cent of the two-party preferred vote, thinks, 'Oh, dear, I need to do it again.' So, in walks the Premier, with his hand over his heart, saying, 'I think we should have a freeze on poker machines.'

The Hon. W.A. MATTHEW: On a point of order, Mr Speaker. I draw your attention to standing order 127: 'Digression; personal reflection on members', which provides, 'A member may not. . . impute improper motives to any other member,. . . or make personal reflections on any other member.' I suggest that the member for Hart in his atrocious address is doing both to the Premier.

The SPEAKER: The chair does not uphold that point of order.

Mr FOLEY: If the Premier is fair dinkum, why does he not bring in a government bill to cap poker machines—put aside government business, as Frank Blevins did many years ago, and put it in government time? Let the Premier lead the debate, make it a conscience issue and cap poker machines in the next two weeks. John Olsen, don't come into this parliament playing cheap political games when your popularity is as low as all low to get a cheap headline. If the Premier is fair dinkum, he would introduce it as government business and not play cheap politics.

Time expired.

Mr CONLON (Elder): I want to be brief on this matter. I think it is time for something of a reality check and to explore the hypocrisy associated with some of the contributions. I do not think any one of us in this parliament enjoys thinking of the plight of those people who suffer from problem gambling and gambling addictions. As a person born in Ireland and brought up in Port Adelaide, I have lost money on almost everything that has moved or has not moved, and in most cases moved far too slowly—

Mr Atkinson interjecting:

Mr CONLON: I assume that interjection from the member for Spence was meant to support my case on this. I do not think any of us like to see people with a problem gambling addiction. However, I do have a great deal of difficulty with the hypocrisy that runs through many of the contributions. The parliament was willing to legislate to make it lawful for publicans to have poker machines. The government has certainly been willing to take the income from poker machines and crank it up whenever it wants some more.

But two things occur, it seems to me, when there are some political difficulties associated with it. First, hoteliers become the people to blame for poker machines. People who have invested their money lawfully, according to the laws of the land—according to the laws passed by parliament—are suddenly the villains in the piece. Secondly, we see some sort of knee-jerk response. Anyone who believes that a simple matter of a cap on poker machines will do anything for those who suffer from problem gambling is misled. Unfortunately, I believe that most of the people in this place who support a cap on gambling do not support it for that reason. It has nothing to do with kindness towards those involved with problem gambling: it is, as the member for Kaurna said, cheap politics. It is also extremely hypocritical politics. I can assure this House that, if you put not one further poker machine into South Australia, there will still be enough to feed the difficulties of problem gamblers.

Some people are doing this so that they can say to their electorates, 'I've done something about poker machines.' Well, they have not, and they should be honest with them-

selves and this parliament. That is not why they are doing this; they are doing it to help no-one but themselves. I have concerns that I would like to explore in committee about what it means for those who have a licence. If the government stops issuing licences that will do nothing other than reward the current holders of poker machine licences.

In my contribution, I want to bring some fairness to the debate. This law was passed by the parliament, but those who have taken advantage of it for the purpose of investment are being unfairly pilloried in this place. The vast majority of hoteliers are responsible in their treatment of poker machines. I refer in particular to Peter Brien of the Alberton Hotel who has used the proceeds from poker machines to improve his hotel and facilities. He keeps his poker machines discreetly in a separate room, and he provides a very good service to the community with his hotel as has his family for generations.

Peter Brien is a man of high moral standing. He owns the Alberton Hotel because, I think, his grandfather was fortunate to win a lottery many years ago. He was a worker who made good, and he bought the lease. I am proud and happy to say that, about 10 years ago, Peter Brien was finally able to buy the hotel lease from the South Australian Brewing Company and he now owns the hotel. It is unfair that people of his standing are painted as robber barons because they invest money according to the laws of this land.

I now turn to the contribution of the member for Bright. What great celestial confluence led to the irony of this member getting into a seat called Bright? Were it not for an enormous measure of irony, the member would be the member for Not So Bright. The only defence that I can offer on his behalf is that he probably does not really mean—

Mr LEWIS: I rise on a point of order, Mr Speaker. I cannot sit in this chamber and allow the electors of Bright to be disparaged by the remark of the member for Elder when he referred to the member for Not So Bright. I remember a similar point of order being taken against the Hon. Bruce Eastick about his electorate of Light, and the Speaker ruling that that was highly disorderly.

The SPEAKER: Order! The member for Bright is present. If there was an incident that incurred any displeasure, the member for Bright is in a position to respond. I remind members, as I did earlier this morning, to refer to other members by their electorate name.

Mr LEWIS: Mr Speaker, I have a further point of order. It is unparliamentary for a member to use the name of an electorate in order to be disparaging about the delegated authority exercised in this place by an honourable member, and that was found to be so by an earlier Speaker.

The SPEAKER: Order! I cannot uphold that point of order. The member for Elder.

Mr CONLON: All I want to say about the contribution of the member for Bright is that, if he had his way—and I do not think this is his way because I think he is prepared play to the electorate on poker machines, but I do not think that he would drive them out of South Australia—he would take a fine upstanding member of the community, such as Peter Brien, and bankrupt him. He would either do that or go to the state government's coffers and pay Peter Brien and everyone like him compensation for having invested his money according to the law. That is proposed as a responsible move by the member for Bright. I am astonished—

The Hon. W.A. Matthew interjecting:

The SPEAKER: Order! The minister will remain silent!

Mr CONLON: I conclude my remarks by saying that some of us have genuine regard for problem gamblers—

The Hon. W.A. Matthew interjecting:

The SPEAKER: Order! I warn the minister for interjecting after being called to order by the Chair.

Mr CONLON: I am concerned about problem gambling in the community and the way in which the tendency to gamble has grown in the past 10 or 20 years. To a degree, this problem seems to be independent of poker machines, although poker machines are a preferred gambling medium for many people. I think there are some deep-seated problems in the community which have led people to seek relief through gambling and to become problem gamblers.

That may have nothing to do with the medium and more to do with other deep-seated problems such as the insecurity which many years of economic rationalism has created in the community and a lack of self-esteem among those who are uncertain about their future. It sits ill in our mouth to see the people who have invested their money lawfully in this state being criticised for problems that may have been created by parliaments around the country. I conclude my remarks by saying that when we look at this bill I hope we do so with a little more clarity and a lot less hypocrisy.

Mrs MAYWALD secured the adjournment of the debate.

CONSTITUTION (PARLIAMENTARY TERMS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 November. Page 424.)

Mr MEIER (Goyder): As members are aware, this bill was introduced by the member for Mitchell with the idea of trying to introduce a fixed term after an election under the Constitution Act. The government and I are opposed to this measure. This is not the first time when members have endeavoured to introduce fixed terms of parliament. In fact, this matter was last considered in 1992 when the then member for Elizabeth introduced a private member's bill to amend the Constitution Act to provide for a four year fixed term. That is interesting, because that bill was not supported by either the Liberal Party or the Labor Party and it was discharged. This issue was also raised in the context of a 1985 amendment to the Constitution Act moved by the Democrats to introduce fixed terms. Again, that amendment was defeated.

As members are also aware, currently the Constitution Act provides for the House of Assembly to continue for between approximately three years and six months and four years and five months depending on when the election was held at which the members of the House of Assembly were elected. The House first meets after that election for a minimum term of three years from the date when the House first met for business. However, the House can be discharged earlier under particular circumstances. Section 28A provides:

(1) The House of Assembly shall not be dissolved by the Governor before the expiration of three years from the day on which it first met for the dispatch of business after a general election unless—

(a) a motion of no confidence in the government is passed in the House of Assembly; or
(b) a motion of confidence in the government is defeated in the House of Assembly; or
(c) a bill of special importance passed by the House of Assembly is rejected by the Legislative Council; or
(d) the Governor is acting in pursuance of section 41.

Mr Hanna interjecting:

Mr MEIER: Exactly. That is what is allowed for at present. A number of issues need to be considered, the first of which is the effect on the number of elections held. It is interesting to note that the Hon. Ren De Garis pointed out in debate on the Constitution Act Amendment Bill 1985, which introduced the minimum three year term, that the existence of an absolute fixed term would have resulted in only one fewer election in the 129 years from 1856 until 1985—only one fewer election. In other words, any argument that we will have fewer elections and there will be a greater temptation to call an early election is spurious. The facts do not support that argument. Therefore, it is unlikely that the bill would result in any dramatic reduction in the number of elections held. That is the first point.

The second point is the removal of political advantage. I note that one of the arguments that has been put forward in support of the bill is that it would prevent the government from calling an early election purely for a political purpose. However, of the four early elections that were called in the 1970s—and the member may recall those—three rebounded on the government of the day. So, in other words, to use the argument that there may be a political advantage is, again, spurious—

Mr Hanna interjecting:

The SPEAKER: Order! The honourable member will have ample opportunity to respond.

Mr MEIER: —because on two occasions the government was defeated and on the third occasion the government was returned with a majority of only one seat, with the overall state vote being against the government. Thus the political advantage gained by calling an early election is largely illusionary.

Mr Hanna: Look at Kennett last year.

The SPEAKER: Order!

Mr MEIER: I acknowledge that, just as the member for Mitchell acknowledged that in his speech. Another point to consider is the effect of campaigning. In the 1992 debate it was suggested by the Hon. Stephen Baker that the existence of a fixed term may also encourage the incumbent government to begin campaigning months before the official election campaign was due to begin. This concern was based on experience in the United States, where the last six to 12 months of government is concentrated purely on the process of politics rather than on the process of governing properly. We are seeing that right now in the United States—

Mr Hanna: Right here!

The SPEAKER: Order!

Mr MEIER: Here, too. However, we are clearly seeing that the overwhelming emphasis in the United States is in respect of the eventual presidential election. To the best of my knowledge, that will have gone on for the better part of 18 months before the election is held. However, the member for Mitchell suggests that in New South Wales, where there is a fixed four year term, it is only in the couple of months preceding the election period that campaigning begins. I just wonder to what extent the member for Mitchell has been in New South Wales or been involved in New South Wales politics, because anyone who has followed the New South Wales political scene would know that that is just not true. Campaigning is constant and begins early, with all the focus directed towards the election date.

I well recall having dinner with some colleagues from the Liberal and National parties in the members' dining room of the New South Wales parliament, and that would have been a good 18 months out from the election. The whole focus of the discussion during the meal was the election, which was some 18 months away. They were simply directing their comments to what the government was doing about particular issues and policies, what changes should be made, whether some people were not doing their job properly, and so on. From my personal experience it seemed to me that in New South Wales for some 18 months the focus was on the fixed election date. I do not think that that is good for a state or, more importantly, for its people.

Another issue to consider is the need for flexibility. There may be a number of valid reasons why a government wants to call an early election, other than as a result of a double dissolution or a vote of no confidence. For example, a government may want to make a significant change in policy and seek the support of the electorate in order to get a mandate for that policy.

Mr Hanna: Like Olsen on ETSA, do you mean?

Mr MEIER: As you indicated earlier, Mr Speaker, the member for Mitchell will get his chance to respond. The government may want to make a significant change in policy and seek the support of the electorate in order to get a mandate for that policy, especially if it is a minority government. There may also be good reasons for postponing an election; for example, it may be desirable to avoid holding an election during a crisis in the community. A classic example of such a crisis is the Longford gas crisis, and that could happen to any government, where it is out of the government's hands, yet the constituents would see it as a direct government problem.

The member for Mitchell's proposal involves an election being held at the same time every four years, specifically on the third Saturday of October every fourth year. As the bill is drafted, there is no ability to alter the date except as set out in section 28A, even though there may be circumstances where that would be appropriate. Therefore, the inflexibility would be to the detriment of the state in the longer term and would not be an advantage. In other words, a government that had done everything right could well be thrown out because of one crisis just prior to a fixed election date. Therefore, the state could suffer for years afterwards as a result of an incompetent opposition taking government.

Mr CLARKE (Ross Smith): I rise to support the bill. I thought many of the arguments put by the government whip, the member for Goyder, support the bill itself. Only two classes of people potentially will suffer from the member for Mitchell's bill. One is the Premier of the day, of whatever political party it might be, who will always believe that there is some natural advantage of being in government to be able to pick the date they believe is most advantageous. However, as many wrong decisions as right decisions are taken by premiers about the calling of election dates. The member for Goyder pointed to several examples: Labor in 1979; Labor in 1975; Jeff Kennett in Victoria last year; and Bob Hawke in 1984 with respect to the federal parliament. One can point to other examples such as in 1977 when Don Dunstan got it right and Labor won an increased majority in South Australia. On both sides of the major political parties, premiers get it wrong as often as they get it right.

Whilst they might believe that there is an advantage in being able to have the sole discretion of picking the election date, that certainly has been found wanting on a number of occasions. However, those who most seriously miss out are the political journalists, because, with a fixed election date, they cannot spend a year or 18 months out from an election

constantly speculating as to when the election might be held. Of course, that type of speculation can be unsettling for the business community, particularly in respect of a federal election.

We have always heard the specious argument by the premiers and prime ministers of the day—and the most recent one was Jeff Kennett in Victoria—'If you journalists keep talking about the likelihood of an early election, I might just have one to clear the air, because you are creating a climate of investment uncertainty.' So that itself becomes an excuse for an early election. We know why that occurs—because the Premier or the Premier's minders talk to the journalists and talk up the prospect of an early election, just so the journalists will write about it. In truth, they would have as much knowledge about these things as if they grabbed a goat, slit its throat and studied its entrails for the right date when the election will be called.

The journalists would miss out on this game of speculation for 18 months, and I do not think any of us here should worry too much about what angst or otherwise that might cause journalists. However, at the end of the day fixed election dates enable everyone in the political process to know with certainty when that election campaign will be. Political parties can select candidates and commence fundraising. In terms of electioneering to which the member for Goyder was referring, things are going on now, whether it be in Liberal or Labor Parties. For instance, candidates are being selected, there is fundraising, and opportunistic statements are being issued by the government and ministers of the day to try to put them in a better light. They are all happening now, in any event, thinking that at any time after 2 December this year an election can be held. I think it is a bit strange in many respects. I think the government will want to hang on for as long as possible. We will probably not have an election until March 2002, rather than some time in 2001.

In terms of the backbenchers, candidates, government or opposition of the day, a set date tells them when their life can either begin, finish, or whatever, and they can plan accordingly. It is a great deal of relief for the public to know that they will be spared all this rubbish that journalists write about in speculating 18 months or two years out about when an election will be held, because they and the business sector will know with certainty when the election date is on. They are spared all this trauma, angst and rumour mongering—something that I have heard in the bar the night before of journalists writing up the next week of possible election dates.

However, the other thing I noticed in 1995 with respect to the New South Wales election when I was there (which was the first of the fixed date elections) was that a number of the political apparatchiks and the journalists were worried that it seemed boring because there had not been all the hype leading up to: 'When will the Premier drive out to see the Governor of the day to dissolve parliament?' With all the weeks and months of speculation, there was a collective yawn amongst the people in New South Wales: they were not interested. They seemed to be not interested in politics; you could not get them overtly worked up about state politics.

Why? It was because they knew when the election was to be held: at the end of March 1995. The political parties would have all their campaigning and all the rest of it, and the public of New South Wales were able to have a quiet Christmas. They did not have to put up with all the rubbish and the media speculation about when the election was to be held. Business people did not have to worry about whether a downturn in sales would occur because an election might be held in December 1994. It was known to be in March 1995, and the public of New South Wales had the good sense to say, 'We know there is an election on next year; we will not get worked up about it. We know the parties will not unveil their policies until the last four weeks of the election campaign. We will sit down soberly and analyse it then. We do not have to spoil our Christmas or the new year party by worrying about when the election will be held: it will be held on the last Saturday in March 1995.'

That is a great relief for the ordinary citizens. Why would they not feel that? In terms of the facts regarding whether or not it is an advantage for an incumbent government, the member for Mitchell has quite rightly pointed out in his contribution that it does not favour one side or the other. As I recently pointed out in my contribution, premiers on both sides of politics get it as wrong as often as they get it right. Let us all take a deep breath; let us spoil the political journalists' day; and let us get rid of all this hype and claptrap surrounding election dates. Really, the only ones who enjoy it is the media, who really rock their socks off on this sort of speculation. For three years and nine months, or whatever, the public of South Australia can relax, and then worry about the election campaign being cranked up in the last couple of months.

Mr HAMILTON-SMITH (Waite): I would like to contribute to this debate and congratulate the member for Mitchell for bringing it forward, although I indicate that I will not be supporting the matter. Following on from the member for Goyder's excellent contribution to the debate, I point out to the House that there is a problem with the bill proposed by the member for Mitchell in respect of the timing of elections. The bill provides for an election to be held on the third Saturday in October of every fourth year. Some of the reasons given for the selection of October are appropriate weather, the avoidance of school holidays, the football season, student exams and so on.

It is also suggested that October is more appropriate than March, for example, because the budget is brought down in May, which would not provide sufficient time for an incoming government (where there was a change of government) to put in place any policy initiatives. However, there may be other dates that are more equally advantageous. In any event, all this can be taken into account by a premier in determining when to seek an election.

Another concern with the bill is that of certainty. One of the suggested advantages of a fixed term is that it introduces greater certainty into the election process. Business, parliamentarians and the general public know exactly when an election will be held months in advance of the actual date—and the member for Ross Smith has made a contribution in this respect. Under the current system there is an 18 month period in which an election could be held, resulting in a level of uncertainty. However, the current regime (which has a fixed three year minimum) balances the need for a level of certainty with the need for flexibility. In any event, if one considered the issue objectively, certainty of a date for an election means little, if anything, to business and the community.

The process for amending the Constitution Act also needs attention. The Constitution Act differs from other acts of parliament in that special rules relate to the amendment of certain core provisions. Some provisions of the Constitution Act, including those relating to the timing of electoral

distributions, are entrenched in the Constitution Act 1934, and therefore cannot be altered without a referendum of citizens supporting the alteration. Section 8 of the Constitution Act provides interesting reading. My advice noted from the Solicitor-General in 1983 in relation to the Constitution Act Amendment Act 1985 indicates that there would be no need for a referendum where a bill seeks to impose fixed terms on the House of Assembly. However, the bill would require an absolute majority of both houses to be passed pursuant to section 8 of the Constitution Act.

In conclusion, the current system has caused no problem at all. In fact, the current system works rather well. It provides for a minimum term of three years and therefore allows some flexibility. That flexibility may favour an incumbent government, but it is clear that there is no favour if the timing for a particular government is wrong in the light of current events at the time that the election is called. Therefore, simply why change? No reason of any substance has been offered for such a radical change. As we have heard, it simply has not been working elsewhere.

I therefore recommend to the House that the bill not be supported. In my view, it will not make South Australia a better place in which to live, nor will it deliver better governance. However, I commend the member for raising the issue of constitutional reform and the matter generally of how we go about the election process. In particular, I think it knits in with the broader issue of parliamentary reform in respect of how our present constitution sets down the arrangements for both the House of Assembly and the Legislative Council to function.

As members are aware, we do not have a perfect Westminster model of parliamentary democracy in South Australia. We have an adapted version of the Westminster system. We have incorporated many of its strengths, but we have created new weaknesses, in particular in respect of the powers of the upper house—and this is a matter which I am on the record of having an interest in, and I know the member for Mitchell shares my interest.

So, I think it was a good proposition from the member for Mitchell in many respects. I think it has been an interesting debate. I have enjoyed the contributions but, for the reasons that the member for Goyder and I have outlined, I feel that the House should not support the bill but should allow the current constitutional arrangements to remain in place and the current four year parliamentary term to be retained.

Mr ATKINSON secured the adjournment of the debate.

RESCUE 2000

Mr WILLIAMS (MacKillop): I move:

That this House congratulate all emergency services and other organisations from throughout the South-East for securing and organising Rescue 2000, the National Road Accident Rescue championships to be held in Mount Gambier from Friday 5 May until Sunday 7 May.

It gives me great pleasure to move this motion of congratulations and over the next few minutes I will highlight some of the reasons for that pleasure. Following discussions between Greg Malseed, the South-East divisional officer for the SES based in Mount Gambier, and his counterpart across the border in Victoria, the decision was taken to apply to the Australian National Road Accident Rescue Association (ANRAR) to hold this year's event in Mount Gambier. I am told that during the year it was almost decided to back out of the commitment because of the perception that teams would not travel to a regional destination for such an event. This is not only the first time that this event has been held in South Australia but also the first time that it is to be held in a regional area anywhere in Australia. Despite their earlier doubts the organising committee is now delighted with 20 teams having confirmed their attendance. Each competing team consists of six members, and teams are travelling from as far afield as Darwin, Townsville and many places in between.

This happy occurrence is a direct result of the degree of community effort put behind the original proposition. All the emergency services organisations operating in the South-East performing this most invaluable service, whether it be emergency rescue or the more mundane and less spectacular work associated with helping individuals, groups of individuals or organisations during times of either natural or man-made disasters, have rallied to aid in the organising of this event. In addition to the SES, MFS and CFS, representatives from St Johns Ambulance Australia, the SA Ambulance Service, SA Police, Tourism South-East and the City Council of Mount Gambier were actively involved in both the original application to attract this prestigious event and the subsequent arrangements to host the visiting competitors. Indeed, such has been the effort of late that a project manager has been appointed to oversee the running of the weekend's program.

It is estimated that this event will directly contribute to the local economy to the tune of about $200 000 with the attendance of competitors, judges, officials and their families. Although being held in Mount Gambier, this event is the product of a regional approach and will produce benefits across the broader community. At this stage it is expected that 20 teams will compete in the three events which will be staged over the weekend. The events are designed not only to produce exciting competition between highly trained operatives but also to provide benchmarking, which will promote even greater enthusiasm amongst those operatives and continue to hone existing skills and expertise.

The rivalry is based around two separate competitions, where the teams rescue victims of road crashes from real vehicles set up to simulate real life situations. There are both limited and unlimited rescue events. The difference is that in the limited event only hand operated equipment may be used, simulating rescue from a vehicle in an inaccessible site, whereas the unlimited competition of course allows the use of power driven rescue equipment. Additionally, up to 10 of the teams will participate in a rapid intervention competition where the extraction of the crash victim is time critical.

Sir, as you might imagine, one of the most difficult tasks in organising such an event is the sourcing of the vehicles which are used to simulate the accident scenes, especially when you realise that each rescue involves the cutting open of the vehicle, which of course necessitates the need for a separate vehicle for each team to work on for each event. The wonderful sponsorship of this event by General Motors Holden's through the provision of 40 current model vehicles for this purpose has been pivotal in the success of arranging for the Rescue 2000 competitions. Taking advantage of the potential audience at the event, the working committee has also arranged for a symposium covering topics including pre-hospital and hospital care. There will also be an expo of rescue equipment and a parade of emergency services brigades.

Whilst I have already highlighted the fact that many teams will be travelling from far parts of the nation, it is also worth

noting that many South Australian SES and CFS Brigades will be attending the competition, and to this end I am delighted to acknowledge the sponsorship of $20 000 by the Minister for Emergency Services.

Whilst opposition members have been involved in a concerted campaign to undermine the new emergency services levy, it is important to recognise both the importance of the work done by these volunteers and the time and effort which they put in to ensure that their performance, often under trying conditions, is of high quality. Tens of thousands of hours of essential work—and I emphasise the word 'essential'—are performed by our volunteer services each year, and those opposite who bleat about the funding of these volunteers are of course the very ones who have previously demonstrated both their lack of financial management and their disregard for the public of South Australia when it comes to supporting volunteerism.

The exclusion of volunteers from the SA Ambulance Service and the subsequent cost impost on the public of South Australia was a direct result of a Labor government bowing to its union bosses with no regard to either the volunteers who had given countless hours of service or the financial effects upon the wider community. The same subtle pressures are being built up by some of their union mates in the fire services, and we know that, if given the chance, the opposition would continue to allow the run-down of volunteer services as it did previously. This would be so it could eventually argue that its union mates should take over these functions as fully paid operatives.

Members interjecting:

Mr WILLIAMS: Members opposite sit there and bleat; they say the emergency services levy is unfair after they all voted for it in this parliament, yet, when asked if they would support the removal of it, they say 'No.' We know that they have no policies, but we are aware of their agendas—agendas that have no feeling for the cost they would impose on our communities, but merely to appease their union masters. It is for this reason—

Mr ATKINSON: I rise on a point of order, Sir. The motion before us is a motion congratulating certain organisations in the South-East over Rescue 2000, and the member is now revisiting legislation of a previous session about a levy or tax imposed by the House. I do not see the connection of relevance, and I ask you to bring the member back to the substance of the excellent motion.

The ACTING SPEAKER (Mr Scalzi): Members must always be relevant. The member for MacKillop.

Mr WILLIAMS: Thank you for your guidance, Sir. For the reasons I have outlined, as much as any, I would argue that our volunteers deserve every encouragement we can give them to maintain their enthusiasm for the work which they perform on our behalf. It is for this reason that I move this motion of congratulations and wish the event, Rescue 2000, every success. It is also for this reason that on behalf of all volunteers I thank the Minister for Emergency Services for his encouragement and sponsorship and, in doing so, I hope that volunteers across South Australia continue to give of their time and energy for our common benefit. I sincerely hope that all members will join with me in offering congratulations to those bringing this event to regional South Australia for the benefit of our volunteers. I commend the motion to the house.

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): It is with a great deal of pride that I support the member for MacKillop, who has said some good and sensible things about what is happening in the South-East with respect to the national road accident rescue championships. In supporting the motion, I would say that this flies in the face of a few of the sceptics who said you could not hold successful national road accident rescue championships in regional or rural parts of Australia. It was not members of parliament who said this: these were people in the broader community who did not believe that Mount Gambier should be the place to host a national championship.

As minister, I congratulate Mount Gambier as a city and the South-East as a region and, indeed, all of those people the member for MacKillop mentioned in his contribution on what has now proved to be a most successful championship. In fact, at last count, I understand that the number of entrants competing is the highest number ever received throughout Australia since the commencement of these championships. The point is that one does not need to travel to Melbourne, Sydney or, indeed, Adelaide to host these sort of championships. Not only will these championships be very important to again lift our skills and best practice goals in terms of road accident rescue, but economically the championships will be very good for the South-East.

I understand that, during the weekend of the championships, not a bed is available due to the fact that 19 teams are coming from all over Australia. The important aspect, of course, as the honourable member said, is that, in the past, emergency services have been under-funded, and that is clearly evidenced by virtue of annual reports from previous years with respect to our services. We need to lift the amount of money going into emergency services so that we can support those volunteers, the core of the services, to be able to develop best practice emergency services expertise for our community.

South Australia has done exceptionally well in the national championships and the competitions. In fact, CFS brigades, such as Blackwood, have excelled. We have seen some fantastic work by members of the SES and, of course, the MFS. I also congratulate the Mount Gambier SES, which is very committed to its work under the directorship of the controller of the unit, Mr Tom Poel. I particularly congratulate Tom's demonstrated leadership to the SES at Mount Gambier. A week ago I had the privilege of opening a new $750 000 fire station at Mount Gambier. Without exception I saw every badge represented at that opening and a very strong spirit of networking and team work between all of the emergency services in the Mount Gambier and South-East region.

Sadly, of course, in the South-East we see too many occasions of road trauma involving hundreds of casualty crashes and, unfortunately, fatalities. The reason for that, in part, is that the area is midway between Melbourne and Adelaide. People get tired, they lack attention in their driving habits and then get into trouble or, indeed, drive too fast. The nature of road accident rescue in that South-East area is horrendous. The championships give the local brigades and units in that region the chance to compete with some of the best in Australia.

Members may or may not realise that the amount of rescue work that now occurs at road accident scenes has increased significantly. A large number of CFS brigades have seen their workload in relation to road accident rescue increase by approximately 50 per cent. I thank the volunteers who have been committed not only to the training but also to putting

their time forward to ensure that they can be at an accident site to rescue people at a few minutes' notice. Such practices actually prevent serious injury when retrieving people from twisted road carnage and, fortunately, for a great number of people this stops them from becoming paraplegics, quadriplegics or spending a longer period of time recovering in Julia Farr or in hospital.

I strongly support these championships. I was delighted to be able to put forward, as the honourable member said, $20 000 to assist the championships. I know that the city of Mount Gambier and other councils in the region have also been involved in supporting them but I particularly want to give credit to the volunteers, the paid staff and, especially, Sergeant Paul Evans, chair of the working party. Paul's leadership and guidance, together with the commitment of all other officers involved in that committee, has allowed these championships to go down in history as the most successful road accident rescue championships so far held in Australia.

As minister, I look forward to attending and talking to the symposium and supporting the people involved as they conduct their championships and competitions during that weekend in May.

Motion carried.

QUESTION TIME LIMIT

Mr ATKINSON (Spence): I move:

That the words 'The time limit for a question and explanation is one minute.' be added to the House of Assembly standing order 97 and that the words 'The time limit for an answer is five minutes.' be added to standing order 98.

When parliament resumed in 1994 we had a new Premier and government and a better question time. The Deputy Premier, the Hon. Stephen Baker, had suffered enough in 11 long years in opposition. Labor ministers, such as the Hon. Jack Slater, had absorbed much of question time replying to Dorothy Dix questions on Adelaide's rainfall. The Hon. Frank Blevins had used his replies in question time to instruct the House on the history of the Tonkin government rather than respond to the substance of the opposition's questions without notice. The Hon. Bob Gregory had managed to burn off much of question time by remaining silent until opposition interjections had subsided and only then starting to answer the question.

Other ministers, such as the Hon. Susan Lenehan, were renowned as night watchmen: able to start a reply with ten minutes remaining on the clock and continue until the bell—no-one is innocent in this area. The new Deputy Premier promised that the opposition would have the opportunity to ask 10 questions during the one hour of question time. This was part of the Liberal Party's 1993 election policy of a new accountability. Under the new dispensation if the opposition had not, at the expiry of question time's one hour, had the opportunity to ask 10 questions, the Deputy Premier would move to extend question time to accommodate the number of opposition questions needed to reach the number 10. Sometimes the Deputy Premier would withdraw this privilege from the opposition if we had been bad.

Mr Williams: That would happen on a daily basis, I would suggest.

Mr ATKINSON: No, only occasionally. I do not recall the opposition making any breakthroughs in that time-on period but I do recall many opposition backbenchers asking a constituency question in time-on. These constituency questions might have been low on the opposition's question list for the previous month. Backbenchers, such as the member for Torrens, who is known by some of us as Lil (short for 'last in line'), got to ask some questions which affected the ministry not a bit but which was most therapeutic for her and helpful to her constituents. The extension also helped government backbenchers get their questions up.

The Hon. Stephen Baker's move was wise and it was good for parliament in its relations with the executive. His change removed the incentive for ministers to waste question time by debating the question or by giving unnecessarily long replies. When the Hon. Dean Brown and the Hon. Stephen Baker were deposed from their positions in the parliamentary Liberal Party and thus the state, the new Premier and Deputy Premier stamped their values on parliamentary procedure by abolishing the 10 question arrangement. In the three years since the 10 question arrangement was abolished, only rarely has the number of opposition questions exceeded nine.

It is common now for the number of opposition questions to be six, as I think it was yesterday in question time. On some occasions it has been as few as four but the average is seven or eight. In February 1997 the Senate altered its standing orders to stipulate that each question without notice shall not exceed one minute in the asking and four minutes in the answering. It may be that the government has more to fear from the time limit on asking questions than the time limit on answering them. I have long suspected that ministers light votive candles after each sitting week to thank God for prolix opposition frontbenchers who must ask long questions and questions with explanations attached.

These questions allow ministers to gather their thoughts, make some notes or dive for their question time briefs and find the right page. There is no indication from the Senate Procedure Report of 1996, which proposed the change, or the *Hansard* record of debate on the change, that there was any dissent from the change. Indeed, the change was moved by the parliamentary secretary to the Treasurer, Senator Campbell. For the benefit of the member for MacKillop, that means a Liberal Party Senator. The change appears to work quite well with ministers' answers normally well within the limit. If a minister responsible for the whole nation can answer a question without notice within four minutes, I do not understand why a minister with responsibility for only one of the six states, and one with the second smallest population at that, could not answer a question without notice in five minutes.

Not only would this change improve accountability of the executive to parliament, it would improve parliamentary behaviour enormously. Disorder erupts in parliament the instant the House senses that a minister is not going to answer the substance of the question or has concluded his answer to the substance of the question and is now going to go on a frolic of his or her own—belting the opposition for its record and talking about what the government wants to talk about that particular day. Under the change I propose—and I ask the member for MacKillop to listen carefully to this—a minister could still do this but only for five minutes or less if he or she devoted some of the answer to the substance of the question.

If all ministers use their full five minutes in question time, the opposition would still get only six questions. So, this change by itself will not restore the practice of 10 opposition questions. I think the government should be able to see some merit in this proposal. It is not unusual for Ministers to talk themselves into trouble in question time by taking far too long or overreaching themselves with their rhetoric. A five-minute maximum should concentrate ministers' minds. I

commend these proposed changes to standing orders to the House. The parliamentary Labor Party would of course retain these changes in government.

Mr WILLIAMS (MacKillop): What an interesting debate it is going to be. The Labor Party, as the honourable member pointed out, has had ample opportunity over the years to institute these sorts of changes, but it has chosen never to do it. I am surprised—and I will come to the member for Wright in a moment—that the member for Spence got this matter through his party room. Last week, when the member for Spence gave notice that he was intending to move this motion, I was sitting back here during question time and, as is the wont of a backbencher in question time, I was looking for something to do.

So, I took the liberty of looking at my watch as questions were being asked and the answers were being given and made a few calculations. I know that the member for Spence has a legal background and is well versed in the use of words, but my formal education principally was in the sciences and mathematics, so I am possibly more versed in numeracy than is the member for Spence. I started taking some notes and, for the information of members opposite, I point out that last Tuesday I started this little exercise. The member for Spence suggested that there would be six questions from each side, and his motion suggests that there will be at least six answers. There would be a minimum total of 11 questions by the time you put the question, each one taking up to a minute, and got the answer.

If the government so chose it could wind back to a total of 11 questions: five from its own benches and six from the other side. We go back to Tuesday of last week (4 April), the day on which the member for Spence gave notice of this motion. The leading question asked by the leader on that day took one minute and 50 seconds. That is virtually double the time proposed.

An honourable member interjecting:

Mr WILLIAMS: That is why I asked how the member for Spence got this matter through the party room, because it will have a greater effect on his own leader than on anyone else in the chamber. The leader asked a second question that day, and it took a minute and 23 seconds to get that question off his chest. Indeed, 16 questions were asked and answered on Tuesday 4 April.

Mr Hanna interjecting:

Mr WILLIAMS: The member for Mitchell knows what it is like being a backbencher during question time. On Wednesday 5 April the leader did not ask the lead question, and I did not make a note of who did ask it. I could check *Hansard*, but whoever asked it got the question off their chest in 50 seconds—they were flat out. The second question also was not asked by the leader, but it took a minute and five seconds. The leader came in with question 3 at a minute and 27 seconds, and question 4 from the leader took a minute and 15 seconds. The member for Wright got question 7 on that Wednesday and took a minute and 27 seconds—well done! Again, 16 questions were both asked and answered on that day. We go to the Thursday of that week, when I decided to conclude my little exercise, and the leader's first question took a minute and 15 seconds, and he also asked question 3 wherein he took a minute 21 seconds.

Ms Rankine interjecting:

Mr WILLIAMS: I owe an apology to the member for Wright: she got question 8 on the Thursday and not question 7 on the Wednesday, and she did not take a minute and 27 seconds but a minute and 32 seconds. My apologies! I realise why she got upset when I suggested she did that on the Wednesday. The point I make is that the opposition is getting the opportunity to get more questions in under the present regime than under the proposed regime, and the main person taking more time than would be suggested by the member for Spence is his leader. The more important thing here is the quality of the questions coming from the opposition. If the opposition had the wit to ask quality questions, which really did tax the ministers, they would find that the questions would be answered much more succinctly.

Mr CONLON (Elder): I was not going to speak in this debate until I heard the contribution from the member for MacKillop, the former Independent, who said, and I apologise for paraphrasing, that, if we had the wit to ask decent questions, the ministers would dispose of them. Let us get it clear as to why the clock is run down in this place: it is precisely because the ministers in this place are so dull and ineffective at scoring points in question time.

If people wanted to see what a good government and a good minister look like in question time, they could have watched some of the members of the former federal Labor government, and I must say grudgingly that even a few members of the present federal Liberal government use question time to point out the shortcomings of the opposition. We certainly did it for many years in Canberra, and it seems to be beyond the capability of the under-resourced, untalented ministers of this government. It would be a change if, just once, members over there could make us feel mildly discomfited, let alone embarrassed. That is why we would like a time limit.

The running down of the clock by some ministers in this parliament could be described as nothing less than cruel and unusual punishment. It is appropriate to use the Minister for Water Resources as an example because listening to him run down the clock is akin to lying in bed listening to a tap dripping in the laundry: it has as much interest, it is about as annoying and it is about as informative to this parliament.

It strikes me as ironic that, in the time grudgingly given to private members, we are limited to 10 minutes in speaking, yet in response to the first question asked on Tuesday this week, the Minister for Human Resources took in excess of 11 minutes to answer. In that one hour a day given over to scrutiny, they will indulge themselves in speaking longer than the time grudgingly given to private members to explore their business in this place. That is precisely what this motion is about. This habit of running down the clock does little to prevent scrutiny of the major political issues of the day. All it does is again deny backbenchers the ability to explore matters of importance to their electorate.

The member for MacKillop, who I must say will be a career backbencher, no matter what promises he has been made, should have some concern about that because it will get harder for him to say anything in this place about his electorate. I cannot believe that even a government as untalented as this one would make the member for MacKillop a minister. It is ironic too that, when opposing this motion of the member for Spence, the member for MacKillop piled brick upon brick of material as evidence in its favour. He went on to talk about how much time we take asking questions, saying that we take too long and therefore he is opposed to a time limit. He may be good at numeracy but his chain of reasoning is lacking. He may be good at counting cows (and I am sure he is because, after all, they are large and

fairly slow-moving creatures like the member for MacKillop himself), but in terms of his chain of reasoning, I do not understand how he can complain that it takes us too long to ask questions and then oppose a motion that would limit us as much as it would limit members opposite.

This is a government running scared and it has been running scared since it discovered in the most recent Newspoll that it is slightly less popular than European carp. It has been running scared for some time, and the habit of running down question time is no more than an exhibition of its fear. Why do they not just stand up in this place and perform for once?

Mr MEIER secured the adjournment of the debate.

STOLEN GENERATIONS

Ms BEDFORD (Florey): I move:

> That the South Australian parliament restates its apology to the Aboriginal people for past policies of forcible removal and the effect of those policies on the indigenous community, and acknowledges the importance of an apology from all Australian parliaments as an integral part of the process of healing and reconciliation.

This motion expresses the South Australian parliament's continuing support for reconciliation and the full implementation of the recommendations of the 'Bringing them Home' report, the key recommendation of which was the need for a national apology.

Leading the parliaments again around Australia, South Australia's parliament has already apologised for its role in the policy of enforced separation, and this motion is put forward today in a united way because I am happy to say that nearly everybody I have spoken to is more than pleased to join in with the spirit of this motion. It demonstrates our unity on this issue in this House and it also demonstrates that we are able to transcend partisan politics on issues of such national significance. An apology on behalf of the nation is imperative if this issue is ever to be seen to move forward from the impasse that we seem to have reached.

In the 'Bringing them Home' report, the introduction tells us that indigenous children have been forcibly removed from their families and communities since the very first days of the European occupation of Australia. In that time, not one indigenous family has escaped the effects. Most families have been affected in one or more generations by the removal of one or more children. Nationally, the inquiry concluded that between one in three and one in 10 indigenous children were forcibly removed from their families and communities between 1910 and 1970. The inquiry has not been raking over the past for its own sake. Indeed, the truth is that the past is very much with us today in the continuing devastation of the lives of indigenous Australians. That devastation cannot be addressed unless the whole community listens with an open heart and mind to the stories of what happened and, having listened and understood, commits itself to reconciliation.

The inquiry has been careful to evaluate past actions, not through the prism of contemporary values but in light of the legal values that prevailed at the time. It acknowledges that there was never universal agreement on what was right and just, and there have always been dissenting voices. However, they made their recommendations with collective responsibility in mind.

As to the scope of the inquiry, it is probably important that we understand that there were four terms of reference, one of which was removal by compulsion, duress or undue influence. The inquiry was required to trace the history of forcible removal of indigenous children from their families by compulsion, duress or undue influence and the effects of that removal. The second term of reference was adequacy of services for those affected. The inquiry examined the adequacy of services available for people affected by forcible removal, especially access to personal and family records and assistance for family reunions. The third term of reference related to the principles that would be used to justify compensation. The inquiry was asked to report on what principles would justify compensation for the forcible removal.

The last recommendation deals with the causes of removals today. The inquiry was asked to look at the causes behind the removal of indigenous children from their families today and how it can be prevented. The inquiry's focus on the juvenile justice and child welfare systems of every state and territory were looked at. The inquiry also considered adoption and family law.

Under those headings they looked at various subheadings. The children's experiences were that they were discouraged from family contact. They found that assimilation was rigorously pursued by most authorities and by non-indigenous foster and adoptive families. In particular, children and their families were discouraged or prevented from contacting each other. The children were taught to reject Aborigines and Aboriginality and taught to feel contempt for the Aborigine. Those who knew their own heritage transferred that contempt to themselves.

They also looked at the institutional conditions. They were very harsh. The missions, government institutions and children's homes were found to be very poor. Resources were insufficient to improve them or keep the children properly clothed, fed or sheltered. Their education was often basic. Many never received wages for the work they were forced to perform. There were excessive physical punishments. The children were at risk of sexual abuse and the authorities failed to care for and protect the children.

The report also found that some children found happiness within their adoptive families and, more rarely, in the children's homes. The inquiry found that the bonds permitted in these more enlightened placements went some way to overcoming the many and other damaging effects for those indigenous children lucky enough to have found themselves in those places.

Despite all that has been said, the federal government continues to refuse to issue a national apology. The best they have done is to express sincere and deep regret. Senator Herron's latest remarks to the senate inquiry have only exacerbated the feelings of hurt and anger that Aboriginal people still feel.

On the need for a national apology, Governor-General Sir William Deane has had this to say:

> It should, I think, be apparent to all well-meaning people that true reconciliation between the Australian nation and its indigenous peoples is not achievable in the absence of acknowledgment by the nation of the wrongfulness of the past dispossession, oppression and degradation of the Aboriginal peoples. That is not to say that individual Australians who have had no part in what was done in the past should feel or acknowledge personal guilt.
>
> It is simply to assert our identity as a nation and the basic fact that national shame, as well as national pride, can and should exist in relation to past acts and omissions; at least when done in the name of the community or with the authority of the government.

The Human Rights and Equal Opportunity Commission's recommendation for a national apology is based on the following rationale:

No amount of explanation can detract from the now observable consequences of those misguided policies and practises. A great wrong has been done to the indigenous peoples of Australia. It is for participation in that wrong that this apology is offered.

As was stated last week in a grievance debate in the House, there are precedents for institutional apologies for past wrongs.

The President of the United States apologised to African-Americans who were abused in the syphilis experiments of the 1930s. More recently the Prime Minister of Great Britain Tony Blair acknowledged and apologised to the Irish people for Britain's role in the potato famine. The Truth and Reconciliation Commission in South Africa believes that acknowledging the truth and expressing regret is the best way to heal the nation of the legacy of apartheid.

Much has been made of the 'benign intent' of separation policies—that forcible removal of Aboriginal children was not done out of racist motives but to improve the lot of Aboriginal children and that, moreover, Aboriginal children who were separated were beneficiaries rather than victims. The stories that have emerged of, in some instances, the absolute brutality that stolen children endured belies this assertion.

There are a few quotes I would like put to the House from the many inquiries conducted throughout Australia over many years. One is from Mary Bennett, a reporter who gave evidence to the royal commission into the conditions of Aborigines early in the 1930s. She said:

They are captured at all ages, as infants in arms, perhaps not until they are grown up, they are not safe until they are dead.

Another quote is as follows:

In most instances I should prefer to see the children left with their parents. . . the system of dealing with the parents should be improved in order that they might keep their children. In my opinion government administrations were forcibly removing children because it was cheaper than providing the same system of support which operated for neglected white children.

That quote is taken from the evidence given by Bessie Rischbieth to the royal commission into the conditions of Aborigines, again in the early 1930s.

The Chief Protector of Aboriginals advised the Commissioner of Public Works in 1932, as follows:

The general opinion of station people is that it is a mistake to take these children out of the bush. They say that the Aboriginal mothers are fond of their children and in their own way look after them and provide for them and that when they grow up they are more easily absorbed and employed than those who have been taken out of their natural environment and removed to towns.

The mission representatives say that if the girls are left in the bush they only become the prey of white men and then mothers at a very early age. My experience has been that removing them to towns and to institutions does not overcome this trouble and only accentuates and increases it.

And the then Minister of the Interior, John McEwen, after visiting the half-caste home in Darwin in 1937, stated:

I know many stock breeders who would not dream of crowding their stock in the way that these half-caste children are huddled.

So we see that a lot of practices have been slow to change. I refer again to the report where they talk about some of the things that have happened as a result of these practices. Future generations are at risk: the inquiry found that, as parents, many of the stolen generation's children have become problem children and have problem children of their own. Their children are at risk of being removed on the grounds of neglect or abuse or because they become offenders. They have a loss of heritage and there is an effect on those left behind. The inquiry found that whole families and communities suffered grievously upon the removal of their children.

It is important, too, that we take into consideration some of the grounds for reparation that the 'Bringing them home' report brings to our attention. Forced removal is a gross violation of human rights. The forcible removal of indigenous children was a gross violation and was racially discriminatory. The practice continued after Australia became a member of the United Nations in 1945 and committed itself to abolishing racial discrimination. It was an act of genocide.

The inquiry concluded that forcible removal was an act of genocide contrary to the Convention on Genocide ratified by Australia in 1949. The Convention on Genocide specifically includes forcibly transferring children of a group to another group with the intention of destroying the group. Genocide is not only the mass killing of a people—the essence of genocide is acting with the intention to destroy the group, not the extent to which that intention has been achieved. A major intention of forcibly removing indigenous children was to absorb, merge or assimilate them so that Aborigines as a distinct group would disappear.

Authorities sincerely believed that assimilation would be in the best interests of the children but this is irrelevant to a finding that their actions were genocidal. It was a denial of their legal rights. The authorities failed in their duties to many children. The inquiry concluded that forcible removal involved human rights breaches and the denial of common law protections to indigenous families and their children.

Governments have a responsibility to respond with reparation to those affected. Reparation is the appropriate response to gross violations of human rights. According to international legal principles, reparation has five parts: acknowledgment of the truth and an apology; guarantees that these human rights will not be breached again; returning what has been lost as much as possible (known as restitution); rehabilitation; and also compensation.

Aboriginal people have heard much over the years and now they seek action. We can never close the chapter on this horrible episode in our history without action. We could help to heal the wounds, and part of that process must be a national apology; a recognition of past injustices and the role of the state in entrenching those wrongs; and an expression of our sorrow that these policies ever existed and that these things ever happened.

Now is the time for leadership. South Australia has led the way on Aboriginal issues many times and we must show the way again now. For anyone to continue to play semantics on this important national issue is something of which I know many South Australians are ashamed. It is heartening that this House is reaffirming its commitment to addressing this issue in a compassionate and bipartisan way. We must now work together to see the recommendations of the commission become a reality not only because it is the right and just thing to do but because it will benefit all Australians.

Mr HAMILTON-SMITH (Waite): I support the member for Florey's amended motion. Whilst I would not agree fully with all the perspectives put in her explanation, I commend her for the spirit of it and for the letter of the motion itself. On 26 May 1998 the government's Minister for Aboriginal Affairs (Dorothy Kotz) addressed this House, remarking on the significance of National Sorry Day by saying that it marked a point in history that will be remembered for generations to come where Australia as a nation expressed its deep regret to Aboriginal people for the injustices of the past

policies which separated Aboriginal children from their families. It is also a sober reminder of the impact of decisions that governments can have on a community.

There is no question that many Aboriginal people were forcibly removed from their families. Many of those who participated in these removals felt they were doing the right thing at the time. They felt that some of the children were at risk of abuse and that they were taking them to a safer environment. Whether or not the number of children involved in such separations constituted a generation is in itself irrelevant to the manner in which we should approach the issue today. The fact remains that past official policies condoned actions that caused immeasurable harm to thousands of Aboriginal families. The South Australian government has recognised these past injustices and, as the member for Florey has pointed out, we were the first parliament in the country to offer an apology to Aboriginal people.

We now need to move from that point and find measures that can begin to address the hurt and disadvantage that Aboriginal people have carried as a result of past practices. As the member for Florey has noted, South Australia has a proud tradition amongst its people of championing the cause of social justice and of celebrating the cultural diversity of this state. We in the government are also taking a number of practical measures to attempt to remedy past wrongs. The government's major focus is on supporting ATSIC's SA Link Up Program, which provides family tracing and reunion services to families of separated children along with a referral service to specialist counselling if required.

The government has also established a key advisory group to advise on directions and programs that should be undertaken to progress reconciliation measures. A number of other innovative programs have also been undertaken, including the Families Project in Port Augusta, which works with families in particularly difficult circumstances to try to minimise the need for formal government intervention. It is important that programs such as these continue to make practical inroads in removing impediments for Aboriginal people that might have arisen due to past official policies. It remains important, however, that the whole subject of reconciliation is approached with a spirit of goodwill. Unless both Aboriginal people and non-Aboriginal people approach reconciliation with an eye to the future and a willingness to compromise, the importance of these practical programs will be undermined and the reconciliation process will falter.

In my Address in Reply contribution to this parliament in 1997 I indicated that I personally was sorry for what had occurred to the Aboriginal people, but I also indicated that we had a lot to be sorry about. We ought to be sorry about the way the Chinese people who migrated to this country at the time of the gold rushes in Victoria in the last century were treated. We had a lot to be sorry about in respect of the way the Kanakas, the island people who were brought here to work in the sugarcane fields of Queensland in the last century, were treated. We had a lot to be sorry about in respect of the way boat people who had endured incredible hardship en route to our shores were subsequently treated on arrival by other Australians. We had to lot to be sorry about in respect of drug and alcohol abuse in our community which has had a particularly gross impact on the Aboriginal community. In fact, as a country we have a lot to be sorry about. The Aboriginal community is one of those groups that deserve our apology, but the whole issue needs to be kept in perspective in terms of all this great country has endured since its very beginnings tens of thousands of years ago.

I also with heavy-heart look with caution at the army of lawyers, accountants and so-called professionals on both sides of the Aboriginal issue who, while purporting to help the Aboriginal community, have profited enormously during debates over land rights and a whole range of other issues. I just wonder whether there are some elements in our community who are still abusing the Aboriginal community today whilst pretending to help them, or at the very least are still profiting at the expense of the Aboriginal community. I hope that those people do all that they can genuinely on behalf of the Aboriginal community and not in the spirit of self interest.

Reconciliation is about a shared commitment to finding a way which promotes a real future for all South Australians without losing sight of the lessons of the past. This government will continue to support and lead the reconciliation process, and I encourage every South Australian to take that journey with the Aboriginal people. I support the member for Florey's motion and commend her for bringing it before the House.

Mr ATKINSON secured the adjournment of the debate.

PARLIAMENT, GYMNASIUM

Mr ATKINSON (Spence): I move:

That access to the parliamentary gym be granted to members who sign a waiver undertaking not to bring any action in respect of damage owing to a trainer not being present in the gym or to the age or the condition of the equipment.

The parliamentary gym has old but serviceable equipment. It has a bike, a narrow sloping couch for sit-ups, four weight machines for the shoulder muscles, arm muscles and chest muscles, and dumbbells of various weights. It is not a state-of-the-art gym, but it was good enough for me and the Hon. Julian Stefani, the members for Playford and Reynell and the Chairman of Committee's driver. The Minister for Minerals and Energy no longer uses the gym, by my mind sometimes wandered into speculation about where he had performed his routines. I used the gym three or four times a week for 45 minutes a time. I read the advisory charts on the wall and, by following their advice, avoided any injury or strain. After months of using the gym I felt as physically fit as I did at the age of 21. Even the member for Playford's spread was arrested. Not once did the equipment put me at any risk or appear to be wearing out.

When I visited the Victorian parliament, I rushed for the gym, which contains a sauna, an electronic bicycle, an electronic rowing machine, weights and showers. When I visited the New South Wales parliament, I called on the member for Hurstville for the sole purpose of obtaining his key to the gym and then luxuriated in its swimming pool and sauna, challenged myself on its electronic treadmill and struggled with the massive array of choices on its first-class weights complex. It also has squash courts. The New South Wales parliament's gym had been expanded after the death of a young MP owing to a heart attack. I was happy to return to our gym because, although it was modest, it has enough equipment to keep any regular user fit, and the lack of choices compelled me to use every piece of equipment.

I was astonished and then disappointed when the Joint Parliamentary Service Committee locked the door of the gym. No member of the JPSC to whom I spoke, except the Speaker, said that he or she supported the decision. I formed the impression that most members of the JPSC felt coerced by yet another bodgie Crown Law opinion and the remarks

of people at the meeting who were not members of parliament. Crown Law advised JPSC that it might be liable if a user of the gym were injured in the gym. And why would JPSC be deemed to be negligent by the courts? According to Crown Law, the courts might make the finding because JPSC did not provide a full-time trainer to supervise gym users. This is repugnant to commonsense and owes much to American, rather than British and Australian negligence law.

I then wrote to the Speaker and asked if JPSC could give me the key to the gym if I signed a waiver in a form drafted by Crown Law. I was told that Crown Law could not draft a waiver tight enough. I offered to draft a waiver in terms similar to this motion and sign it, but that was not good enough.

Debate adjourned.

[Sitting suspended from 1 to 2 p.m.]

PROSTITUTION

Petitions signed by 220 residents of South Australia, requesting that the House strengthen the law in relation to prostitution and ban prostitution related advertising, were presented by Ms Maywald, Mr Scalzi and Ms Stevens.

Petitions received.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Human Services (Hon. Dean Brown)—

South Australian Council on Reproductive Technology—Report, 1998-99

By the Minister for Education and Children's Services (Hon. M.R. Buckby)—

AustralAsia Railway Corporation—Report, 1999
Department of Education, Training and Employment—Report, 1999.

PUBLIC WORKS COMMITTEE

Mr LEWIS (Hammond): I bring up the 125th report of the committee, on the committee's site inspection tour of 15, 16 and 17 March, and move:

That the report be received.

Motion carried.

The Hon. J.W. OLSEN (Premier): I move:

That the report be published.

Motion carried.

The SPEAKER: Before calling questions, I advise the House that any questions for the Deputy Premier will be taken by the Minister for Education and Children's Services.

QUESTION TIME

FLINDERS MEDICAL CENTRE

The Hon. M.D. RANN (Leader of the Opposition): Given the Premier's announcement in 1998 that a 50 bed mental health unit would be constructed at the Flinders Medical Centre, can he inform the House why, two years later, work on these urgently required beds has not even started? I know the Premier made the announcement and wants to answer it and not divert it to his friend and rival.

The SPEAKER: Order!

The Hon. M.D. RANN: In a glossy taxpayer-funded brochure sent to every single household in South Australia in 1998—we all remember it—the Premier announced the construction of a 50 bed mental health unit at the Flinders Medical Centre to be completed by February 2000, February this year. The project was then announced for a second time, of course, in the 1998-99 budget and, although the completion date of February 2000 has passed—

The Hon. G.M. Gunn interjecting:

The SPEAKER: Order, the member for Stuart.

The Hon. M.D. RANN: —it has not gone to the Public Works Committee. Not one single brick has been laid.

The Hon. DEAN BROWN (Minister for Human Services): First, I will explain the reason why we have not proceeded so far with that.

The Hon. M.D. Rann interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: As the honourable member would know, I ordered a complete review of the role that Glenside should play in mental health. There was a proposal at one stage that Glenside should close, and it occurred literally a very short time after I became minister. As a result of further information sent to me, I asked for a complete review of all that assessment, and that led to the announcement of the clinical review.

Ms Stevens interjecting:

The Hon. DEAN BROWN: No: the clinical review was announced last year and has been proceeding. As the honourable member knows, I have referred in this House to the clinical review being undertaken last year, involving very wide consultation. In fact, part of the final summation of that clinical review involves a meeting that is proceeding at this very moment.

Members interjecting:

The SPEAKER: Order! The minister is entitled to be heard in silence.

The Hon. DEAN BROWN: If the leader was well briefed, he would realise, first, that the clinical review is being carried out; and, secondly, that the Brennan report was examining the implementation of that clinical review. As he told this House only yesterday, in fact, that review is meeting with a whole range of mental health specialists this afternoon. Therefore, the leader should go out and get more information before raising issues in this House.

Ms Stevens interjecting:

The SPEAKER: Order! The member for Elizabeth will come to order.

STATISTICS

The Hon. G.A. INGERSON (Bragg): Can the Premier advise the House of the role played by the Australian Bureau of Statistics in providing important statistical information which can then be analysed by government to assist in determining its policy? Recent ABS figures have indicated that key economic indicators in this state are on the upward trend; these include exports, up 17.4 per cent; motor registration, up by .6 per cent; unemployment, down to 7.9 per cent; and dwelling approvals continuing to grow at a stronger rate than in any other state. Does the ABS provide information on movements in population?

The Hon. J.W. OLSEN (Premier): It appears that the ALP and the opposition have got it wrong yet again, and it is becoming an increasingly repetitive trend: wrong, wrong and wrong! The member for Peake is at the top of the class

in relation to this trend. Yesterday, during question time, the member for Peake accused me of making up figures. He refused to believe that interstate migration had fallen dramatically in recent years. I can understand why the member for Peake would not want to believe it, because we now have population growth and are turning around the population decline resulting from the incompetent days of the former administration.

It seems that, during the dinner break last evening, the member for Peake was busy doing some research. Last night he returned to the chamber with some startling news: that he had checked with the ABS and discovered that, in fact, they did not produce any statistics regarding interstate migration. That is what the member said last night after he had gone away and done some research. I was somewhat disturbed about these allegations, so I myself did a bit of research. It seems that the member for Peake has made a fundamental mistake; in going to the ABS to get some information, he telephoned Adelaide Brake Service. For the information of the member for Peake, Adelaide Brake Service is different from the Australian Bureau of Statistics. If the honourable member had actually checked with the Australian Bureau of Statistics, they would have been happy to send him a copy of ABS publication 3101.0, 'Australian demographic statistics', which gives this information.

The publication is produced on a quarterly basis and includes details of all interstate migration. Once again, the member for Peake has been caught out. All I can say is that Theo will be pleased because, every time the member for Peake gets up in this Houses and makes fundamental claims that are proved to be absolutely, fundamentally wrong and false, we will let his constituents know. I can understand a bit of colour draining from his face at the mention of Theo and what he might be able to do in that seat. What have we got? We have been away from Parliament for 4½ months, and the best the opposition can do is get it wrong, recycle it, copy it or confuse it.

In the past three weeks we have seen a party that has it wrong on GST implementation costs. Remember that? That was wrong. It also got health spending wrong, along with population figures, the Cheltenham Racecourse and the Flinders Medical Centre. Also from the Leader of the Opposition we had Greencorp, and that was recycled—

Members interjecting:

The SPEAKER: Order! The House will come to order. There are too many audible interjections from both sides of the chamber.

The Hon. J.W. OLSEN: Then, Mr Speaker, we had the chocolate cake stunt. Do you remember that? The leader was going away to eat a bit of cake Tuesday! He was confused. Then there was the opening of the Penneshaw desalination plant; they got that one confused as well. The honourable member asked for actual figures, and I am happy to oblige. In the three years to September—

Members interjecting:

The Hon. J.W. OLSEN: The member for Peake asked for some figures. I am happy to give them to him if he would like to listen. In the three years up to September 1999, 84 000 people chose South Australia as their home. That represents an increase of 10 000 people on the previous three year period. That is how we turned the population drain to a population gain for South Australia. In that respect, every South Australian who owns a home is a beneficiary, because we have seen the turnaround in economic activity such that everyone who owns a home has had its value increased by 9 per cent in the city and 8 per cent in the country. So, every South Australian is a beneficiary of the economic policy direction of this government.

Members interjecting:

The SPEAKER: Order, the member for Bragg!

Members interjecting:

The SPEAKER: Order! The members for Bragg and Stuart and the Leader of the Opposition will come to order.

Honourable members: Hear, hear!

The SPEAKER: Order! I do not need assistance from members with cries of, 'Hear, hear!' around the Chamber.

MOUNT BARKER PRODUCTS

Mr HILL (Kaurna): Can the Minister for Environment and Heritage confirm that, prior to next Monday's EPA announcement concerning the future of the Mount Barker Foundry's licence, EPA officers this week have been briefing businesses in the Mount Barker industrial zone, advising them that the licence will be approved, and will he say whether these briefings were arranged with his or the Premier's knowledge or consent? Yesterday, in response to my question about the future of the Mount Barker foundry, the Premier said that the matter is currently before the EPA. He said:

> I am sure the honourable member is not suggesting that I interfere in any way with the processes before the EPA.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I will seek information from the EPA. Those briefings have not been raised with me. I will get some information and get back to the honourable member.

EMERGENCY SERVICES

Mr SCALZI (Hartley): Will the Minister for Police, Correctional Services and Emergency Services inform the House of the increased funding provided by the government to emergency services?

Mr Atkinson interjecting:

The Hon. R.L. BROKENSHIRE (Minister for Police, Correctional Services and Emergency Services): As the member for Spence said, yes, I can inform the community, as a result of this good question, what has been happening as a result of a real commitment to look after emergency services and the people providing them in this state. In answer to the member for Hartley's question—and I appreciate his interest in emergency services in his electorate—

Mr Conlon interjecting:

The SPEAKER: Order! I warn the member for Elder.

The Hon. R.L. BROKENSHIRE: I appreciate the member for Hartley's interest in emergency services in his own electorate and around the state. I am delighted to advise that this weekend we will be announcing round two of the emergency services and community groups grants program. This is on top of the first grants program, which was announced only about a month ago, when $501 000 was contributed to 130 different emergency services groups and organisations. These particular opportunities for individual organisations and groups were never available previously because, as we all know, we had been under funding emergency services for at least 20 years.

To give an example of good work that is now occurring in the community to support the volunteers with their work, in the last program funds were provided to the Red Cross to assist with the installation of smoke alarms for the elderly and

the disabled. We also saw a significant fund approved to the Country Fire Service to support a program directed at encouraging and developing opportunities for women into the CFS. We have to be very serious about this, particularly in rural and regional South Australia, if we are to ensure that the CFS maintains its effectiveness for protecting life and property. Another example was in remote South Australia where a number of CFS and SES units and brigades received very valuable satellite phones in order to help them perform rescues and emergency services in outback South Australia.

I know that the Labor Party supports what this government is doing, although you would not believe it if you read some of the very untrue and very deliberately slanted material that it pedalled around during the few months when parliament was not sitting. I will talk a little more about that in a minute. I would particularly love to do so if the Leader of the Opposition would stay in here for more than two questions. He walks out and leaves his colleagues to try to back him up. However, where is he when we are seriously talking about looking after life and property? The Leader of the Opposition is nowhere to be seen, unless of course you happen to pick up an *Advertiser* and, after not seeing the Leader of the Opposition for four months, you see—

The SPEAKER: Order! The minister will come back to the question.

The Hon. R.L. BROKENSHIRE: Members on the other side said it was important that we consider other groups that were not receiving sufficient funding, such as surf lifesaving. In fact, the member for Kaurna said that he was very pleased that surf lifesaving would now be funded by the emergency services. I am delighted to say that surf lifesaving has now received $440 000. Of course, the member for Taylor (who supported this legislation) spoke out in support of the Royal Lifesaving Society. I know that the member for Taylor would be pleased to know that, under the grants program released a month ago, the Royal Lifesaving Society received a grant of approximately $5 000 to allow it to conduct surveys of the hazards within the Murray River and also to develop educational material on the issue around safe swimming and education with respect to safety on the Murray River.

Out of the $501 000 allocated in round one, two-thirds of that money went to groups outside the metropolitan area. The CFS received strong support, as did the SES, Volunteer Marine Rescue and also St John. As I have said, this coming weekend we will announce that the second round of these grants will be available, and I would particularly encourage all the volunteer based organisations to apply for this round of grants. This $1 million a year, which is being allocated for individual organisations, brigades and units, will give them a genuine opportunity to catch up on that enormous backlog of business cases that have been collecting dust for a couple of years.

We, unlike the opposition, have not been sitting on our hands over the past four months; we have been getting on with the job. We have seen an $18.5 million development to spend on capital works throughout those organisations that are so badly in need of them. We have seen policies being developed for volunteers. We have seen policies being developed in relation to risk management and comprehensive strategic planning. We are integrating a holistic approach to strategic planning across all the agencies and, most importantly, we have been able to develop this grants program to further assist the volunteers, the core of the emergency services, to keep up the work that they have been doing for so long and, up until now, in an under funded situation.

RACING CORPORATISATION

Mr WRIGHT (Lee): Why did the Minister for Recreation, Sport and Racing tell the House last week that all the state's racing clubs have agreed to rules about the government's proposed corporatisation of the racing industry, when this is not the case? The opposition has a copy of correspondence to the minister from the Gawler and Barossa Jockey Club, stating that the club has concerns about the structure and does not support it. The letter states:

> The club feels that it is important you know that we do not support the South Australian Racing Clubs Council in its dealings on this matter.

It goes on to state:

> . . . Gawler is concerned that the deal seems to suggest total support from the clubs. Certainly in our case this is not so. . .

Last night the Gawler and Barossa Jockey Club confirmed to me again that it still does not agree with the government's model of the corporatisation of the thoroughbred racing industry.

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): I will clarify for the honourable member that it is not the government's model: it is the industry's model. Before coming into the House today I checked with the officers whether or not the statement I was making was accurate, and I was advised that it was. I will check the information and get back to the honourable member.

EDUCATION REVIEW

Mr HAMILTON-SMITH (Waite): Will the Minister for Education and Children's Services inform the House on community views on truancy, the school-leaving age, teacher registration and home schooling that have arisen out of the consultations undertaken as part of the legislative review? At a recent school council meeting at Unley High School in my constituency it was very apparent that parents and staff are most interested in these issues, particularly the issue of truancy.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): What is very clear is that this government is getting it right with education and training, and I would like to deal with some of those achievements. We are a party of directions and fully funded actions, but the opposition is still in a policy-free zone. We talk about government achievements; well, let us look at them. With local school management we have seen a 40 per cent success rate in the first round. But what is Labor's line? Labor's line is, 'Parents beware; don't get involved with your children's future.' On the GST, all 'Mango Mike' can do is eat the cake trotted out by the member for Taylor, but do they know what is his faction—or perhaps that should be fraction? Let us look at the school-leaving age. Through the education review, we are consulting on our school-leaving age, but what has the opposition done? Over there, once you have reached Labor's use-by date you are over the hill. Maybe it is Kaurna Hill. In relation to literacy, this week we found out that the member for Taylor can at least read the tax office booklet.

Mr FOLEY: I rise on a point of order, sir. Is there a standing order that will save a minister from embarrassing himself? I think we should find one.

The SPEAKER: Order! There is no point of order.

Members interjecting:

The SPEAKER: Order! The Minister for Education and Children's Services.

The Hon. M.R. BUCKBY: As I said, on the matter of literacy, this week we found out that the member for Taylor could read the tax office booklet—well, the questions, anyway. She could read the questions. Let us look at teacher registration. Ours is a professional approach to teachers' registration, not like the Labor sign-up fiasco at Coober Pedy. Let us look also at vocational pathways. The question is: 'Who on that side of the House will need retraining soon?' Maybe it is the member for Ross Smith. I refer to class sizes. There is a seat for all valid enrolments in our system, but I do not think the same can be said for the Labor Party machine—again just ask the member for Ross Smith.

Mr ATKINSON: On a point of order, sir, standing orders require that ministers answer the substance of the question. The question is about the South Australian Education Department and not about the opposition party.

The SPEAKER: I only uphold the point of order in relation to your reference to Labor Party policy matters within the party. It is not the substance of the question and I ask the minister to come back to the question asked.

The Hon. M.R. BUCKBY: I thank you, Mr Speaker, for your advice. I finish on this note. We on this side of the House are innovative, forward thinking and making it happen in education, not like the reminiscing and sinking into a policy free zone that is happening on that side of the House. They are always in the wrong place at the wrong time for the wrong reasons. There you have it: www.opposition.

Members interjecting:

The SPEAKER: Order, the member for Schubert and the member for Waite! We will get on with question time when you are settled down and ready for it.

CAMBRIDGE, Mr J.

Mr ATKINSON (Spence): What action was taken by the Premier when it became evident that the former Chief Executive Officer of Asian Business, John Cambridge, failed to declare a conflict of interest when lobbying the Education Adelaide Board, of which he was a member, to guarantee that the former tax office in King William Street would be filled with overseas students by the three universities? Mr Cambridge, at the time of this particular Education Adelaide meeting in November 1998, was a co-director of a company with Mr Harry Tu, the Sydney based manager and shareholder in the Zhong Huan Group that had purchased the former tax office for redevelopment as overseas student accommodation.

In September last year the Premier told this House that Mr Tu became a director of Mr Cambridge's shelf company because he was told that he should belong to a South Australian based company. However, Mr Tu was already a director of several locally based companies, including the Zhong Huan (Group) South Australia to which the Premier himself referred in a letter he wrote in November 1998. The education minister has just advised the opposition that Mr Cambridge did not declare any personal interests to the board of Education Adelaide.

The Hon. J.W. OLSEN (Premier): It has taken three weeks before the Labor Party has reverted to type. We have seen that today: three weeks of question time and missing the mark. We were waiting for something like this because the media told us today that you were going to run a line of questions of this nature, and they have been proved right today. I have nothing further to add than the answers I gave to the Parliament last year on this matter.

YELLABINNA REGIONAL RESERVE

The SPEAKER: The member for Stuart.

Mr Conlon: These are the sort of answers you gave on Motorola.

The Hon. G.M. GUNN (Stuart): Well, you've never given a sensible answer in your life.

The SPEAKER: Order! The member for Stuart has the call.

The Hon. G.M. GUNN: Will the Minister for Minerals and Energy inform the House of the rehabilitation project in the Yellabinna regional reserve and the government's continued commitment to mining in this state? The House would be aware that this government has promoted the mining industry, unlike members opposite who are only agencies for the Conservation Council when—

The SPEAKER: Order!

Mr HANNA: Point of order, sir.

The SPEAKER: Order! The honourable member does not need to take a point of order. The member for Stuart's question strayed totally into comment.

The Hon. W.A. MATTHEW (Minister for Minerals and Energy): I thank the member for Stuart for his question and I am well aware of his strong interest in this region, as he represented it for many years. I am also aware of the strong interest of our parliamentary colleague the member for Flinders. The Yellabinna Regional Reserve is an area that brings this government particular pride, and the Minister for Environment and Heritage and I are especially proud of recent developments there. A project to rehabilitate the Yellabinna Regional Reserve is well on track.

Some members of the House may be aware that the reserve, which is 80 kilometres north-west of Ceduna, was declared a multiple use regional reserve in 1990. Prior to proclamation of that reserve, a number of mining exploration activities occurred, and they were not effectively rehabilitated. As a government, we want to ensure that, where mining activity occurs and where that activity is completed, effective rehabilitation quickly follows. Rehabilitation work is now being undertaken at the reserve via a joint project between the Minerals and Energy Division and National Parks and Wildlife South Australia. Some $50 000 is being injected into the project and it is expected to be completed in June this year. Effectively, the project has included the removal of drums, the filling in of sumps, the removal of protruding drill casings, the closure of open drill holes, and the closure of surplus dead-end tracks by ripping and signposting.

It is an example of this government in action to ensure that, where mining activity has occurred and appropriate remediation has not been undertaken, such remediation follows. By the same token, where new mining activity occurs (and this government is determined that that will happen), appropriate remediation occurs alongside it. That contrasts fairly significantly with the no-mining policy that we have seen in evidence from the Labor Party for many years. If the Labor Party had had its way, Roxby Downs would never have occurred.

Mr Foley interjecting:

The Hon. W.A. MATTHEW: The member for Hart, in his advisory role to the former Labor government, would have done his level best to stop mining activity from occurring. If the Labor Party had its way, Roxby Downs would not be there. We all know that the mine at Roxby Downs is used as an excellent example around the world of what can occur with responsible mining activity. It is also an excellent

example of how mining activity can significantly add to our economy. There is no doubting that the activity in the Roxby Downs region significantly helped to keep our state afloat after that lot on the other side did their bit with the State Bank and all other areas of mismanagement.

The closest the Labor Party has ever got to the mining industry in this state has been its own role in mining or should I say undermining that it keeps doing within its own ranks. The only shafting that has occurred with the Labor Party has been that of each other—

The SPEAKER: Order!

The Hon. W.A. MATTHEW:—within their own ranks.

The SPEAKER: Order!

The Hon. W.A. MATTHEW: The member for Ross Smith knows all about that.

The SPEAKER: Order! The minister will not shout down the chair. I bring him back to the substance of his reply.

The Hon. W.A. MATTHEW: By contrast, this government is one that supports sustainable mining activity in this state and, in doing so, it is intent on ensuring that appropriate rehabilitation occurs of areas. We are doing our level best to take that through.

Members interjecting:

The SPEAKER: Order!

GOODS AND SERVICES TAX

Ms WHITE (Taylor): Given that the Minister for Education was unable to answer any of the five questions asked this week about the GST and public schools, can he now explain his contradictory statements about GST on pens and pencils? On 29 March the minister told the House:

> We know that many items such as pens, pencils and paper will not be GST taxable.

On Tuesday this week, the minister told the House:

> As I said the other week, where a student purchases, leases or hires equipment, pens or pencils, etc., it will be taxable.

The Hon. M.R. BUCKBY (Minister for Education and Children's Services): Last week in the House I said:

> We know that those fees which are directly attributable to education resources and which are used by children in their normal schooling are not GST rateable.

That is true. As I said, items that are consumed or transformed as part of a normal subject of studies—for instance, wood used in woodwork—will not attract GST. I also said:

> Hiring a musical instrument and those sorts of things will be subject to GST.

That is true. All items sold, hired or leased will be taxed—for example, uniforms, text books and sports equipment. I also said last week:

> School excursions will not attract a goods and services tax as long as they are attributable to the subject that is being studied.

That is true. Trips, camps or excursions that relate directly to the subject being undertaken will be GST free. I said that purely leisure activities will be taxed. It is true that the GST legislation states that recreational activities—for instance, where a school goes on a skiing trip, which is not related to a subject whatsoever—will be taxed. With reference to the materials and services charge, I said:

> It depends what it covers.

That is true. As I said, items that are transformed or consumed in the delivery of educational subjects will be GST free. But those items bought by a student from Target, or from the school, which they own and can take home will be taxed. So, to clarify this matter, a pen or a pencil that becomes the property of a student will be taxed. Where the item remains the property of the school it will not be taxed.

HOSPITALS, FUNDING

Mr MEIER (Goyder): Can the Minister for Human Services detail to this House how the government is continuing to upgrade equipment in our state's hospitals? Within the last 24 hours I have been informed that three hospitals in my electorate are to receive new electric beds in replacement of many of their old manual beds. Those hospitals are: Balaklava Soldiers Memorial Hospital, 12 new beds; Central Yorke Peninsula Hospital Incorporated, 16 new beds; and Port Broughton District Hospital and Health Service, 10 new beds. Can the minister inform the House whether similar service or equipment upgrades are to be provided to other hospitals in the state?

The Hon. DEAN BROWN (Minister for Human Services): It is a commitment of this government to ensure that the equipment in our hospitals is up to the best international standards and, as a government, we have made a great commitment over the last 6½ years to achieve that aim, as I have highlighted in the last couple of days. We saw that one way of dramatically improving the efficiency of the hospital system was to install all electric beds and, in fact, that decision has now been made. The tenders have been called, and we are to provide 980 electric beds for use in the public hospital system of South Australia. That will bring about a dramatic improvement in terms of the efficiency of nursing staff in using their time within the hospital system.

I do not know whether members are aware that with an old manual bed, if you want to adjust a patient, raise a patient in their bed, or something like that, invariably you need two, if not three, nursing staff: you have to lift up the patient to a sitting position, adjust the back of the bed, put in the cushions and lower the patient down again, and to do that invariably takes three nursing staff. When we looked at how best we could try to improve the efficiency of the operation of the hospitals, we saw electric beds as the best way of doing it. The other problem we found was that we were getting increasing numbers of back complaints, and therefore WorkCover claims, as a result of heavy lifting within hospitals.

So, we have taken this decision to invest $2.4 million of capital funds into providing 980 electric beds to bring all the hospitals and aged-care facilities under state government control up to their average day occupancy level. This is a dramatic step forward. I know the extent to which the hospital staff are absolutely thrilled with this decision. In fact, it came out of a discussion I had at Millicent with staff from a group of hospitals in that area. The staff said that of all the capital improvements they would like carried out the most important would be the upgrade of the old manual beds. Therefore, the hospitals will be able to either upgrade old manual beds with electric motors or, where that is inappropriate, buy new electric beds.

The new system will allow the patients themselves to adjust the bed if they so desire. It will make a dramatic improvement where the patient needs to be turned over or needs to get out of bed; the beds rise and fall so they can lift their knees, they can lift their feet, they can lift their head and they can lift their back. A whole range of adjustments can be made very quickly, indeed. In fact, 530 of these beds are going to country areas and 450 to the metropolitan area; for

example, in the Hills-Mallee area, 95 electric beds are being purchased; in the Wakefield area (which covers the member for Goyder's electorate) 77; the Mid North 85; the Riverland 63; the South-East (from where the suggestion came) 65; and Eyre Peninsula 75. I can imagine they will be celebrating at Elliston hospital, which has a small number of acute patients but quite a large number of dementia and high dependency aged-care patients. Elliston hospital will be getting 25 electric beds and Tumby Bay will be getting 21 electric beds. Finally, 70 beds will be purchased for the northern and far western regions. I am sure that many nursing staff today will have a broad smile on their face as they hear the news that all the old manual beds will by the end of this financial year be out the window in terms of everyday use.

CAMBRIDGE, Mr J.

Mr ATKINSON (Spence): What steps have been taken by the Premier to investigate media claims made in February this year that the Department of Industry and Trade has purchased thousands of dollars worth of wine over the past three years from Rose Park Cellars in Norwood which records reveal is owned by Mr Stephen Yen, the managing director of a Singapore based company New Toyo International?

New Toyo International has employed the Department of Industry and Trade's Chief Executive Officer, Mr John Cambridge, as a paid director since January 1997. Mr Cambridge admitted to the media in February this year that he had assisted Mr Yen to purchase a wine business in mid 1997. It is understood that the Department of Industry and Trade has purchased thousands of dollars of liquor from Rose Park Cellars in the past three years and that Mr Cambridge himself purchased $195 worth of gifts from Rose Park Cellars on his government credit card in October 1997.

The Hon. J.W. OLSEN (Premier): I am sure that department, like many, purchases from a range of outlets—no single outlet at all. I refer to the previous question from the member: the inference was that he had just had a reply from the education minister. The fact is, as it relates to the previous question, that the reply was given to the opposition back in November 1999. But did members notice the way in which it was packaged? It is as if it was only yesterday that they got the answer. I will refer the question to the minister responsible.

WATER, ARTESIAN

Mr WILLIAMS (MacKillop): Will the Minister for Water Resources say what this government is doing to protect the artesian water supplies in the Kingston, Lucindale and Beachport areas in my electorate?

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank the honourable member for his question and for his ongoing interest in the matter of water. I also thank other members on this side of the chamber for their interest in the matter of water. Artesian water in particular is a resource that is most valuable to this state. It is one that must be husbanded and one that can, above all other water resources, be least easily replaced. In the South-East we have identified, as the honourable member knows, in the Kingston, Lucindale and Beachport areas 120 wells that require rehabilitation, for two reasons—either the casing between the subartesian aquifer and the surface in many cases is deficient and leaks, causing leakage from the subartesian into the higher aquifer; or, in other cases, the water is pumped up in quantities that is simply not needed and is, therefore, wasteful. Therefore, there will be a $2 million project to address this matter; the state government has contributed $1.1 million, the National Heritage Trust the balance. It is expected to take 10 to 13 years to complete the project.

A steering committee has been established, made up of landholders in the area, plus relevant departmental staff and the Chief Executive of the South-East Water Catchment Management Board to devise the best possible scheme to enable the project to succeed. This is another example of this government's working with the community for the good of the environment. Landholders will receive from the national heritage fund the full cost of plugging a well. Landholders will be given a further 30 per cent subsidy for the construction of a replacement well and can obtain a loan from the government, at a minimal interest rate, for the remaining 70 per cent. There are those who say that for some people—especially graziers who are battling because of sheep prices—this is insufficient. It has been demonstrated that, by taking a three inch bore and, in effect, plugging it, and replacing the—

An honourable member interjecting:

The Hon. M.K. BRINDAL: The member opposite should not talk about bores, because if ever there is a place where there are many free-flowing bores it is on the benches opposite.

An honourable member interjecting:

The Hon. M.K. BRINDAL: It is, indeed, true: you've learnt that for the past seven years, and you'll learn it for the next four. You'll never get anything other than second prize on that side. A project officer has been employed for two years. As I was saying, by taking a three inch bore, putting a one inch bore down the middle and capping on the sides, many people will be able to move from an inefficient bore to an efficient stock bore virtually at no cost. This is an excellent project. It is thought through by and with the community. The government and the natural heritage trust have committed funds and, what is more, some of that water is estimated to be 30 000 years old, and at the end of this project will not be wasted. It will be husbanded and conserved not only for the good of environment but for the future good of this state. I note that members opposite look disinterested, and well—

Mr Atkinson interjecting:

The Hon. M.K. BRINDAL: I hope the member for Spence is correct, because water is an issue that should cross boundaries, does not affect just our party and is an issue on which we expect less rhetoric and more support.

CAMBRIDGE, Mr J.

Mr ATKINSON (Spence): My question is directed to the Premier. Did our state's Singapore trade representative, Mr Tay Joo Soon, have any involvement whatsoever in arranging a state government assistance package in 1998 for the Singapore based company, New Toyo International, for its manufacturing plant in Adelaide? Was anyone aware of Mr Soon's pecuniary interests then or now? Mr Soon became a $2 million shareholder in New Toyo International after it was floated on the Singapore Stock Exchange on 1 January 1997—

The Hon. J.W. Olsen interjecting:

Mr ATKINSON: Mr Tay's boss, then, the Chief Executive Officer of the Department of Industry and Trade,

Mr John Cambridge, became a paid director of New Toyo on 1 January 1997. New Toyo was provided with a $150 000 state government assistance package for its manufacturing operation in South Australia in 1998. The opposition has been advised that the government was not made aware of Mr Tay's pecuniary interests because declaration of interest needs to be made only by those employed under the Public Sector Management Act.

The Hon. J.W. OLSEN (Premier): I suggest that the opposition stop wasting the time of this House. You are asking exactly the same questions of the responsible minister in the upper house: you should leave it at that.

GLENELG WASTE WATER TREATMENT PLANT

Mr CONDOUS (Colton): Will the Minister for Government Enterprises advise on the future of the Glenelg waste water treatment plant?

Mr Wright interjecting:

The Hon. M.H. ARMITAGE (Minister for Government Enterprises): Wrong again!

Mr Wright interjecting:

The Hon. M.H. ARMITAGE: Guilty! I thank the member for Colton for his interest in the Glenelg waste water treatment plant and, more importantly, its future. Yesterday, the findings of a feasibility study were released. That feasibility study had been going on for some time and it had been commissioned early last year by a consortia which included the Patawalonga Catchment Board, local councils, the Local Government Association, SA Water, and so on—a number of stakeholders. The results of that feasibility study demonstrate (as may have been expected) that it is technically feasible to reuse about 25 per cent of the waste water produced by the Glenelg waste water treatment plant on a variety of parks and reserves in the local area, and indeed putting a big pipe back up to the Adelaide City Council area and watering the parklands, all of which is very laudable, but it would in fact require a capital investment of a significant amount and in the order of $40 million.

This outcome of reusing about 25 per cent of the waste water, unfortunately, falls well short of the government's target of a 50 per cent commitment to waste water reuse. I also understand that the report operates on the assumption that the Glenelg waste water treatment plant will remain in its present position. I have to say that that is a short-term solution—and it is a good one, if it is not too expensive, and that is a matter for argument—but I am not convinced that it is in fact the best long-term solution and I am not certain that it is the best long-term strategy for waste water management, particularly in the southern areas of Adelaide.

And so, just as we have done with the Port Adelaide waste water treatment plant—and I know the member for Lee is so supportive of the government's efforts, as he indicated a minute ago—that is, we have fixed a longer-term problem with a longer-term solution in the Port Adelaide waste water diversion project, I think it is possible that the economy, the community and the environment can win if we adopt a longer-term solution in the Glenelg area as well. So, I have tasked SA Water to come up with a five to 10 year blueprint for long-term waste water reuse in the southern suburbs, instead of committing to a project which, first, will not achieve the 50 per cent reuse target and, secondly, is very expensive for the outcome.

I think it would be an excellent outcome for South Australia in general, but suburban Adelaide in particular, if the five to 10 year blueprint showed that there was a possibility of closing both the Glenelg and the Christies Beach waste water treatment plants, agglomerating the work which goes on there into a more appropriately placed plant further down in the southern area and then, more appropriately, locating that plant and then seeing a huge amount of reuse of that water in the Southern Vales where, obviously, we have such great opportunities in the wine industry, horticulture, and so on; opportunities for our economy, the community and job creation.

If that job outcome is possible—and that is what that the study that SA Water is now engaged in will tell me—it would be a waste of $30 million to $40 million in the Glenelg waste water treatment plant to achieve a short-term solution. It would be sunk capital, which would mean that the Glenelg waste water treatment plant would have to keep going in what is perhaps its inappropriate present location. This demonstrates that we have a commitment to the environment, because all this would see a huge diminution of water that is discharged into the gulf. As I told the House recently, the Port Adelaide waste water treatment plant sees an 1 800 tonne reduction in the amount of nitrogen that is discharged into the gulf. All those sorts of things show that we have been getting on with the game. Over the past three weeks when we have been making those announcements about the future infrastructure for South Australia over the next 50 to 80 years, what have our opponents been doing? As they indicated, before parliament came back they had a 4½ month interregnum to come up with some insightful questions to put us on the rack.

Mr ATKINSON: I rise on a point of order, sir. The question was about waste water treatment plants, but the minister is now talking about the opposition's policy.

Members interjecting:

The SPEAKER: Order! I will not uphold the point of order, but I will ask the minister to start to wind up his reply.

The Hon. M.H. ARMITAGE: I take it, sir, that I should also have mentioned that I know that the Speaker would have been very interested in the future of the Glenelg waste water treatment plant—

The SPEAKER: Indeed.

The Hon. M.H. ARMITAGE: —so I apologise for not mentioning that before. Despite the 4½ month break, my immediate infrastructure opponent came up with only one question after that time. That one question was about a desalination plant—

The SPEAKER: Order! The minister is now straying from the substance of the reply.

CAMBRIDGE, Mr J.

Mr ATKINSON (Spence): Will the Premier give an unequivocal guarantee to this House that at no time during the 17 month period between November 1997 and March 1999, when the former CEO of Asian Business, Mr John Cambridge, undertook 14 separate taxpayer funded trips to Singapore, he spent any of that time working for the Singapore based New Toyo International, of which Mr Cambridge is a paid director; and will the Premier say what protocols are in place to ensure that this does not occur? Mr Cambridge has been a paid director of the Singapore based New Toyo International since 1 January 1997. The Premier told parliament in November last year that he had considered and then rejected a proposal to rent an apartment for Mr Camb-

ridge in Singapore, even though Mr Cambridge spends 'some 50 per cent' of his time in Singapore.

The Hon. J.W. OLSEN (Premier): This is the fourth duplicate question to have been asked here and in another place. It is important to understand that the Labor Party's tactic on this, in collaboration with the *Australian*—given the series of questions that have been asked by the *Australian* newspaper and Carol Altmann in particular—is to work together on this list. The first question relates to an answer we gave you five months ago. Other components have already been responded to and the tactics clearly are that you ask a minister in the upper house and you ask me in this House and next week you compare the two answers to see whether you can get something slightly different between the two.

The responsible course of action is that, if you have a question related to an issue and a portfolio, you ask the minister and, appropriately, I will refer your questions to him to duplicate, so there will not be a duplication of what you are doing. One would have thought that the opposition in this place would have sufficient substance to be able to develop their own questions related to this House and the ministerial responsibility in this House. It would not have precluded the opposition from asking this series of questions of the appropriate portfolio minister, the minister to whom the act and responsibility is designated in another place. Clearly you try to have a bob each way.

PREPARED TO WIN PROGRAM

The Hon. R.B. SUCH (Fisher): Will the Minister for Recreation, Sport and Racing indicate how successful the Prepared to Win program has been in attracting international athletes to come to Adelaide and South Australia as part of their pre-Olympic training?

The Hon. I.F. EVANS (Minister for Recreation, Sport and Racing): Members would be aware from previous questions and statements to the House that the government has had a very successful program called 'Prepared to Win' that has been attracting Olympic teams to this state in preparation for the Sydney Olympics. A number of athletes and teams are now confirmed to be in Adelaide and South Australia during the August-September period this year. We are pleased to announce today that the latest team to confirm is the Spanish team, which will be bringing around 100 athletes, which is about 90 in its athletics team and about eight to 10 in its diving team.

That brings the total now to around 1 000 athletes and officials coming into the South Australian area, Adelaide in particular, for training during the August-September period. That brings us to around 18 to 20 countries that will be here enjoying the hosting of South Australia and enjoying our particularly good facilities. A common theme in talking to overseas competitors and their coaches is about the quality of our facilities in a city of this size. They cannot believe the world-class facilities we have in this town.

One of the highlights of the pre-Olympic training will be the 11 African nations that are coming to Adelaide for training. About 600 people from those particular countries will be here. It is part of an Olympic program called the 'Olympic Training Centre', a program that assists athletes from developing countries to go to the Olympics so they have the opportunity to compete at the highest level. Originally the way we connected with this group was through our thinking of getting schools and communities to home host the athletes to reduce their cost and therefore giving more of them a better opportunity to compete. When we spoke to the Olympic organisers we discovered the existence of the Olympic Training Centre and Adelaide was lucky enough to win that program, so we will have 600 participants from the African nations here and involved in that training event, which will be a great community exercise because we will be able to bring in school children and community groups to be involved in watching them train.

The Russian team also has confirmed, involving about 130 people, and it will bring some of its big gold medal chances, particularly in gymnastics. The member for Hart should be able to enjoy a pleasurable community event at the Adelaide Entertainment Centre when the Russians will, hopefully, let the community come and watch them train. It has been a successful program and we are delighted that the Spanish have joined an ever increasing number who will be coming to Adelaide.

YELLABINNA REGIONAL RESERVE

The Hon. I.F. EVANS (Minister for Environment and Heritage): I seek leave to make a ministerial statement.

Leave granted.

The Hon. I.F. EVANS: As indicated to this House yesterday, I am required under the National Parks and Wildlife Act 1972 to report at least once every 10 years on each of the state's seven regional reserves. The Yellabinna Regional Reserve was established in 1990 and covers some 2.5 million hectares and is located over 800 kilometres northwest of Adelaide, north-northwest of Ceduna and south of the trans-Australian railway. The Yellabinna dunefields of Yellabinna Regional Reserve are the largest relatively unaltered mallee community in South Australia. This mallee eco-system includes salt lakes and has high heritage and conservation values, and conserves endangered species and animals found nowhere else in the world.

In establishing the Yellabinna Regional Reserve the Government of the day recognised that wildlife conservation should be the major use of this land, while permitting the utilisation of the natural resources. This classification therefore provides a mechanism to develop cooperative partnerships for the sustainable use of the land.

A review of the Yellabinna Regional Reserve was completed late last year and I have pleasure in tabling it. The report confirms that biodiversity and landscape values have been protected while some useful mineral exploration has been undertaken. Yellabinna Regional Reserve overlies part of the western Gawler Craton and, over the past 10 years, exploration within the reserve has been ongoing, with peaks of activity early in the decade and again in the past four years. Management of the reserve has largely met the objectives of the ecologically sustainable use of resources.

The land is important for Aboriginal people, both in terms of pursuing their traditional practices and the presence of significant Aboriginal heritage sites. Tourism is relatively low but the reserve is becoming attractive for adventure tourism. Better data gathering and improvements to management will continue to be a priority and I am therefore pleased to announce that a management plan for the reserve is being prepared. It is important to remember that, without the regional reserve classification, we might not be able to

provide a conservation framework for this landscape, and this report confirms that the challenge has been successfully met.

The review report therefore recommends that the Yellabinna Regional Reserve remain a regional reserve as classified under the act at least until the next review. In accordance with section 34A(5) of the National Parks and Wildlife Act 1972, I present the report on the use and management of Yellabinna Regional Reserve.

GRIEVANCE DEBATE

Mr SNELLING (Playford): I rise to speak about the How to Drug Proof Your Kids program which has been established in my electorate and which I took great pleasure in helping to establish. I attended an information meeting about the program a few months ago when it was being set up. The program runs on Thursday nights over a number of weeks and the information evening was well attended by many parents from the Valley View High School and the Para Hills High School. As much as it pains me to have to congratulate the Port Adelaide Football Club on something, I feel that I do have to congratulate the Port Adelaide Football Club, Russell Ebert and a number of players who turned up at that information evening.

Port Adelaide Football Club is establishing a program whereby the players go out to schools to provide role models for students to lead a drug-free lifestyle. The information evening was attended by Port Adelaide Football Club players and by Mr Russell Ebert and, as I said, it was very well attended. The program is an initiative of the Inter-church Chaplaincy Support Group. Various churches in my electorate support a chaplain at Valley View High School and at Para Hills High School, and this How to Drug Proof Your Kids program is its initiative.

The main mover of the program is Pastor Trautwein of the Good Shepherd Lutheran Church in Para Vista, and the program was put together by a group called Focus on the Family. It is a preventive program designed to empower parents to stop their children from getting onto illicit drugs. Whilst it is true that not all kids are always able to be drug-proofed as such, the program has been shown to be extremely effective in giving parents the skills they need and to teach them how to be on the lookout for the signs that indicate that their children are experimenting with illicit drugs. It also teaches them what to do if they notice those signs.

I was greatly encouraged by the initiative when Pastor Trautwein came to see me because of my work on the heroin rehabilitation trial select committee. One of the themes before that committee was despair that the war on drugs had been lost and that we were powerless to do anything about it. This program does quite the opposite, and seeks to empower parents and give them the skills to help them to prevent their children experimenting with and becoming addicted to illicit drugs. It is a great initiative. There are plans to expand it into other schools around the area, and I would encourage other members if they come across the program—if they are approached to support How to Drug Proof Your Kids—to give it their full hearted support.

Mr SCALZI (Hartley): Today I wish to reflect on the forthcoming Easter holiday break—and I know that the House will rise temporarily before the Easter break. We are all aware that this is the year 2000. There was a lot of build-up to the millennium bug, but nothing eventuated, and we had the Christmas-new year holiday break. Of course, we all know of the carnival atmosphere at the Oakbank races. Easter is a special time for many families. Although Australia is a society where religion and state are separate (and that is the way it should be in a democracy), much of the population claim to be Christian, and the influence of Christianity is certainly present. Whether the celebration of Easter takes place next week, as Palm Sunday is this week, or the week after with respect to the Orthodox, all Christians see Easter as the most important time of the Christian calendar. I believe it is important to reflect that.

Sadly, Easter can also be a time when we record the highest crash rates and traumas in the state. It seems that not much thought goes into planning for long trips interstate over that three or four day break and, at times, sadly, for many it becomes a very traumatic time because of what happens. We also know that Easter is a time when young children focus on Easter eggs, and there is a lot of expectation there. As I said, we should do our utmost to prevent the crashes that occur and the trauma that results over this holiday period. I am glad that we do not talk about accidents anymore; rather, we talk about crashes, because the use of the word 'accidents' implies that they somehow cannot be prevented. I like the word 'crashes', which shows that they can be prevented. I am a member of the Joint Committee on Transport Safety, which has looked at a lot of the issues involved. I certainly believe that the terminology that is used these days is much more apt and accurate, and I believe that it will go a long way in trying to bring about the right attitude to reduce that unnecessary carnage on our South Australian roads.

We are also aware that this is the year of the 2000 jubilee for Christians: the 2000th birthday of Christ. There will certainly be many celebrations associated with that. I know that the Catholic Church is very much into the organisation of the year 2000 jubilee and, of course, that is occurring in other places around the world.

I want to bring to the attention of the House that this holiday period is not just about holidays, shopping or Easter eggs: it is also a time of reflection and, regardless of our religious or spiritual background, it is important to reflect on the time that we can spend with our families and, hopefully, drive safely and enjoy the holiday period.

Time expired.

Ms KEY (Hanson): Today I would like to talk about concerns that have been raised with me about our current workers' compensation system. Last night in my contribution on the Supply Bill I talked about the problems that have been raised and, in fact, the rorting by employers with regard to the bonus and penalty scheme and how we are only just starting to uncover the millions of dollars that have been put aside with regard to secondary and primary injuries of workers.

Unfortunately, there are a number of other issues that need to be addressed. I am extremely concerned that the current minister (the Minister for Government Enterprises) has still not seen fit to take up some of these issues. Many of the issues that I am about to raise were, in fact, raised with Minister Ingerson and Minister Brown, and here we are with Minister Armitage—who, for some strange reason, has retained the Workcover portfolio—and the issues still remain. One of the areas that needs to be looked at, in my view, is the workers' travel allowance. It was gazetted in 1989 as 25.6¢ per kilometre and remains well below the average. This allowance needs to be increased. If workers live or work outside South Australia, they could easily find themselves not

covered under the state's Workers Rehabilitation and Compensation Act, even when the employer is registered in South Australia and the worker is employed by that branch. The territorial provision of the act needs to be amended. This issue has been raised directly with Minister Armitage a number of times. It is of particular concern for workers in the transport industry, especially interstate drivers, and commercial travellers. What happens is that they end up with no coverage just because they are carrying out their work, and it is quite outrageous that the government still has not addressed this issue.

The other area of concern is section 113 of the act, which deals with the deeming provision for hearing loss: that is, the last place of employment is deemed to be responsible for the hearing impairment. WorkCover is proposing to place the onus of proof on the worker as to where the hearing loss occurred. This proposed amendment is inspired by the fact that WorkCover was beaten very seriously in the Supreme Court recently regarding a hearing loss matter, and it now has jumped into action to obtain advice on how it can further make life difficult for workers with a hearing loss. Again, as much as this area needs to be looked at, in my view, I am very concerned that it seemingly jumped into action because it has been proven wrong in the courts.

Much discussion has taken place in this House about lump sum payments for psychiatric disability, which includes anxiety, depression and stress. This is an entitlement that was withdrawn, resulting in workers with this type of disability not being compensated for permanent impairment. This entitlement should be reinstated, as I have argued a number of times in this House, and, indeed, as has my colleague the Hon. Ron Roberts in another place. We believe that workers' entitlements to a lump sum need to be looked at. We are concerned about regulation 16a and footnote 5 with regard to a 100 per cent lump sum, irrespective of the number or extent of the injuries that a worker has sustained.

Other concerns have been raised—and again, I have raised these a number of times with Minister Armitage but to no effect. Our act is called the Workers Rehabilitation and Compensation Act but, if you are unfortunate enough to be injured or if you have a health problem associated with your work, your ability to be rehabilitated is pretty slim. This is made worse by the fact that the worker's right to choose their rehabilitation provider is seriously under threat and, in many cases, by the time the worker tries to actually represent themselves or be represented about the sort of rehabilitation program they believe would suit their injury or illness, there is a long wait in the courts before a decision is made about the rehabilitation to be provided and who will provide that rehabilitation.

Deep concerns are raised also about workers who have the misfortune of being injured, who lose their jobs and who are not able to find suitable employment after being sacked from that work. These are the concerns I wish to raise.

Mr LEWIS (Hammond): I am increasingly disturbed by the number of instances occurring these days of agencies of government, in particular, but not excluding employers generally having their services and their materials used by people working for them without authorisation from that employer, whether a government agency or a private sector employee, to pursue a political agenda of their own liking and their own choosing. Whether or not it is during work time is beside the point: the fact remains in my judgment that it is wrong, especially if government agencies are involved.

It is even worse when state government funds are then used to defend what turns out to be miscreant activities undertaken by such people. Let me illustrate the point. In February 1999, a group of firearm associations, including Paintball SA, produced a book which gave their responses to the Hon. Ian Gilfillan's Firearms Act Amendment Bill. As part of that book, Paintball SA gave a list of those business houses which had used paintball facilities as a recreational pastime for their employees. I do not mind whether or not people wish to use paintball. That is not the point.

I come to that point now. On 14 March the office of Gun Control Coalition in South Australia, under the signature of its chair, Ms Elizabeth King, sent a letter to several business houses stating that their name had been used by what she called the 'gun lobby' to promote the fight against Mr Gilfillan's proposed legislation. On 30 April 1999, Kelly & Co., acting for Paintball SA sent a letter to Ms King at the Gun Control Coalition. However, on 10 May a letter was received from the Department of Human Services stating that a Ms Kylie Schulz (who is a solicitor working in the legal services branch of the Department of Human Services) would be handling the matter on behalf of Ms King.

On 1 June a letter was received from Kylie Schulz from the Crown Solicitor's Office within the Department of Human Services stating that she represented Injury Prevention SA Inc. which was not involved. The original letter is written under the letterhead of 'Gun Control Coalition', not 'Injury Prevention SA Inc.'. On 29 July 1999 a letter was received from Ms Schulz and signed under the name of 'Crown Solicitor' stating consideration of an apology being given by Ms King. On 4 August a compromise was reached between Kelly & Co. and the Crown Solicitor's Office concerning a letter that was to be sent to all business houses which had received Ms King's original letter, expressing clarification of the use of the business names in Ms King's original Gun Control Coalition letter. I have copies of those letters. I also have copies of the letters sent by Ms King in response to the letter she received from Kelly & Co.

I want to know who authorised the use of the Crown Solicitor's Office to represent the Gun Control Coalition. Have any government funds been given to support the Gun Control Coalition in any way? Why does the Crown Solicitor's Office represent the Gun Control Coalition? On how many other occasions has the Crown Solicitor's Office given advice to the Gun Control Coalition and, if so, for what fee or consideration? Why did Ms King's supervisor not stop this outrageous misuse of taxpayers' funds? What will the minister do to stop further misuse of taxpayers' money? Those questions are very pertinent. Government has no part whatsoever in the Gun Control Coalition. Yet the Gun Control Coalition has had free legal advice and representation from the Crown Solicitor's Office at taxpayers' expenses for its own foolish actions.

Another matter to which I drew attention just recently illustrates the same point. That was the instance of Ms Parsons, working for Burnside council, on Thursday 30 December 1999 at 12.31 a.m. sending out an email to several business houses. That email, which Ms Parsons admits she wrote, states:

> It has come to my attention that your company is directing advertising towards a sporting shooters organisation. I have ethical concerns with such a group and, accordingly, when our field staff [meaning Burnside City Council] need to renew batteries—

and this email was addressed to the 'batterybloke' on Prospect Road—

> I will make a point of not dealing with your company.

If that is not using threats and menaces, I do not know what is. It continues:

> I ask you to reconsider the ethical implications attached to advertising indiscriminately.

I ask her to do the same.

Time expired.

Mr HILL (Kaurna): I would like to issue a warning to citizens of South Australia regarding the goods and services tax, especially those citizens who have something on lay-by at the moment. One of my constituents sent me a copy of a letter which was forwarded to her and her daughter from The Disney Store (Australia) about a lay-by they had. I will read extracts from the letter and my constituent's comments, and then raise some issues. The letter states:

> Dear Sir/Madam, Due the implementation of the goods and services tax on 1 July 2000 we wish to inform you, our valued guest, that any outstanding lay-by purchases not cleared by 30 June 2000 will incur a 10 per cent GST on the new and adjusted purchase price. The additional GST charge will be applied to your lay-by on your next payment following 30 June 2000. Please note that the charge for GST may be offset by the removal of the wholesale sales tax already included in your original purchase. We encourage you to finalise your lay-by payments in full prior to 30 June 2000 to avoid any confusion or concern on your behalf relating to your original lay-by purchase.

My constituent wrote:

> Dear Mr Hill, I enclose a letter sent to myself and teenage daughter which I find offensive. Secondary to the fact that the GST is an immoral and unworkable tax, it is surely illegal to alter the price of goods once lay-byed. Please read the letter and let me know what you think.

I have read the letter and I have contacted Disney as well, and no doubt Disney is doing what any other number of firms would be doing—and I do not condemn Disney for doing this. It is probably quite wise of them to notify their customers, if they are correct. If they are correct, it means that, if you go to a lay-by shop before the end of the financial year and put something aside worth $1 000, on which wholesale sales tax or any other taxes may or may not have been paid, and you pay, say, $900 on it before the end of the financial year, so that you have one payment of $100 left in the next financial year, you will not only have to pay that $100 but also have to pay a GST on the whole value of the goods. If the goods are worth $1 000 that is an additional $100. That seems to me to be blatantly unfair and possibly illegal, as my constituent said. Surely, the goods in your name, which are being held by the store, have gone through the processing already and to start changing the tax arrangements, as my constituent said, seems to be somewhat immoral and possibly illegal.

It may be that there is wholesale sales tax deduction so it may be in the best interests of the customer if that arrangement applied; I cannot say. But I think that in this case citizens should be aware that, if they have a lay-by, they should check to see whether it is in their interests to pay it off before the end of the financial year or they could cop an additional burden. I did contact the staff at Disney but they were not able to tell me whether the GST or WST would be greater on the lady's watch in this case. They did say that they were telling all their customers to get out of the lay-by before the end of the financial year and that they were closing down their lay-by system to introduce another system so that nobody, they believed, in their store would be caught in any great way.

In conclusion, I refer also to the leafy sea dragon. Earlier this week, the Minister for Environment—who is trying to cast a new image for the government in the green movement—announced that the leafy sea dragon would be South Australia's piscatory, aquatic emblem. Certainly, this is something which the opposition supports. We argued and advocated that well before the last state election.

It is part of our policy, and it is an appropriate thing to have happen. It is unfortunate that the minister was not generous in saying that we had supported it but, nonetheless, it is something he has done. I am therefore interested to read into the record an email I received today from Mr Andrew Bowie, who tells me that the leafy seadragon as a protected species in South Australian waters is in some danger. He said:

> It is difficult to be sure, but it is probably fairly uncommon in the wild. The breeding colony under the Rapid Bay jetty has been known about and photographed since at least the 1970s and, to my knowledge, is the only colony that there is any easy public access to in the world. Jacques Cousteau and David Doubilet (*National Geographic*) are among those who have been there solely to photograph the seadragons.

He goes on to tell me about it. The point is that I understand this jetty is in danger of being pulled down. The government has been asked to provide a relatively small amount of money for its refurbishment, and it has said 'No' to that. As Mr Bowie says, this is a shortsighted waste of a unique and irreplaceable resource. I would therefore say to the new minister, who is trying to prove his green credentials: do something about this problem.

Mr VENNING (Schubert): For me and the people of my electorate, 27 June will be a special day, as it will be the occasion of the first official visit of the new Minister for Water Resources (Hon. Mark Brindal), and I am pleased that the minister will be available to meet with members of my constituency and the public and talk about the water issue. In the main, the electorate of Schubert is booming on several fronts, namely, its economy, employment and quality of life. It is almost like paradise, I would suggest, although I admit that there are areas that continue to struggle. However, in the main, things are very good, and they have been good for some five years now. However, it will not go on forever if one most important and vital issue is not addressed—that is, water. The Premier himself has said that water will be the gold of the future, and this definitely is the case in my district, particularly in the Barossa Valley. We have seen massive new vine plantings throughout the region and with the existing infrastructure we will have a serious problem if we do not act very soon. Work is progressing, and the matter is being very capably managed with a view to remedying this very serious problem, and those efforts being made have my full support.

The Barossa is literally running out of water, both in quantity and quality. When we are talking about the Barossa's water problem, we must bear in mind that the larger issue is the condition of the Murray River. The condition of the river and its environs are at a cross-roads, and this Liberal government has shown national leadership on this issue. The Murray's problems affect the Barossa in two ways: first, the filtered water now supplied to most Barossa households comes from a brand new filtration plant at Swan Reach, and people certainly appreciate that. If I think my stocks are flagging in the electorate, I just remind people to turn on their taps: it has marvellous results. A new project will be discussed with the minister on 27 April, involving a group of

people, the BIL group—vignerons, mainly—who will fund a new system to get unfiltered water into the Barossa from the Mannum to Adelaide pipeline, pipe that water through new infrastructure to the Warren reservoir and from there construct a new system right throughout the whole of the Barossa Valley to supply unfiltered water to the vineyards.

Saving the filtered water for the townships in the Barossa in itself has problems, because in the recent hot weather many of our towns, particularly those towns and houses in the high areas of the valley, ran out of water. That is a very serious problem, and the government has two ways of solving it: we either supply more water to homes in the Barossa or we supply an alternative source for the vineyards. Of course, that is possible through the Barossa Infrastructure Limited (BIL) group, which is endeavouring to fund the whole system itself, amounting to approximately $43 million. The synopsis is out there, and that will be discussed by the minister as well. This is a great idea and the only option that gives us a rosy future in the Barossa in relation to maintaining and even promoting further vineyard plantings in our pristine Barossa Valley.

It is a great concept, and I only hope that the government can assist in the final hours of bringing this project about, because I believe that there is no other option. Because water in the Warren reservoir is stained by the undergrowth in the hills of the region and the Barossa Ranges, it cannot used, as you cannot filter out the colour. However, it would be a valuable reservoir in the centre of this system, as it would be able to supply the surcharge tank for the new BIL system. Also, I believe that Warren reservoir would be a magnificent recreational lake. The Minister for Tourism might like to visit that area one day and see its potential. There is tremendous tourism potential in that area. The Premier has been a true crusader, ably supported by his new minister, Minister Brindal, in leading the charge to bring the other states to a round table conference with such promising initiatives resulting from it. Minister Brindal is the man to handle this problem, and he has my full support. I look forward to his visit on Thursday 27 April. I promise him a very interesting day, and I am very pleased that he has agreed to address a public forum on issues affecting the area, particularly that involving the local catchment board.

Time expired.

TOBACCO PRODUCTS REGULATION (EVIDENCE OF AGE) AMENDMENT BILL

The Legislative Council agreed to the bill without any amendment.

WATER RESOURCES

Mr LEWIS (Hammond): I seek leave to make a personal explanation.

Leave granted.

Mr LEWIS: In the first instance, I refer to an article appearing in the *Advertiser* of 12 April, under the by-line 'MP wants barrage to stop evaporation'. The article, by Catherine Hockley, refers to 'saving the Murray', and, whilst in the main it is factual, it misrepresents my explanation to Ms Hockley in that it states:

> According to Mr Lewis, who is on a parliamentary select committee inquiry into the River Murray and whose electorate of Hammond borders the waterway, this would stop more than 700 000 megalitres of water from evaporating in the large expanses of the lower lakes.

Then it quotes me as saying:

> So much water is being wasted at the moment.

I did not say it would stop the water from evaporating: I merely said that it would stop the water which was evaporating from being taken from South Australia's entitlement flows and have that water replaced by high tide ingression into the lake system, where necessary, to bring it up to level—whatever level that was. Further on in the article, it states:

> The proposal has been criticised by a Goolwa group which says it would affect the local industry and the environment.

Whilst that is true, I pointed out that it would not be detrimental, because the funds obtained from the sale of the water would ensure—and that was not published—that no cost would accrue to them.

The DEPUTY SPEAKER: Order! The member for Hammond is commencing to debate the subject.

Mr LEWIS: Only where I am misrepresented, do I seek to rectify the record. I did not say that the existing barrages would be removed: they would remain. Nor did I say that the irrigators would be denied water: they would receive reticulated water supply from the new proposed barrage to be erected in these circumstances at Wellington, and reticulated to them through, I said, cheap, durable large diameter soft-walled pipes and stored in-lake in floating reservoirs.

GOODS AND SERVICES TAX

Mr LEWIS (Hammond): I seek leave to make a personal explanation.

Leave granted.

Mr LEWIS: An article in today's *Advertiser*, under the by-line 'Stamp of GST on bills and charges' seeks to point out that, as a result of my absence at a regional development conference in Whyalla yesterday, I embarrassed the government. I place on record that, as I have explained to my party whip and to other members of the House, had I been here I would have voted, not against the amendments to the GST legislation, but as I stated in the *Hansard* record of last week's proceedings I would vote for them. It was for that reason and for other reasons, and the complexities related to this matter, that I sought to have no pair.

MEMBER'S LEAVE

Mrs GERAGHTY (Torrens): By leave, I move:

> That three weeks leave of absence be granted to the member for Price, Mr De Laine, on account of ill-health.

Motion carried.

SPORTS DRUG TESTING BILL

Adjourned debate on second reading.

(Continued from 6 April. Page 838.)

Mr WRIGHT (Lee): The opposition supports this bill. This is a good bill and a step in the right direction. It is also a relatively straightforward bill. I have been advised by the minister that the Office of Recreation and Sport has consulted widely, and from the industry groups with whom I have met I am happy to confirm that that is certainly the case. This creates an environment at a state level which says 'No' to drugs. This bill complements federal legislation and allows the Australia Sports Drug Agency to use its powers at the

state level. It is my understanding that similar legislation exists in New South Wales, the ACT and Victoria.

The Australian Sports Drug Agency currently has the responsibility of testing national athletes. This bill will broaden their testing capabilities and will allow them to test at a state level. They will be able to test all athletes who are in open state teams or squads, representing South Australia in an open competition, or are members of a team competing in an open national league. In addition, all scholarship holders at the South Australian Sports Institute will fall under this umbrella—and correctly so. The government has in the bill a provision under which individuals under the years of 18 will need the consent of a parent or guardian for the drug testing.

The Australian Sports Drug Agency is the only agency in Australia approved to undertake sports drug testing of athletes. Critically, the testing can be done in and out of competition. It is important that I point out to the House that, as important as it is for testing to be done during competition, it is just as important—perhaps even more important certainly in some sporting areas—for testing to be done out of competition. When we talk about 'out of competition', quite often it is the use of anabolic steroids for strength and power which can give athletes an unfair advantage. It is very critical that the drug agency can test athletes not just while competing but out of competition as well.

The Sports Drug Testing Bill 2000 provides better coverage for drug testing and doping methods. This bill sends a message to athletes that success does not come from taking drugs or cheating, but rather comes from hard work and discipline. And that is the way it should be; that is what sport is all about. It creates an environment and it creates the correct environment. Drugs in sport have the potential for the ruination of sport, and I will give a few examples.

Sport is now very big business in a range of areas. The economies that ensue as a result of sport are wide ranging. Unfortunately, this week we have seen an example of this, although it was related not directly to drugs but to gambling. It is big business, whether it involves cricket, athletics, or whatever. As a result of a sport not maintaining its correct ethics, we have seen sponsorship dry up. We may also see examples of particular sports or athletes being involved in drugs and the money trickling down to the various sporting organisations drying up, because quite often much of the money is generated at the apex level—at the top of the pyramid. It is important that that money is passed on to the various sporting organisations and community groups to ensure that our young people become involved in sport. Quite often it is the elite level that is responsible for the income that is generated as a result of the sport.

One example of that is AFL football. There are many examples, but take the AFL, the effect that it has in South Australia on the South Australian National Football League and the money going into the clubs. The clubs and the South Australian National Football League put money into community groups for community sporting teams. Of course, this all leads to involving young people in sport, and that is what sport is all about. We want a very broad base and we want all our young kids, males and females, to be involved and actively participating. We want to give them broad exposure. We want them to participate in physical activity because we know that it is good for their health, it is good for them socially and it is also good for them to mix with people.

All of this is critical and very important and something which we really need to highlight and on which we need to have some meaningful influence. This bill will do that because we must have sport clean of drugs. If we do not have that, it will also have an effect on parents and their children's participation. We can never and must never rest on our laurels. We must always be vigilant when it comes to drugs in sport. As a nation, we do as much testing as anyone else. Not only must we continue to do that but also we must have an influence on drug testing throughout the world.

Australia is in a privileged position in so many ways. We must ensure that we are the leader in this area; that we are clean in Australia, that we lead by example; that we educate and influence other nations around the world, some of which do not have a clean record (and ours is not totally clean, either); and that we play a pivotal role. I know (and I am sure the minister and others would concur) that the next big step forward will be blood testing—testing for EPOs and human growth hormones. These cannot be detected through the urine, and EPOs can be responsible for turning a state athlete into an international athlete, or an elite athlete into a super athlete. An increase in EPOs increases the haemocyte levels; that is, it increases the number of red blood cells which in turn increase the oxygen carrying capacity, resulting therefore in a huge increase in performance and endurance.

This must be the next big breakthrough. At this stage I think only cycling, cross-country skiing and maybe triathlon are blood testing their athletes. It is my understanding that we are not at a stage where our method of detection is good enough and that we can have a foolproof system with regard to the blood testing. However, we are not far away—and nor should we be. That is an area where athletes will abuse the system. I look forward to Australia and South Australia (as I know we will) playing a key role in ensuring that we are involved in any development in that area.

We must do everything in our power to stamp out drugs. If we want sport to move successfully into this millennium and to retain its status, its popularity, its appeal, its entertainment and the good health of our kids, sport must be clean. We do not want a repeat of the East German situation of the 1970s. We do not want to see American gridiron players dying from cancer and liver damage. What a shame it was when in the 1970s we had East German swimmers primarily, but other athletes as well, cheating and winning gold medals, quite often depriving Australians and other athletes of what was rightly theirs because of drugs.

We had a situation where athletes, as soon as they joined the team and followed the training model set up by the East Germans—just like it was part of the training program to do their repetitions, whether it be in the pool or on the track—not only did their flexibility exercises and their weight work, but also took the bucket of pills.

That was just a part of the system. Now what do we find? We find that those athletes who were involved in that system in the early 1970s are now suing the government, and rightly so. Some would say they had a choice and perhaps we could argue that, but it is said that they had largely no choice, because of the system that was put in place back in the 1970s which saw East German athletes unfairly and immorally win gold medals because of the advantages they were getting from the drugs that were an automatic part of their system. Lisa Curry Kenny and Raelene Boyle are two who come to mind who missed out on gold medals, and there are many examples of people winning silver medals who clearly would have won a gold medal had the situation been clean. We do not want situations like that ever to occur again.

We are also appalled by the examples we hear about of American gridiron players who take anabolic steroids to bulk

themselves up and the potential cancer and liver damage that can and does occur as a result of this. These are the types of things that we must stamp out. The only way to stop drugs in sport is to have the most comprehensive and up to date drug testing procedures, in and out of competition. There is no other way. This is a step in the right direction, and I commend the government for this bill.

Ms RANKINE (Wright): Sport is very much an integral part of our lifestyle here in Australia; you only have to look at the enthusiasm last weekend as people went along to the Davis Cup match and the car racing and the excitement there is about the Olympics to see that. There are lots of stakeholders in sport; there are the competitors, but there are also our children, the supporters and the parents and volunteers who support sport in many ways. Parents and volunteers give up hundreds of hours every year to sport and its development. They are committed to providing a positive environment and healthy activities for their children. They make lots of sacrifices in doing that. I know as a parent the miles I drove taking my boys to their hockey matches and the hours I spent out in the cold very often early on a Sunday morning. I am not alone in that; many parents are doing exactly the same thing.

Sport provides lots of opportunities for people. It provides the opportunity to compete and to participate, to be part of a group, to develop a lot of social skills that would not otherwise be available, and most of all it provides fun. Our young people and children develop self worth; they learn about commitment and compromise, how to assess and understand their talents and how to overcome and compensate for any inadequacies they may have. They learn to strive for what they want, to set goals and go for them. They learn to cope when they do not always get what they want. They learn about helping and supporting other people and putting in when there are no obvious personal benefits. I see a lot of that out in my electorate with many of the clubs out there and in particular the Little Athletics clubs in Golden Grove and Salisbury East. When I go along there it is pleasing to see teenagers coaching the tiny tots and doing exercises and activities with them on Saturday morning. They are setting the standards for these young ones as they come through.

There is no doubt that our elite athletes and sports people become heroes to our children. We therefore have a responsibility to ensure that those who become the role models for our children are worthy. Again in my electorate we have had athletes come out of Salisbury and Tea Tree Gully such as Sean Carlin, Stuart O'Grady and Philip Rogers, and they participate enormously in programs with young people out there. They are great role models for young people, but too often we have been let down, as the member for Lee mentioned. I well remember the case of Ben Johnson. Then there was Flo Jo dying under such terrible circumstances, and then in the past week Hansie Cronje. Although that was not about drugs, I can imagine how the young people and cricket fans of South Africa are feeling in relation to his demise.

This bill provides protection for our top athletes. It is about competing on a fair basis. Above all else, sport must be fair. Competition should be about one human being testing themselves against another, not testing themselves against someone who has the latest and best drug they can pump into their veins. This bill provides the Australian Sports Drug Agency with the power to test athletes at the state level. Open state teams or squads or representatives of South Australia in open competition, the open national leagues and scholarship holders at the SA Sports Institute are eligible for testing. As the member for Lee said, it is important that it is in and out of competition, not just while they are competing. We remember also the instance when Ian Thorpe was away swimming in competition. We need to ensure that the procedures are above reproach. When other countries come here they need to have confidence in us, and this is an opportunity for us to lead the way in drug testing.

I am also pleased to see that the bill provides for the protection of athletes who are under 18 years of age and that they must have a guardian or parent supervising any tests undertaken with them. The penalties for taking drugs are high, and our athletes need to know that they are risking a lot. Not only is it their ability to compete; it is also their reputation and public humiliation. Again, if this last week was not a lesson to them, nothing will be. It is important therefore to ensure that our procedures are right. On the passing of this bill, those who are found to be using drugs here in South Australia will have no excuse. This bill is a strong and real message to all those out there that we will not tolerate drugs in our sport. It is a message to let them know that we want sport here in South Australia; we enjoy our sport here in South Australia, but we want clean, drug free sport now and in the future. I support the bill.

The Hon. I.F. EVANS (Minister for Environment and Heritage): I thank the opposition for its support and comments. As someone who has had a niece go through the Australian Institute of Sport, a nephew who is currently there and another niece representing Australia at volleyball, I realise the importance of this bill and am pleased that the opposition has supported it.

Bill read a second time and taken through its remaining stages.

Ms RANKINE: Mr Speaker, I draw your attention to the state of the House.

A quorum having been formed:

WATER RESOURCES (WATER ALLOCATIONS) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 11 April. Page 873.)

Mr LEWIS (Hammond): This bill has had a vexatious conception, arising more out of political desire and whimsy than out of genuine sound science. It distresses me to have to point out to the House that, as I understand it already, money has been sought from landowners for the issue of licences and that those funds are already in hand, even though there is no lawful structure through which to receive them until this measure comes into force. I am assured by the member for MacKillop, who is sitting on the front bench, that I am mistaken in that respect, and I certainly hope I am. I hope nobody is jumping the gun.

I have long had reservations about the approach we are taking in attempting to establish a legal framework through which to manage our water resources. I thought that what you, sir, did as minister was very good in the way in which you set out to ensure that all stakeholders had an opportunity to make their desires and anxieties about such legislation known to you and to other members of parliament in an open consultative manner, where they were not brow beaten or in any other way compelled to pursue one line of thought or

another, other than that which, from their own point of view, they believed would be in the best interests of the state.

The former member for Chaffey, Kent Andrew, did a very good job in that respect in chairing a large number and wide range of consultative meetings which you authorised. However, what came out of that was still less than adequate. It was as much as was achievable at the time and it meant that we did not therefore quite get what I guess we really needed, and that is largely because the former member for MacKillop did not bother to involve his constituents in the discussions about the consequences for them, or even about the impact any legislation might have on them—and I advise the current member for MacKillop that I am referring to the former member. In no small measure the member for MacKillop, my colleague on the other side of the pillar here, arrives in this place in consequence of the former member's ineptitude in dealing with these policy development matters. That summarises what most people believe was really the reason why the member for MacKillop got sufficient oxygen in political terms to get up, and I do not have a problem with that: it is the nature of politics.

Mr Hill interjecting:

Mr LEWIS: If that is the way it is seen. Now, however, the member for MacKillop himself has mistakenly overlooked a lot of the matters that need to be considered as they impact on prospective water users in industries which do not yet exist in other parts of the state but which are nonetheless affected by this law where those parts of the state are outside his own electorate or his experience of areas adjacent to his electorate. I am referring to areas in the electorate of the member for Gordon and perhaps in some of the southern parts of the electorate that I have the honour and responsibility to represent, namely, Hammond.

The former minister—not yourself, sir, but the present Minister for Aboriginal Affairs—was not able to make the necessary arrangements for the amendments of the type that we now have before us in the limited time that she had. She was distracted by the enormous range of work that had to be undertaken to address this vexed issue of legislating for appropriate controls and management of the valuable and precious resource of underground water in South Australia.

Against that background, I again make the kind of points I have made in the past but which have never won much currency, largely because people did not understand what I was saying.

The DEPUTY SPEAKER: Order! I apologise to the honourable member. Do the three members at the back have a point of order? I ask them to take their seats. The member for Hammond.

Mr LEWIS: I have said before that other communities and jurisdictions outside this country have consulted my opinion on water matters—underground as well as surface water and a combination of them—and I have been paid good money to provide that opinion in the specific circumstances in which it has been sought. I make that remark, because in this instance I am offering the same kind of opinions but not for any fee: maybe that is the problem. Where we see in the first instance on page 3 references to the need for a water allocation to be redefined, but there is no saving provision there, that is, there are no limits to be suggested or implied: it merely treats all underground water as underground water.

It ought not to apply to circumstances where the underground water has electro-conductivity exceeding 4 000 units. Such water would be absolutely useless for irrigation or even stock water—for any purpose at all. In fact, if you had tender skin as have some members here (or am I mistaken—maybe we all have thick hides) and washed in water that had high levels of sulphides in it, as does much of the water in this state, it would cause ulcers. Such ground water should not be the subject of this legislation. If someone wishes to withdraw it for purposes of reverse osmosis desalination for any stock, domestic or industrial reason whatever, they should be permitted to do so without restriction, without the need for a licence and without the necessity to pay anything or to fill out any bits of paper. It will not really affect the precious freshwater to which this legislation should address itself and which I bet, in the mind of all members up to this point in the debate, does address itself.

Because it does not explicitly state that saline ground water is excluded, then it is captured by the legislation. That is regrettable because it will slow down the use of saline ground water that could otherwise have been used as the source of water for reverse osmosis and slow down the use of saline ground water in the establishment of aquaculture enterprises. I refer here to Mulgundawa Salt in the hundred of Brinkley in my electorate, due east of Langhorne Creek (as you would know, sir, having represented that area before) and south of Murray Bridge, where they are mining the salt from the ponds on the surface from which the water is able to evaporate. They are selling it at a premium because it is not contaminated with anything that could otherwise arrive in the salt pan at Dry Creek and other solar evaporation pans at Barrow Island and elsewhere which may have contaminants from the ocean. It is ground water and it is free of those contaminants. That is why it is excellent for aquaculture and good for salt: because there is no risk of any disease, pathogen or parasite getting to the fish from the water source. It has been there for thousands of years and it is rising with the watertable as a result of those things we have been told about, such as removal of native vegetation and the construction of the barrages, lifting permanently the pond level of the lakes.

I am disappointed that I do not have the means by which I can convince anyone to include that provision, namely, that saline ground water greater than 4 000 EC units ought to be excluded from the provisions of the act. If the minister wanted to and if the salinity level in a given location were to be variable, I would not mind its being tested once every three or four months or once a year to ensure that it was not sometimes fresh and sometimes saline.

If we were to allow the use of water in that way, cutting slit trenches for aquaculture in the salt-scalded areas across rural South Australia, southern Yorke Peninsula, parts of Eyre Peninsula, areas of the Mid North, in my electorate and in the electorate of the member for MacKillop, we would open up the free water surface to evaporation and assist in lowering the saline ground watertable to the point at which there would be some chance of its helping to remove the salt scald from the surface soil sufficient to re-establish useful pasture and/or cropping land on such sites. We shoot ourselves in the foot by ignoring that, by making it difficult.

My next point is that a water (holding) allocation such as we propose to include in this measure does not have any time line on it. I do not think in the first instance that anyone ought to be allowed to get a water (holding) allocation unless they can demonstrate in that given hundred that they own land; or if they do not own the land that they have a share farmer agreement with someone who does and who gives them tenure; or that they have a lease over the land—and the allocation is then made to them once they can prove it. In my judgment, that provision needs to be retrospective to clear up

this mess that has already occurred where people who do not own land in a hundred and have no tenure or title on any land have been given allocations of water. Yet water does not belong to the land—not in any instance. It comes from above and it moves away, whether it runs on the surface or below the surface. It is only a matter of degree in the rate, not a matter of whether or not it will happen.

I also make the point very strongly that it should apply only to the surface aquifers, the so-called unconfined aquifers that are recharged from rainfall on the surface of those paddocks, sections and hundreds. If there is a second layer of ground water beneath a relatively impervious rock layer, that water should be the subject of the act in the way in which it is written now. That water has to be dealt with differently and separately from the water that comes as recharge to the surface aquifer. That water is clearly not the province, domain and property of the land-holder at present.

Therefore, the act is deficient in that respect, in that it does not distinguish between those aquifers that are created by permeation through the root zone to an impervious layer somewhere beneath the surface, which are referred to as surface aquifers, and those that may underlie those impervious layers and still yet be suitable. It is appropriate that the legislation should therefore also provide for the minister to define in any given hundred what the maximum depth of a bore can be according to the nature of the licence that is issued. That is not to be found anywhere in this legislation.

I believe also that the minister should have the power to say where the bore will be sunk, if a new bore is to be sunk, to ensure that cones of depression do not occur such as are already occurring in my electorate at Parilla, where there are too many bores in one hundred, all clustered together and all sucking out the water too quickly for it to move horizontally through the permeable rocks that are bearing the water and fill in the space that is left when the water is sucked out. In other places on this earth, in Arizona, and so on, I have seen photographs of where the land has subsided as a consequence of the ground water being removed by excessive rates of withdrawal from those soft strata.

The Hon. M.K. Brindal interjecting:

Mr LEWIS: There is excellent water at Parilla, and it is probably better than any underground water north of Tintinara anywhere in the state.

The Hon. M.K. Brindal interjecting:

Mr LEWIS: Over 50 000 megalitres of water is the annual rate of withdrawal permitted, and it will take 1 000 years to quarry the reserves that are there, given that they are over one kilometre deep, and that will cause a mean drop of 10 centimetres per year. For every 10 years that would be drop of a metre and every 1 000 years it would be 100 metres. And there is more than 100 metres of water-bearing strata underlying Parilla. If we were to quarry it, there would be 1 000 years of water there, and it comes not from the Murray or any of its tributaries but almost certainly from the Grampians.

I turn now to licences, and I make the point again that they ought to apply only to surface aquifers and not to under-surface aquifers in this roll-out of what is to provide existing land-holders with a permissible annual withdrawal, that is, the value that is ascribed to the amount that passes through the root zone. I share the same concerns about land use changes that have been articulated by other members such as the member for Gordon, and acknowledged by the members for Mackillop and Chaffey and even acknowledged informally in the lobbies by the minister and other members. I do not believe that is adequately dealt with here.

I believe also that the roll-out beginning now under this legislation is wrong because it gives the impression that it is in perpetuity, and it should not be in perpetuity. The roll-out should have provisions in the law that state that a land-holder has got five years to use it or lose it. If they have not used half of it within two years, they should lose half of it. If they have not used a further 25 per cent of it in three years, they should lose a further 25 per cent of their original allocation. And, if they have not used 85 per cent of what they were allocated all up within five years, they should lose the lot of it.

That would stop the people who hold this extremely valuable resource sitting on it and preventing others from getting access to it, given that it can contribute hundreds of millions of dollars to this state's economy. We will have the same mess that we had last century when we allocated land, either freehold or leasehold, in great slabs to people who did nothing more than shepherd sheep or cattle in appropriate places. That had to be resumed by the state government for closer settlement after the first and second world wars so that we could get benefits from that land other than just have livestock walking on it wherever it suited the shepherds or cowboys who looked after them.

I note that subsection (3) does not prevent a water holding allocation being transferred to another licence, whether held by that party or not. That ought to be stated. There is a very important part under that provision in proposed section 35A(10) where the section of the land to which the water is allocated should be specified on the title. It is a very important part: it ought to be in a caveat on the title but not attached to it. It should mean that you can then pump the water from that location and not necessarily put it on that land, but take it to somewhere else. That has to be the point of withdrawal, so that you do not get these huge cones of depression. You spread the exploitation of the basin across it but you can shift it to anywhere you wish to use it—on crops, or for whatever other purpose you wish to use it. I do not think that there ought to be title in perpetuity on the confined aquifer beneath.

The Hon. M.K. BRINDAL (Minister for Water Resources): I thank members of the House who have contributed to this debate in, I think, an intelligent and interesting manner. I note some of the genuine concerns raised by the members for Hammond, Gordon, MacKillop and, indeed, the member for Kaurna. I acknowledge the constructive approach of the opposition in dealing with what is a very important question: the management of a resource which, no matter which party is in power in this place or which decade we are talking about, will be important—and, in the future, probably even more important. This parliament is adopting a constructive approach to an important issue: that is to this chamber's credit and, I think, to the better governance of the people of South Australia.

In acknowledging those genuine concerns, I believe that members will move certain amendments to the bill and, to facilitate their doing so, I will later ask for a suspension of standing orders, because it is not possible in this House today to deal with the matters canvassed. I have undertaken to the shadow minister and to members that, within a workable time frame, having discussed this matter among ourselves in a more leisurely atmosphere, we can then look at good amendments to this act which need to be made for the betterment of the act and bring them back into the chamber

in a timely fashion that neither detains the House nor makes us guilty of considering legislation on the run.

I thank all members for their contribution and for their indulgence in this matter in realising that we perhaps do not have the best act we can come up with. However, I think that every act is subject to permanent review, permanent scrutiny and constant improvement. Members have accepted that, and I thank them for it.

Bill read a second time.

Mr McEWEN (Gordon): I move:

That standing orders be so far suspended as to enable me to move an instruction without notice.

Motion carried.

Mr McEWEN: I move:

That it be an instruction to the committee of the whole House on the bill that it have power to consider a new clause relating to a review of the act by the minister.

Motion carried.

In committee.

Clause 1 passed.

Clause 2.

Mr LEWIS: Can the minister say whether it was his intention in drafting this clause to capture all ground water? I am asking this question in connection with the matters I raised in the second reading debate. I refer, on the one hand, to the saline ground waters, which I have said ought not to be captured, and, on the other hand, to the fact that it ought not to include or address any of the deeper aquifers below the surface aquifer, often referred to as confined aquifers, but not necessarily confined (and 'confined' in this case means they cannot rise to their natural head, whereas in some instances that does occur; the impervious layer capping that deeper aquifer or aquifers is in fact at a relative altitude greater than the point of recharge some kilometres away, whether hundreds or thousands of kilometres). We all know that the Great Artesian Basin is confined and that many of our deeper aquifers in South Australia are confined, but not to the extent that they rise to the surface. They are sub-artesian. Did the minister mean to capture salty water with this provision and to capture the deeper aquifers in addition to the surface aquifer to which I think, and I believe, the legislation was actually addressing itself?

The Hon. M.K. BRINDAL: The Water Resources Act is an act of state parliament that covers all bodies of water in the state. The amendments are therefore couched in terms of 'all bodies of water'. However, the member for Hammond does make some important points which I believe need some consideration. Most of those matters are, in fact, addressed generally in terms of the plan. Generally, the water plan will differentiate between the unconfined aquifer and the confined aquifer. At present, it does not make a differentiation necessarily between saline waters and waters suitable for other purposes up to and including potable waters.

However, in speaking to the officers, there is no intent through the PAV process to be over waters that are saline and then to be able to trade saline waters for potable waters elsewhere in the hundred. I can assure the member for Hammond that the matters he raised are interesting and that the arguments he puts are compelling, but they are covered, as I understand, at present in the plan, although I give the honourable member my absolute assurance that we will look at these matters to ensure that they are adequately covered, if not at present, in the near future.

The member for Hammond raises the matter of the unconfined and the confined aquifer and the difference between the two. I must say that I agree absolutely with him. I do not believe that, if water is allocated on the basis of the rainfall in a particular area, that basis of allocation cannot give an automatic right to a quarrying of water that exists in a separate aquifer at a greater depth. The member for Hammond makes that point and makes it well. I assure the member for Hammond that I will clarify this matter properly, give him a considered answer and ensure that the two are not interchangeable.

Mr LEWIS: Would it be the minister's intention to do that soon? He did say 'in the near future', but I have been here a long time and some of the things I was told were going to happen in the near future have not yet happened. It ought to be in this legislation, but it is not. If the minister can give me some assurance that it would be likely to happen in the spring sittings following the resumption of parliament, then I might feel a little more comforted.

The Hon. M.K. BRINDAL: I give the member for Hammond an assurance that, if in one month he has not had a reasoned answer in writing from me, he can come into this House and say that I misled him. I further give the honourable member the assurance that if it is a matter that requires legislative adjustment I will discuss that matter, and I will seek to do so at the earliest opportunity and, if possible, by the spring sitting.

Mr LEWIS: Will the minister undertake to allow brine shrimp and pelagic fish farming ventures and also beta-carotene production ventures, presently being developed in pilot trials in my electorate, to go ahead without restriction on those saline ground water surface aquifer resources?

The Hon. M.K. BRINDAL: The member for Hammond is like the school boy who succeeds in catching out the school teacher. I am not sure what pelagic fish are.

Mr Lewis: Big fish with bones and internal skeletons.

The Hon. M.K. BRINDAL: My officers cannot immediately advise me. I believe the member for Hammond is talking about a saline aquifer. I stop short of giving an absolute assurance, because I do not know what the result of that withdrawal might be on surrounding aquifers. I cannot give an absolute guarantee, but I see no reason why they should not go ahead and be impeded. I will ensure that my officers follow up this matter tonight and I will give the honourable member a definitive answer by tomorrow as to whether or not there is any likely impediment.

Mr HILL: In relation to the new types of licence, what effect will a holding licence have on existing licence holders, particularly in the South-East, if and when this new set of licences is introduced?

The Hon. M.K. BRINDAL: All the existing licences, in fact, are taking licences and, unless the bore is being rehabilitated or something like that, there is an assumption, because they are taking licences, that water is being taken. In fact, the member for Gordon has a good way of describing it: he describes them as extraction licences and they are assumed to be extracting licences. This system allows people to have a permission to take the water provided that subsequently it can be established hydrologically that the water can be taken without damaging the resource. All existing licences are presumed to be licences to extract water.

Mr Hill interjecting:

The Hon. M.K. BRINDAL: They should be extracting water currently. We do not know of any that are on hold. The only reason I could see why any would be on hold is that the

bore is being rehabilitated or there is some temporary reason why they are not doing it. Perhaps the irrigation is seasonal. We are now entering the winter season, and there seems little point in putting lots of water on a crop that does not need water extracted. However, the assumption is that everyone who has a licence at present is taking their water.

Mr HILL: The evidence given to the select committee was contrary to the position that the minister just put. There seems to be plenty of evidence—perhaps anecdotal evidence—that a number of irrigators appear to be taking water but use a variety of devices and techniques to convince officers that that is what they are doing; in fact, they are not taking water but are just sitting on it. If the minister is able to ascertain that current licence holders are not using water (and I am referring particularly to licence holders who may have an allocation which is greater than they would have got under a pro rata holding licence), and if he can find that someone is sitting on a licence, will he take back that allocation and put it into the pool?

The Hon. M.K. BRINDAL: We are hoping—and this was a very reasoned position of the select committee—that to create a market in water will create motivation for some of these things to happen. If a person is sitting on a water licence, to use the parlance and is not taking it, they will be assumed to be taking it and they will be levied as though they were taking it: they will be levied as though they were extracting the water. If they are silly enough to pay for something that they are not using, I suspect the natural order of economics would dictate that fairly soon they will either seek to surrender it or trade it.

This is the assurance I give to the House: to keep the bill under all our watchful eyes and, if that does not prove to be the case and we find that people are sitting on licences and quite happily paying for them, because the water will get to such a value that they can afford to sit on their licences, the matter can be revisited. The member for Hammond made the point fairly eloquently that sitting on water for its own sake is not necessarily a good thing to do for the state and its development at that stage, and quite honestly then this House should look at and address that matter and see that the people's interests are always protected.

Mr HILL: That is a good answer. We will keep that one under observation. Clause 2(b)(i) deals with the conversion of a holding allocation licence into a taking allocation licence. What is the process by which this conversion will be conducted? In other words, who organises it? Is it departmental officers, a committee or the water catchment authority?

The Hon. M.K. BRINDAL: The person who would have a holding licence will apply—in a fairly easy manner, I would hope—to the Department of Water Resources, as it is currently, to convert that to a taking licence. In most case, if the hydrology of the area is known, that is a fairly simple matter to calculate. I am told that it takes half an hour to an hour. It is not a big process in most cases. That licence would then be issued or not issued according to the known data. At present, there is no plan to let anyone else issue licences or have a third party do that sort of licence work. It is planned to be done by the Department of Water Resources.

The CHAIRMAN: Order! I ask the member for Elder to either move into the gallery or come back to the Chamber.

Mr McEWEN: All present water holders have water taking allocations, and I certainly support the minister in that regard. Some of those water taking allocations may be idle at this time, and there should be no difficulty with that. Someone who has a bona fide right to take water may not choose to take it every year, so some may be in abeyance. We believe that others may have been fraudulently acquired. I am still not that confident that there has been a robust audit of them, but there was a recommendation of the select committee that that be done. The third group are those who are holding a water taking allocation conditionally, because one of the conditions was that they satisfy an IDMP. What does the minister intend to do with partly completed IDMPs? Will he review the water taking allocation so that it reflects only the developed water, and what will he do with the remaining water?

The Hon. M.K. BRINDAL: They are currently being reviewed. If the people have not done that which they have indicated they would do, their allocations will be removed. Having said that, I assure all members that that will be done in a sympathetic and understanding way. If there are genuine reasons, those genuine reasons should be taken into account. Quite frankly, if there are not genuine reasons and if they said that they would do something and have not done it, they have breached the conditions under which they were given that privilege—and the issue of water increasingly will become a privilege—and they will, therefore, forfeit their allocation.

Mr McEWEN: My second question relates to the converting of water holding allocations to water taking allocations. My understanding is that, as part of the development of water allocation plans in the long run, that matter would be dealt with by catchment boards. It is my understanding that the minister needs to introduce an interim water allocation plan. Further, it is my understanding that within that interim plan it cannot be automatically assumed that the owner of a water holding allocation can convert that to a water taking allocation.

The Hon. M.K. BRINDAL: This is a matter that some members will know we have canvassed outside this Chamber. I accept that proposition. I accept and acknowledge what the Member for Gordon is saying: that this matter must be addressed in the interim plan. It will be; I assure the House of that. I also assure the House that I intend to consult both the opposition and the relevant members in this chamber who have an interest in water on this matter before and during that process.

Mr WILLIAMS: I refer the minister to the first of the last two answers he gave to the member for Gordon regarding land-holders who have an existing licence subject to an irrigation development management plan (IDMP). When the select committee made its recommendation on the pro rata roll-out, it recommended that those with conditional licences subject to an IDMP be treated in the following fashion, that is, if they had not completed or fulfilled their IDMP obligations, they would at least be able to have the equivalent portion of what they would have got if they had hung back and waited for the pro rata roll-out to be converted to a holding licence in lieu of their completing that IDMP. Any portion of that allocation over and above what would have been the quantity of water they would have been able to achieve under the pro rata roll-out would be subject to fulfilment of the conditions of the IDMP and would be considered only once the earlier part or the whole of the part had fulfilled those conditions. Is that what the minister was saying to the member for Gordon? I noted that the minister said that he would be sympathetic to those people. Is what he was alluding to when he used that terminology?

The Hon. M.K. BRINDAL: No. I assume that the member for Gordon knew that was the thrust. I am talking about the additional allocation. The fact is that, if they have

not completed that, we said we would give them the equivalent of the pro rata water, and they can have that as a holding licence. A significant number of them have requests for volumes of water far in excess of either what they are using or even what they are using plus the PAV. I was trying to indicate to the member for Gordon that, if they have not met their obligations, they will not get that extra component. They will get the PAV—that is what was promised—but they will not get any more.

Mr McEWEN: I believe that now the minister and I are both at odds with the member for MacKillop. We have just established that all existing licences will be water taking allocations. Therefore, one would assume that, even if a present licence was reduced because the IDMP had not been satisfied, it was still a water taking licence. The member for MacKillop has just suggested it would be a water holding. Now that is inconsistent with the logic we have applied to this point. I believe that the member for MacKillop was suggesting that that portion that remained, even if it was only as would have been allocated under pro rata, would be a water taking allocation. We now have an inconsistency in the way in which we are applying allocations to this point, because, in effect, it is only from now on that, for the first time, we will be handing out water holding allocations.

The Hon. M.K. BRINDAL: I understand that—and it is a reasonably complex question—if the IDMP is not complete, they can get an allocation up to the allocation that they would have got if they applied for a pro rata allocation. Let us say that they have developed it and they are getting 50 megalitres a year. Let us then assume that under pro rata allocation they could have got 100, then they will have a right to convert a further 50—so they are using 50 as taking—which they would have got under the PAV, to add up to the total they would have got under the PAV. However, if their original approval was for 150, they will not have any access to that last 50. Does that make it clear?

In other words, no water that is being extracted will be able to be converted to a holding licence. Any water that they were not extracting up to the amount that would have made up the PAV, they will be able to apply for as a holding licence. Any water that they were additionally getting subject to completing the IDMPs, they will not get. They will only get up to that which they would have got had the whole lot been applied for under a PAV, pro rata.

Mr WILLIAMS: If I might just aid the minister in his explanation because I think I confused the member for Gordon by using the phraseology 'holding licence', whereas I meant a full taking licence or extracting licence. Of course, I am sure the member for Gordon is aware—and the minister might confirm this—that the only difference between a holding licence and a taking licence is that to convert from a holding to a taking you have to perform the hydro geological survey—and for those that are already out there in the field and subject to IDMP that survey has been done.

Clause passed.

Clause 3.

Mr HILL: Clause 3(b)(ab) provides:

> must, in the case of a licence endorsed with a water (taking) allocation, specify the part or parts of the resource from which the water may be taken;.

The word 'may' indicates conditions. I am curious to know when a taking allocation has been given whether or not there is an obligation on the person who has that allocation to use the water and, if they do not use it within a certain time, do they go back to a holding licence; or is the minister assuming that the market will then kick in and, if they want to pay extra for having a taking licence, that is their business?

The Hon. M.K. BRINDAL: The policy for that has not yet been fully determined, but we would assume that the fact that a taking licence has a cost to it—and in fact the member's comment was right—means that the market would kick in and that it would not be viable for someone to convert something for a taking licence and then not bother to use it. As this was a matter dwelt on by the select committee, even more importantly, if water then assumes a real value, then because it has a tradeable value in the marketplace not only is it a disincentive not to take the water because of the amount of levy applied but it makes almost a nonsense of most of our social and economic structure to say that you have something that is valuable and leave it sitting and not use it. By and large, we hope that, as the select committee indicated, by giving water a value and making it tradeable that will look after many of these problems.

Mr HILL: I support that explanation. I think it would be sensible if the market approach was followed. Whatever resources are used in following up possible breaches of current applicants or licence holders who are not using their allocated amount could be used in some other way. That would be quite sensible, perhaps testing how much water we have. The one issue is whether or not we can get the price adequately reflecting the real market value. I guess what worries me is that it may well be too low and too nominal to do that. I invite the minister to comment on what mechanisms he may wish to put in place either through legislation or through his department to ensure that that market exists.

The Hon. M.K. BRINDAL: I thank the shadow minister for his invitation. He might have noticed that I was smiling at him. I was thinking back 12 or 15 years and thinking either the member has moved somewhat in his directions since those days or I have, or perhaps we both have, and I am not quite sure which. It is an interesting question and I will say this—

Mr Hill interjecting:

The Hon. M.K. BRINDAL: The member makes me feel old. I would not like to put a definitive answer on the public record at this juncture. I would like to repeat what I said earlier. I am anxious to discuss with the shadow minister and with other members of this House what mechanisms we might use to ensure that the market does kick in, and without artificially manipulating the whole thing to ensure that there is a market and that it does have some value. I think all members in this House will accept the genuine and deepening interest in water as a valuable resource for this state. I hope all members would accept that the proposition from which I will work is that that water resource is not the individual right of any person. I know we will have tradeable property rights, but could I explain to the House that, even though I believe passionately in freehold property of land and my right to own a block of land in this country, nevertheless the importance that goes with my individual right of ownership goes the right of the nation and the right of the land-holder.

Mr Hill interjecting:

The Hon. M.K. BRINDAL: Exactly. What I am saying is that I think the member's question is too profound to answer in this House in a way that might indicate a direction. I would not want to pre-empt subsequent discussions that members of this House might have in the corridors in arriving at a position the government and this House might want to take. I would rather discuss the matter and then come in here and say, 'This is what we are thinking', and, hopefully, get

some concurrence of the House, rather than say, 'This is what I think,' only to be shot down in flames in three months' time because the members for Hammond, MacKillop, Gordon and Kaurna have all got differing opinions.

So let us talk about it, work it out and try to come in here with an answer that the House might believe reflects the best interests of water in the longer term. However, the important proposition that water should have a value is without question where the select committee and most members are and I am coming from. I now move:

That the time for moving the adjournment of the House be extended beyond 5 p.m.

Motion carried.

Mr LEWIS: Will the minister give me an assurance that he will not make grants of licences as provided for under this and other provisions in perpetuity until after we have had a chance to revisit these matters in a few months' time? Nothing in these provisions or in the principal act stipulates that the minister must grant the applications for holding or taking licences in perpetuity or that he cannot grant them for such period as he chooses.

Mr Williams: Or at his pleasure.

Mr LEWIS: Indeed. Part of the problem we now have in some places is that we have made grants which are arguably—and only arguably—grants in perpetuity, and the landholders think it is so, even though they have done nothing with it. I think the legislation which the minister indicated would be introduced in the House again later this year after the opening of the new session should address that matter in a comprehensive way so that we can stop people taking up the resource in the simple belief that they will get windfall profits at some point down the line. Those who are serious about it will take it up and either on-sell it as the roll-out goes on now or get on with it and do something with it themselves through joint ventures—or anything else; it does not matter. The fact is that the state's economy needs the boost it can get from the proper utilisation of this very valuable resource. I am reminded that in the mining industry conditions of work are imposed on every mining lease. Whether it be an exploration licence, a mineral claim or a further development of a mineral claim to the point where it becomes a mining lease, provisions called conditions of work are imposed. In that respect I do not think that water should be treated any differently. We should say, 'Either you use it or somebody else who wants it can have it. Use it or lose it.'

The Hon. M.K. BRINDAL: I believe that a very large thrust of the select committee was that water should always find its best use, and that the select committee went on to say that the market mechanism was a way of doing this. The current act almost de facto assumes an in-perpetuity entitlement to the water simply because it is silent as to time. I believe that those who have applied for a holding licence understand that those same conditions will apply; that is, being silent as to time, that ability exists to hold the water licence for an extended period. Many of those who have applied for such holding licences in the South-East have said to me that they do not necessarily want to use this water: they want to guarantee that if their children or grandchildren inheriting the property want to put the property to a higher use they may use the water. Therefore they believe that holding the licence and perhaps even converting it to an extraction licence (to use the parlance of the member for Gordon) and then leasing out that extraction licence will enable them to do that.

So, that being the intent of the select committee and the government as expressed by the previous minister, I believe it would be wrong for me to walk away from that. However, the honourable member raises an interesting question which in the first instance would best be considered in the context of any remaining unallocated water subsequent to this and then perhaps subject to the further consideration of this House. This House is author of its destiny and, although I am the minister of the day, it is the House that determines the legislation, not I.

Mr LEWIS: That causes me great angst and disturbance. I have to tell the minister that I did not come here to make friends or enemies: I came here to make improvements. I believe that every one of us has that responsibility given to us in trust. I believe that the precedent exists in the Mining Act to enable the minister to say, 'No; just because you have it and want to hang on to it does not mean you are entitled to it to the exclusion of all others forever.' I believe that from this point forward we need to take a different look at that. In granting the applications, the minister has the power simply to say that it is at his pleasure or subject to such other subsequent change as may be made to legislation from this point forward, and leave absolutely no doubt in anybody's mind that they cannot grab it and sit on it. Damn it all; if the squatters in the western districts of New South Wales and the New England pastoral country and so on were simply allowed to retain the land they grabbed, no benefit to this country would ever have accrued from the careful and sensible development of the land to greater productivity that has occurred in the meantime.

That is another historical precedent, where previous parliaments have determined that it was in the public interest to resume that land and subject it to closer subdivision; and for better or worse it has been done. In this instance we ought to take that lesson from history as well as the lesson from the Mining Act and note the fact that it is often no different from any other resource under the ground. It ought to be offered to people in such a manner as they know that if they get it they have to get on with it or get someone else in who will get on with it along with them in a joint venture arrangement. In my judgment it is not good enough simply to allow everyone to grab what they can and sit on it, where they have no intention of doing anything useful with it at any time soon. Accordingly, all of us suffer because they deny the collective benefit—the common weal—that would come from a more sensible approach in the administration of the law until we can finally define in law what the length of tenure ought to be, albeit perhaps in different categories, but at least not there in perpetuity.

That is why I am really distressed by the fact that this legislation has failed to address that vexed question and has not generated the necessary debate to get people to understand how selfish it is for some just to sit on it. It is not their birthright, for God's sake. They have the right as landholders, now that we have better science to guide us, to enjoy the benefits that will come from the roll-out of this water to be allocated under the PAVs.

The other water, whether from the lower aquifer or any other source, that is not yet allocated ought to be allocated on this tenured basis and anyone who gets holding licences should also be told, 'Hey, yes, you've got it; it's your right either to make use of it yourself in some way or other or to sell it on to someone else, but let's get on with it and do it, and do it sensibly.' That is what the provisions ought to say, and I am disappointed about this.

It is like saying that we ought to stop native vegetation clearance by introducing controls in three years' time, and in the three years between when a decision is made to do that, up to the time it is implemented, it is open slather. There will not be much left by the time you get there. You will simply find that everybody who has had the notion that they want to clear some vegetation will have done it. Indeed that is what has happened and is still happening in Queensland right now. You and I, Mr Chairman, both know that just because we thought it was so and want it to be so does not make it so. Galileo and Copernicus proved the point. It is not a flat earth society that we are a part of here in this Parliament.

The Hon. M.K. BRINDAL: I acknowledge what I know is the heartfelt concern of the member for Hammond. Like him, I came in here hopefully to make a difference, and like him I hold a position but I hold that position in trust. There was a minister before me and one day—hopefully a long time away—there will be a minister after me. One of the important things about our system of government is stability. The government undertook to support the select committee in this recommendation and is doing so. I acknowledge the member's concerns. I believe that perhaps in future this parliament may take a different approach and address some of those concerns, but in order for stability and consistency it would be wrong at this point to turn around and just say, 'Well, we have been going around this road, but we will now all march off in that direction.' If what the member for MacKillop wants were ever to come to pass, it should be done incrementally and slowly. It is a matter of consistency and keeping with the select committee's recommendations.

Mr McEWEN: I endorse the minister's comments in terms of what he might do with the water that will still remain unallocated. Through a tender process or in some other way, he will be able to issue it with some constraints. For example, he may call for a tender for 10 years of use. The proposition that the member for Hammond is exploring also has some merit and I believe is possible within the interim water allocation plan that the minister needs to develop. I do not believe that there was necessarily any expectation that water holding allocations would necessarily be in perpetuity. Just because licences held to this point are in perpetuity does not mean that we need to continue in that way. There is some merit in saying that there ought to be a review mechanism for those water holding allocations, and it might be in 10 years.

I am not suggesting that just because to this point water licences have been in perpetuity means that we need to continue that for these water holding allocations. I support what the minister is suggesting in terms of putting a time constraint on unallocated water, which is in his purview, but is there any point in further exploring the notion that water holding allocations might not necessarily be in perpetuity?

The Hon. M.K. BRINDAL: The member for Hammond raised the issue and the member for Gordon has taken it up. There is certainly a point in exploring any opportunity and, if we want to explore the opportunity, and the member for Hammond's thoughts on the matter hold currency, there is no reason, I assure the member for Gordon, why we could not explore that, consider it and bring back a considered response into this place at a later time. There is no point exploring it now because it is legislating on the run.

Mr WILLIAMS: In referring to what the member for Hammond said, it is worthwhile making a few points and I urge the minister to think long and hard about this matter. Whilst what the member for Hammond (backed up by the member for Gordon) said may have some merit, it is interesting that he talked about the squatters in New South Wales and alluded to the Native Vegetation Act. If in Australia we had not forced development right throughout the Murray-Darling basin as we did last century and in an earlier part of this century, we would not be facing the enormous environmental problem that we have now in the Murray Darling basin—a problem that was largely caused by over-zealous clearing, driven by parliaments such as this urging people to get the maximum out of their land. I urge the minister in the case of this water resource to be wary, because we will spend the next 20 years developing a knowledge of exactly what this water resource is, and I certainly urge caution in any over-zealousness in promoting the utilisation of this to the maximum in the short run.

I have always argued about and still question the wisdom historically of separating and enabling to separate in perpetuity land from water, because the aquifer we are talking of here, after all, is the annual rainfall that falls on the land, and there is an inextricable relationship between the rainfall, the land, the land use and the aquifer. Whatever some landowners may wish to do and some of us may wish to do on their behalf, we cannot break that nexus because it is a physical reality. I urge the minister to proceed with what he is doing now because it will fulfil the recommendations of the select committee, which were made with a great deal of thought and took into account the aspirations and desires of the people in the area. Even though interesting points have arisen during this debate, I suggest that we move ahead with a great deal of caution and not be bulldozed into saying to people that this water must all be available for the maximum commercial use. We do not do that with landholders, even though we may do it over a period under the Mining Act. We do not do it with farmers, landholders or property developers, and I suggest that there are a lot of other examples.

Clause passed.

Clause 4 passed.

Clause 5.

Mr HILL: I again pick up the issue of market forces. I asked the minister a question about trading, and I strongly believe for the obvious reasons that market forces are the best way of ensuring the best environmental outcomes in the case of water. It also gives the best economic outcome, and I make that clear for the record. Clause 5(1)(b), which relates to the way in which allocations can be changed from the holder of another licence, assumes that some sort of marketplace or trading mechanism is established. Has the minister turned his mind to what that might be and, if not, I suggest he look at the way in which water is traded in Victoria, where there is some sort of state-run authority that establishes a market price but only about 10 per cent of the water is traded through, 90 per cent of it being traded one to one. In Victoria they found it necessary to have that mechanism so that there was confidence in the marketplace as to the real value of water.

The Hon. M.K. BRINDAL: That matter will need continual review as we go. I will take the shadow minister's comments on board and look at that system. At present, there is a system of water brokers and, in an immature market, that seems to be sufficient just at present, but I am sure that we will have to review it constantly and perhaps move down this track. I thank him for his suggestion.

Clause passed.

Clause 6.

Mr HILL: The first section amended in this clause refers to a water allocation plan. As I understand it, water allocation plans are determined or developed by local water authorities.

If the local water authority, particularly in the South-East, did not go down the track of introducing holding and taking licences, what could be done about it? The board could undermine the intent of this legislation by not doing what it has an option to do but what it is not forced to do.

The Hon. M.K. BRINDAL: As minister, I have the power to vary or adopt a plan presented by the board, and I assure the shadow minister that there is no chance that the South-East Water Catchment Management Board will not implement this measure. There are a number of mechanisms. For example, the minister is responsible for the appointment of the board and the minister is responsible to approve the plan of the board. Quite simply if the board did not implement what the government of the day saw as its state water plan, I believe that the minister would not accept the board's plan until that plan and the plan of the government of the day were in parallel or sequence.

Mr LEWIS: I have three questions. In the first instance, does the provision in section 35A refer to any aquifer or, as the member for MacKillop would have us believe, does it refer only to the surface aquifer? I see nothing in the principal act or in this legislation that restricts it to the area about which most of his debate has been, namely, the permissible annual volume and derivatives in development and management on that basis. Does it apply to the lower aquifers beneath the surface aquifer?

The Hon. M.K. BRINDAL: As this is state legislation, yes, it could be applied to a confined aquifer. However, it cannot be applied to any aquifer unless it forms part of the water plan. At present, there are no contingencies in any water plan that enable a holding licence to be held in respect of a confined aquifer. Until one such plan is approved, there cannot therefore be a holding licence in respect of a confined aquifer. Any plan has to have the approval of the minister so, before any holding licence could be issued on a confined aquifer, not only would a plan have to be submitted to allow that to happen but there would have to be ministerial approval of such a plan. That is not currently the intent.

Mr LEWIS: I seek an assurance from the minister that, in the next few months, he will not countenance the establishment of a plan and the allocation of holding licences on any sub-surface aquifer below the surface aquifer anywhere in this state.

The Hon. M.K. BRINDAL: The member for Hammond has my assurance.

Mr LEWIS: My next question is relevant to subsection (10). The words 'part of the resource' at the end of that subsection could be deleted. I think it ought to authorise the taking of the water at that point but not restrict the site upon which the water can be used so that, ultimately when the taking allocation is made, a bore and a pump can be installed for the water to be removed from that bore and pump as far as the licence holder wishes to remove it for commercial purposes. Otherwise we have a silly situation.

There are two reasons for saying that. First, we do not want a great density of bores in one location because it will produce a cone of depression, but we may wish to pump the water to those soil types that are deep or well drained or for some other reason desired, so it could be brought from sections or in a neighbouring hundred across the hundred line to the location in which it is going to get its greatest return on capital and maximise benefit. Will the minister undertake to allow such practices to occur, namely, putting a bore in one place and pumping the water to the site where the water can be best used?

The Hon. M.K. BRINDAL: The act is silent on such matters. Therefore, as the member for Hammond and I discussed earlier, it is possible to extract water from one part of a hundred and pipe it and irrigate a crop in another part of the same hundred. That is without question. The act is also silent on whether it is permissible to go across a hundred. In many instances that would not cause a problem, and it would usually be covered in the water plan for an area. However, as good as that argument might be in 99 cases, we can probably always find a case where there are two aquifers on either side of a hill and a land-holder pumps from one aquifer to irrigate land in the adjacent aquifer—

Mr Lewis: Overlying adjacent use?

The Hon. M.K. BRINDAL: No, say they were both good aquifers, one is stressed and the other one is not, and it was pumped over the hill and it had a detrimental consequence on aquifer A and deprived the benefit of development in aquifer B. Probably none of us in this chamber would think that was good situation. However, that can be addressed in the water plan. What I am saying is that the act is silent on this. It can happen. If there are instances where it should not happen, we believe it can be stopped through the water plan. The general intent is that it can happen, there would be nothing to stop it happening, unless there was a good hydrological reason why we would not want it to happen, and that would be addressed in the plan.

Mr HILL: The mechanism for the allocation of pro rata water is described in this section and it puts the onus on the person who has less than pro rata to apply for it and, after a period which is not specified, the time for applications dries out. What will the minister or board do with any water which has been put aside for pro rata but which is not claimed pro rata? Will it be set aside for a later call of pro rata applications, will it be sold by the government, will it be given away for various purposes or will it be used for environmental purposes?

The Hon. M.K. BRINDAL: That will be determined through the transition and interim plan, and I will need to canvass that matter with all members of this place. The shadow minister will realise that, with water already allocated, anyone who wants to apply for a pro rata licence has been granted that pro rata licence, so in every instance the amount of water that will be subsequently available for allocation will be less and, therefore, more precious. I therefore think that what we then do with such remaining water will be a very important question for me and my department and for every person in this House concerned with the issue. Certainly, in developing an interim plan in the next few months, I undertake to consult the shadow minister, the current Deputy Speaker, who has a longstanding interest in this issue, and all members who have contributed to this debate. I think that we should really arrive at an answer to that question by using all the best brains we can get together—and we have a great number of them.

Mr LEWIS: My final contribution on this clause and its 10 parts is, in fact, a rejoinder to the member for MacKillop. Whilst I understand what he is saying, he is confused. Let me explain what I mean. He suggested that we ought to make haste slowly by not expecting people to use all the allocations that are made to them on the grounds that it would be prudent for us to do that, and we might avoid some of the problems that will arise if we overdo it. Frankly, that is silly. Once you have allocated in perpetuity your right, if there is too much water allocated in that area—an overuse of it—it does not matter whether it happens this year or in a decade: it will

clearly be unsustainable. What the honourable member should be arguing for is a reduction in the amount of water allocated in the first instance under these holding licences so that it does not exceed what might be the sustainable level, rather than have the holding licences allocated so that in 20 years' time we will find that we have created a legal disaster today—and it is just waiting to happen. I am making the point that it is not a matter of the principle of what I am saying as opposed to what he is saying; rather, it is a matter of the quantity, about which we both would be concerned. I am not saying allocate the lot. I am saying that the permissible annual volume to be calculated ought to err on the conservative side to ensure that it does not allow overuse and damage that might result as a consequence of it.

With respect to the honourable member's statement that over-clearing in the Murray-Darling Basin created a lot of problems, I point out to him that a lot more problems were created as a result of overuse of water on land which never had any trees on it—Mitchell grass plains and/or other tussock grasses that were on the flood plain. There are no trees on the Hay Plain; there are no trees where rice is grown around Jerilderie and Deniliquin; it is flood plain. And there are no trees where cotton is grown in the Warrego and the Namoi valleys; they are flood plains, and they were denuded of trees because it was too ephemeral. There was not enough water there to sustain the trees with sufficient frequency to allow them to germinate and live on. The Aborigines used to burn them, and that stopped any young trees that happened to germinate from seeing it through; in fact, they died off. So, I counsel the honourable member to think carefully about saying that it does not matter; that we should allocate it now as a holding licence in perpetuity but not require it to be developed because that might avoid a mistake; it will not. In fact, it will simply put off the evil day.

Clause passed.

Clauses 7 and 8 passed.

Clause 9.

Mr HILL: Subclause (3) states that for the purposes of this division only the minister may declare on a water licence that is endorsed, etc. Does that mean that the minister cannot delegate?

The Hon. M.K. BRINDAL: I am given to understand by those more knowledgeable than I that 'only the minister' can be held in law to be interpreted to mean that, if the minister is capable of delegation, the delegate can do it. I would like to say to the shadow minister, though, that he will very quickly find, if he ever sits in this seat, that water is perhaps something that one watches rather more closely than other matters, personally.

Clause passed.

Clause 10.

Mr HILL: The member for MacKillop just pointed out that his version of clause 9 does not state 'only', so there is different drafting involved. Clause 10 relates to the levies which can be declared. As I understand the select committee's report, it is advocating that in areas where water is valued highly the levy should be higher, and where it is valued less highly the levy should be lower. Is this what will happen as a result of this amendment? Will water in one hundred being levied at a greater rate than that levied in another hundred reflect on the economic value of the water in those hundreds?

The Hon. M.K. BRINDAL: That part of the select committee's report is still under investigation. We are told that to come up with a value of water which can then be placed on the levy might cost up to $500 000 to investigate but we are currently going down that track for a system. This amendment seeks to provide the mechanism whereby we can achieve the right balance (to which most members have referred) between having people not sitting on the water and having it used. I suppose the easiest thing to have done would be to say that, right from day one, every holding licence attracted exactly the same premium as an extraction licence. I think everyone would see that as perhaps being unfair, at least in the initial stages. But this amendment will allow any minister of the day to pull the levers, and sometimes the holding licence might be slightly more expensive to hold than the taking licence, or vice versa. So, it says there are two different licences; there should be two different levies. It does not yet go quite to where the select committee wanted to go but that is still under investigation.

Mr LEWIS: I want to place on the record that I disapprove of this principle. I think it is bad; it is too ambiguous. I do not think that there will be sufficient spine on the part of ministers of water resources in the future to do what they really know ought to be done in the public interest, notwithstanding the fact that the provision allows for the water holding allocation levies to be higher than the water taking allocation levies, and vice versa. It is ambiguous, and I believe that it is really intended to enable the water holding allocation levy to be lower than the water taking allocation, because one presumes you are generating revenue if you are taking water and can afford to pay more. However, it is detrimental to the interests of development of the state's economy if you allow people just to sit on water held in the holding allocation form. I repeat, I strongly disapprove.

The Hon. M.K. BRINDAL: The member for Hammond is consistent in his line of argument: I acknowledge that. I just say to him that, while my spine might often be bent, it is yet to be broken. I hope that he will live to see that we do have some intent when it comes to this matter, and it might be closer to his vision than he realises.

Mr WILLIAMS: Did I hear the minister say that it is his intention, in the first instance at least, to have the same levy for holding licences as for current allocation licences?

The Hon. M.K. BRINDAL: No, you certainly misheard me. I said it would be unfair to have it start at the same level.

Clause passed.

New clause 11.

The Hon. M.K. BRINDAL: I move:

Page 7, after line 6—Insert a new clause as follows:

Amendment of section 138—Imposition of levy by constituent councils

11. Section 138 of the principal Act is amended—

(a) by inserting after 'contiguous rateable land' in paragraph (b) of subsection (5) 'that are within the area of the same council';

(b) by inserting the following word and paragraph after paragraph (b) of subsection (5):

and

(c) if two or more pieces of rateable land or aggregations of contiguous rateable land (that are within the area of the same council) are not contiguous with each other but are—

(i) owned by the same owner and occupied by the same occupier; and

(ii) used to carry on the business of primary production and are managed as a single unit for that purpose,

only one levy may be imposed against the whole of that land (this paragraph applies in relation to the 2001-2002 financial year and succeeding financial years).

New clause inserted.

New clause 12.

Mr McEWEN: I move:

Page 7, after line 6—Insert new clause as follows:
Insertion of section 159
12. The following section is inserted after section 158 of the principal Act:
Review of Act by minister
159. (1) The minister must cause a review of the operation of this Act to be conducted and a report on the results of the review to be submitted to him or her.
(2) The review and the report must be completed before the end of the 2201-2002 financial year.

New clause inserted.

Title passed.

Bill read a third time and passed.

SOUTH AUSTRALIAN HEALTH COMMISSION (DIRECTION OF HOSPITALS AND HEALTH CENTRES) AMENDMENT BILL

The Legislative Council agreed to the Bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Page 1, line 24 (clause 3)—Leave out 'or any other asset' and insert:
, buildings or equipment
No. 2. Page 1, line 25 (clause 3)—Leave out 'Crown.' and insert:
Crown; or
(c) relating to the employment of a particular person or the assignment, transfer, remuneration, discipline or termination of a particular employee.
No. 3. Page 2, line 1 (clause 3)—After 'writing' insert:
and must be published in the *Gazette*
No. 4. Page 2, line 12 (clause 4)—Leave out 'or any other asset' and insert:
, buildings or equipment
No. 5. Page 2, line 13 (clause 4)—Leave out 'Crown.' and insert:
Crown; or
(c) relating to the employment of a particular person or the assignment, transfer, remuneration, discipline or termination of a particular employee.
No. 6. Page 2, line 14 (clause 4)—After 'writing' insert:
and must be published in the *Gazette*

OFFSHORE MINERALS BILL

The Legislative Council agreed to the bill without any amendment.

DEVELOPMENT (SIGNIFICANT TREES) AMENDMENT BILL

Adjourned debate on second reading.

(Continued from 12 April. Page 904)

Mr CONLON (Elder): The Labor opposition supported this bill in the other place because it recognises the important intention of the bill, that is, to protect significant trees in the urban area. We agree with the method in which it is sought to do this, except for a couple of minor points which I will address in a moment. Should the minister (although it is unlikely) be able adequately to explain those difficulties—and members will note how carefully I have avoided the split infinitive—we will not need to go into committee on this bill.

The bill, as a result of amendments to the Development Act, seeks to protect significant trees in urban areas. Those trees are regarded as significant trees either because they appear in a regulation made by the government—and we have seen early drafts of that regulation, which seems to be satisfactory—or because they appear in a local council's planning amendment report. It will then require an application and approval to undertake any tree damaging activity which is defined by the bill. We see all those things as being good objectives.

We understand that the bill has been widely supported and, in fact, is the result of recommendations from a committee that was broadly representative. Having said that, I have difficulty with amendments which were made to the original draft of the bill—the draft that the Labor Party originally agreed to—and which were moved by two Independents in the Legislative Council and agreed to by the government. I have no difficulty with one of them but, in relation to the other amendment, I have absolutely no understanding of why the government would agree to it. Unfortunately, I take that back: I do think I understand why the government agreed to it, but I do not think any sane person should have done so.

Mr Foley: This is the gumnuts amendment.

Mr CONLON: This is indeed the gumnuts amendment. The bill does a good job in protecting significant trees to the extent that, in the original draft, even the government seeking to engage in an infrastructure project would have to apply for planning approval to interfere with significant trees. It does institute a regime which offers protection to significant trees, but then inexplicably the government has supported an amendment from the Hon. Trevor Crothers in another place which seems to stand at nought all of those considerations.

In a similar way, in the local government bill the government agreed to an amendment—and I know the minister knows about the amendment which is now section 299 of the Local Government Act. The Government agreed to the amendment of the Hon. Trevor Crothers; that left the Local Government Association aghast, and it is a section about which, I am sure, any local government authority will be very slow to tell the community at large. It allows local government, on the application of an owner or occupier, to make an order that, in short, one neighbour should cut his or her trees or vegetation where it offends another neighbour. Members can imagine how thrilled the Local Government Association was to find that it had this order making power over quite frequent, and often trivial, neighbourhood disputes.

What in this bill purports to protect significant trees? There are some exceptions to the need for approval application. (It will be extremely hard for the minister to answer my concerns, as he seems to have fled the premises.) The bill proposes that an order pursuant to section 299 of the Local Government Act will not be subject to the restrictions of tree damaging activity on significant trees. There is absolutely no explanation and reason for this provision. An earlier amendment by the Hon. Terry Cameron removed the necessity to pay an application fee where the owner of a property made an application to cut back vegetation belonging to an adjoining owner's property that intruded into that first owner's property. In short, if a tree, deemed a significant tree under this bill, was deserving of prima facie protection and was intruding into your property and you wanted to cut it off, you had to make an application, but at least you did not have to pay a fee. If there was good reason for it, you could then cut it down. That is good. That makes sense. If someone has someone else's tree intruding into their property and they have good reason to cut it down, it is quite right that they should not have to pay to do that.

Other provisions of the bill allow tree damaging activity where there is an urgent need to do so, where there is basically a threat to life or property. Again, they are sensible

precautions. What do we see from the amendment inexplicably accepted by this government from Mr Crothers? We see an application under section 299 of the Local Government Act, which should not be there in the first place, to solve a neighbourhood dispute about overhanging branches that will not be subject to the protections of this bill. It means that, where there is a neighbourhood dispute about trees extending over boundaries and, if they are significant trees but they do not threaten life or property, you can still go off to your local council and ask for an order to make your neighbour cut it down. The local council, in considering that application, does not have to give regard to the fact that a significant tree is protected by this piece of legislation. That is absolutely a nonsense. What are they then to consider, if not this legislation? It is absolutely clear that this government is so paranoid about keeping the Hon. Trevor Crothers in the cart, so to speak, that it will take any frolic of his own, any flight of fancy that enters into his head and make it legislation. That is difficult.

What I will say, though, is that I asked the minister for an explanation of why the government would do such a thing but, given that we have been prevailed upon to support this legislation as a matter of urgency in order to protect trees that to this point have not been the subject of protection, given that it has been the government's choice to accept this amendment, I say, 'On your head be it.' But I tell you here I think you have made a serious mistake. Anyone involved with local government will also know that you have made a serious mistake.

My position is plainly this: section 299 should never have gone into the Local Government Act, and this bill should not place an onus on councils—and I am sure they will never do it—to allow damage to significant trees outside the protections of this bill. I know that the member for Fisher had a lot to do. I believe he chaired the committee that led to this report—and I am sure he will say something soon—but I am sure it was not a recommendation of his committee to place such odd provisions in a bill purporting to protect significant trees. With those comments and hopefully with the chance of having explained why the government would do such an odd thing, the Labor party will support this piece of legislation.

The Hon. R.B. SUCH (Fisher): This is a very historic piece of legislation, and over time there have been several attempts to bring about protection for significant trees in South Australia. I had the privilege of chairing the Urban Trees Reference Group, and I would like to acknowledge the people who were on it: Chris Russell, Local Government Association; Gavin Leydon, National Environmental Law Association; Brenton Gardner, Housing Industry Association; Rob Brooks, Urban Development Institute of Australia (South Australian division); Simone Fogarty, Royal Australian Planning Institute, (South Australian division); Karen Possingham, Conservation Council of South Australia; Lisien Loan, Department for Environment and Heritage; and Paul Johnson, Executive Officer, Planning SA. The group was supported by De'Anne Smith, Planning SA; Terry Quinn, Office of the Minister for Transport and Urban Planning; Natalie Fuller, Consultant; Tony Whitehill, Tree Advisory Services; and Darryl Kraehenbuehl, Native Vegetation Expert. The group worked cooperatively to reach a consensus position in a very short space of time from the middle of January to the middle of March, and it was an outstanding effort.

I note the comments that have just been made by the member for Elder. One of the provisions which is dealt with and which will be covered by way of regulation is that this whole area will be subject to review. As we know trees are not all uniform in size. There are all sorts of difficulties in defining significant trees. We have tried to come up with something that is very simple, easy to apply and that can be understood readily in the metropolitan area, because this recommendation, as expressed via the act and in the regulations, is intended to focus on the metropolitan area of Adelaide. Country councils, if they wish, could apply for the controls to apply in an urban situation in a country area. However, the focus is essentially on the metropolitan area of Adelaide.

Some modifications to the bill have been made in another place. It is correct that those recommendations, some of which will be reflected in the regulations, were not considered by the full committee. Nevertheless, there seems to be merit in what has come out of the other place. This is a significant step in managing urban trees of significance. It is not a blanket prohibition on the removal or lopping of trees. It is a mechanism to ensure that there is adequate assessment and appropriate management of trees. The Urban Trees Reference Group recognised that not all trees are equal and that not all trees can be retained.

The Hon. DEAN BROWN (Minister for Human Services): I move:

That the sitting of the House be extended beyond 6 p.m.

Motion carried.

The Hon. R.B. SUCH: I do not want to delay the House unnecessarily. However, in years to come members will be able to look back with pride at the achievement which is possible through this bill (and, subsequently, when it is proclaimed as an act and the regulations), and that they have taken part in saving part of our living heritage. I am sure that future generations, as well as the present generation, will appreciate the efforts that have gone into what is really milestone legislation.

In conclusion, I would like to pay tribute to the Minister for Transport and Urban Planning for assisting in a very significant way in bringing this legislation to a realisation and hopefully to a positive outcome in the very near future. I congratulate members in another place on the contributions they made this week in terms of additions to the act and the regulations. I look forward to this milestone in legislation contributing to the urban environment and, in particular, assisting in the management of our magnificent significant trees.

Mr LEWIS (Hammond): I am not at all comforted by this legislation. I think people have been far too sentimental in their contemplation of the subject matter and I see mischief in it. I am not unduly cynical, but the fact is that there are simply no appropriate definitions within the legislation. They are included in regulation and, as we know, once stuff gets into regulation it is outside the control of the House. The House cannot change it; it can only allow it or disallow it—and then for only a limited period. Once it is bedded down in regulation, you are stuck with it. It is a piece of legislation then that does not really spell out the kind of mischief that ultimately could be perpetrated by the consequences of passing this bill through the parliament.

The mischief I speak about is that, in the first instance, trees are not defined. It does not restrict the ambit to native trees: it includes exotic. It does not restrict it to living trees: it includes dead trees. It does not restrict—

An honourable member interjecting:

Mr LEWIS: The regulations say, in effect, 'at the present time as they are drafted and placed here', but they are not necessarily the regulations that will be put into effect, and they are not necessarily the regulations that will stay in effect forever. Whilst at the moment it might say 2½ metres circumference around the butt at such and such a distance above the ground, the minister can change that and then it cannot be changed back again. It can only be allowed or disallowed and the regulations, not the act, say where it will apply. The act is absolutely silent on whether it is in the metropolitan area or right across the length and breadth of the state. So, you change the regulation, and it can apply to everywhere—farms, country towns or anywhere at all, just wherever the regulations say it applies.

I am therefore disappointed that not only is there some inadequacy, in my judgment, in the law itself but the devil is in the detail and the detail can be changed by any subsequent minister. I have known ministers in the past to go back on their word. More particularly, though, once the minister is changed, then if a new minister, albeit perhaps even in a new government, has a desire to make changes they can make them in a trice by regulation and that, in my judgment, is wrong.

The other reason that I am opposed to the regulation is that it does not give a proper allocation of liability as to what the consequences will be if approval is denied for any change in the shape of the tree—to lop it or prune it. Where, say, a 'tree of significance' sheds a limb onto a neighbour's hothouse where they are growing a valuable collection of plants, the end result will be that the neighbour will have to wear it. Accordingly, insurance premiums will go up because people will then seek to insure their property against the possibility of any tree—dead or alive, native or exotic, indigenous to the locality or not—falling over and causing enormous damage; or against the possibility of any part of the tree being shed in the process of natural pruning of the limbs or in a storm event. So we will have a situation where greater numbers of claims of higher value will be made on insurance policies and all of us will end up paying much higher insurance premiums to cover ourselves against loss.

To my mind that means that inappropriate and inadequate thought has been put in. I do not suggest to the member for Fisher that what is here was necessarily done with malice: it is just done without adequate foresight. Everyone wants to feel good about it. I do, too, but I also want to be sure that I am making good law and I am not doing so by passing this measure. So I stand here, and I am going to waste the time of the House by calling 'Divide' when the question is put, but I am putting it on the record—plain, fair and square—that this legislation is crap.

The Hon. G.A. INGERSON (Bragg): I would like to put a few comments on the record. First, I take the opportunity to congratulate the Hon. Bob Such (member for Fisher) for the chairmanship of this particular committee and all the other people who gave up their time and effort to reach a compromise on such a difficult issue. I do not think anyone would believe that the answer to the question of how you save significant trees is an easy one. It is an issue that has been looked at over three or four governments, I think. This measure is a compromise. The fact that this committee has been able to come to a consensus agreement on what they believe is a step towards having some control over significant trees is indeed a very important step.

Burnside in particular has for some time been very concerned about the felling of large trees. Whilst there has been much hysteria about the number felled, in recent times some very significant trees have been felled not only in Burnside but in the neighbouring council of Norwood, and we do need to do something about controlling such activities. The decision to recommend to the parliament that a tree of 2½ metres circumference should be treated as a significant tree and consequently controlled is a controversial one. The view is that it could be anywhere between a metre to 2½ metres and still be an acceptable argument. In reality, a consensus has been reached by the parliament and I think that we have to accept that as the starting point.

The other important part of the bill is that it places the control of these trees in the area where I believe it should always be placed, that is, at local government level. The more matters relating to planning and development for which we make local government responsible by having fixed guidelines, the better off we will all be. I think that enabling the local council to extend this measure to other trees which it believes are significant to the local community is a very important addition.

I also take up the point made earlier in the debate about the use of section 299 of the local government legislation. It seems to me that this has been an odd sort of decision. It really will complicate the whole issue as far as local government is concerned but, hopefully, because this matter will be reviewed reasonably soon, that clause will be shown to be useless and, as a consequence, will be deleted.

I congratulate the committee. I very strongly support this move. It is a move that will be heralded in the electorate of Bragg and in the area of Burnside because a whole range of very significant trees have been mutilated and cut down over the years, and it will be an issue about which the local community will be very supportive. I support the bill.

The Hon. J. HALL (Minister for Tourism): I rise to support this legislation and to pay a tribute to the member for Fisher and the reference group that he chaired in bringing before the parliament so many practical and working solutions to what is clearly a most important issue, particularly out in the electorates in the foothills. I put on the record that I pay a tribute to the former minister, the now member for Heysen, who attempted to address this issue several years ago because of the enormous public debate and community concern that was being expressed at that time. My colleague the member for Bragg referred to a meeting that was held in Burnside several weeks ago. In fact, it was a Sunday afternoon and more than 400 people packed the hall, as you know, Mr Acting Deputy Speaker, as you with many of us participated in that meeting. When we are talking about a quality of lifestyle it is amazing the passion with which so many people speak, and that afternoon is something we will all remember for some time. The Burnside council is to be congratulated for convening what was a very important meeting to the hillside and adjoining councils which have such an interest in this issue.

The Campbelltown council, which is in my electorate, has had a longstanding interest in the resolution of this issue, and I want to put on record that Mayor Steve Woodcock and a

number of his councillors were unable to attend the meeting at Burnside that day because a long time in advance an open day had been organised so, whilst they were there in spirit, they were unable to be there in fact. They, as one of the councils, had done a lot of work in preparing for the passage of this legislation. I understand that they have already identified about 400 trees which are associated with historic sites or which fit some of the criteria that we are talking about, so they are naturally eager to see the result of this legislation. Some of the trees that will be significantly affected are those magnificent red gums that form part of the linear park, so the section that provides for corridors of significant trees is one section of this legislation that is of great importance to them.

With these simple amendments to protect large trees, I think that the existing provisions of the Development Act are a simple and effective way to get this legislation through appropriately. As we know, the report itself recommends that, in its own words, we 'prevent the inappropriate and indiscriminate urban tree removal related to most significant trees'. It is important to note that we are not talking about any additional legislation or amendments to the Native Vegetation Act, the Heritage Act or the Local Government Act, and now this provision in the Development Act. It provides councils with a simple tool to do something about this important local issue. I commend the member for Fisher and his reference group in being able to provide a set of recommendations so speedily to bring this issue once and for all into some form of resolution. I support the bill.

Mr SCALZI (Hartley): I, too, wish to put on the record my support for this important legislation. I also commend the member for Fisher, the Hon. Bob Such, for chairing the group that was responsible for coming up with these recommendations. It is important to note that this was a diverse group, so this bill is a reflection of what the community wants. There is no doubt that, given the interest in this area, one needed only to attend the recent meeting at Burnside town hall to see how important this issue is. The reference group comprised wide-ranging community interests, from the Local Government Association, the Royal Australian Planning Institute, the Urban Development Institute of Australia, the Housing Industry Association, the Conservation Council, the National Environmental Law Association, the Department of Environment and Heritage, and Planning SA. The member for Fisher should be congratulated, as should all who participated and contributed, because now the government in this state has been presented with a workable, agreed process to protect urban trees—trees of significance.

At the same time, under the proposed amendments to the act and regulations, activity affecting a significant tree is classed as development, so a development application will be required for approval prior to any work being undertaken. If a development application is refused, the applicant will have the option of appealing the decision through the Environment, Resources and Development Court. So, there are safeguards. As the member for Bragg has said, it puts local government in a position ultimately to decide on these important issues. Local government is the body that is most appropriate to deal with this issue.

The bill also provides that a person can in case of emergency undertake a damaging activity to a significant tree provided that it is for the purpose of protecting life or property; that an activity that has been undertaken under part 5 of the Electricity Act 1996 (such as trimming significant trees near power lines) will be exempt from the need for approval; that a crown agency wishing to remove or lop significant trees as part of the provision of infrastructure will need to apply for approval to do so; and that any activity for which a development application has already been lodged or for which valid development approval exists at the time of the operation would not require retrospective approval to undertake a damaging activity to a significant tree.

In conclusion, I believe that this is sensible legislation. It will give clear parameters to local government and the community on how to deal with this important issue. We all realise the important role that trees play in our environment, and this legislation will recognise that.

Ms CICCARELLO (Norwood): Mr Acting Speaker, I also commend you for having brought this issue forward and congratulate the committee on its work. This has been a long time in coming. Over my 10 or 12 years' involvement in local government, as well as in state politics, I have had the misfortune of seeing very many significant trees cut down in my electorate. On one occasion in Kensington, some very significant red gums were being cut down by a developer. At that time Kym Mayes was the minister, and we managed to get him to put those trees on an interim heritage list. Unfortunately, however, they were not able to saved. It has been a constant source of concern over the years to see developers coming in and completely razing blocks instead of looking at the opportunity of incorporating some of these magnificent trees in a development rather than starting off with a clear block and having to replant trees. This certainly will now address some of the issues, and hopefully some of our wonderful trees will be saved. It is not only an aesthetic issue but it is also involves looking at corridors for our bird life. This is very important, so I commend the bill to the House.

Mr HAMILTON-SMITH (Waite): Like the member for Norwood I will be brief. My colleagues have more than adequately covered the facts and the background leading up to the passage of this bill. On behalf of the people of Mitcham, I simply add our support to it. In the foothills zone, the suburb of Mitcham and the whole of the electorate of Waite we very much value the trees and open space that we enjoy. This bill shows that our government is listening to people. It shows that Minister Laidlaw has been prepared to sit down and talk with the community. It shows that all members of the House, particularly members on this side of the House in government, have taken the lead in protecting our natural heritage and our natural environment, specifically in respect of trees. The member for Fisher (Hon. Bob Such) is to be congratulated for chairing the advisory committee that led to the bill and Minister Laidlaw has done an outstanding job of showing leadership on the issue.

As my colleagues pointed out, this puts the matter at the feet of local government. It is now up to local government to be responsible in the way it interprets the legislation and implements it so that everyone has a fair go. In conclusion, I point out to the House that in this entire debate the Australian Democrats have been absolutely irrelevant and inactive. I remind the House that—if someone can correct me, please do—at the meeting at Burnside, which we all attended to discuss this matter and the matter of urban infill, there was not a Democrat to be seen.

I also inform the House that, at a hills face zone meeting recently to discuss this and related issues in Mitcham, there were no Democrats to be seen. Again the Australian Demo-

crats are simply shown, on matters related to the environment, to be full of hot air and promises. When it comes to the crunch they do absolutely nothing and are rendered totally irrelevant in the course of delivering legislation that actually produces results. I congratulate members opposite for the their cooperation on the bill. It shows that both the Liberal and the Labor Parties—government and opposition—are working in the interests of preserving our natural heritage and our natural environment and the people of Mitcham are grateful.

Mr HANNA (Mitchell): I rise to speak briefly in support of the bill. This bill may well have been called the 'big trees bill' because the main criterion for saving trees is their size, but hopefully that will catch a lot of the gum trees and the few remaining river gums that we have in the Warriparinga area in my electorate. I have had representations from a couple of good people in Sturt. There are also a couple of people in Mitchell Park whom I will not mention individually but who have brought to my attention their concerns when significant older trees are being ruthlessly and callously cut down for the sake of developments that do not enhance the beauty of the area.

It has always been difficult to do anything about it, but we can have a good feeling in parliament this week for having passed this legislation, which will do something towards preserving some of our more significant trees. I am glad that that measure can be applied in the Marion council area. I know the Marion council, being a diligent council on environmental matters, will immediately look to which trees need to be preserved and will take notice of the act and take the appropriate action in relation to its development plan. I say no more than that other than to reiterate my support for the bill and I am glad that this parliament has finally woken up to the fact that our trees are as much apart of our heritage as is our history, our culture and our buildings.

Mr HILL (Kaurna): I will speak briefly on the bill, which I support. The measure has been introduced well after it should have been introduced. I remember getting on to the Hon. Susan Lenehan some 10 or 12 years ago stating that we should have done something along these lines. It is remarkable how quickly the government responded as a result of the pressure that was applied by a number of important citizens in a few suburbs in some of its very safe electorates.

Ms Ciccarello: Excuse me!

Mr HILL: I am not talking about Norwood—I am talking of Burnside and Mitcham. It is remarkable how quickly the government responded. Within a few short months the Government had a committee established and very good work done by the member for Fisher. It had a report and a bill, and it has been rushed through parliament in three weeks. It is remarkable how quickly the government can respond to environmental problems when it puts its mind to it. Let me suggest some other environmental problems the government should put its mind to as well. I will not go through the list, but refer members to some of the issues along our coast and rivers and issues related to native vegetation. I support the measure: it is a good first step. Other work probably needs to be done on it in future, but I support it.

The Hon. DEAN BROWN (Minister for Human Services): I thank all members for their contribution to this debate. It is about significant trees and it is significant legislation. The key issue I pick up from the second reading debate is the issue of the application of this to section 299 of the Local Government Act. I have had a discussion with the minister on this. Personally I perceive from my experience in this place (and I am not a lawyer), having heard a few of the arguments, that there could be some problems in how section 299 applies if it ever becomes reality out there in terms of applications. If that is the case, there will be some problems in how the councils sit down and make their decision, because I do not think they will be able to consider the significant trees legislation in making that decision. I might be wrong; let us wait and see what happens. However, the minister has assured me that if a problem arises she will then consider the possibility of needing to amend section 299 of the Local Government Act. I think members should accept that and I certainly am happy with that. Let us see how it rolls out in practice and, if there is a necessity, let us change the Local Government Act.

The other issue that the member for Hammond raises is the issue of liability. Clearly a lot of common sense will need to be applied by councils in how they apply this. Councils are required to make sure they get appropriate advice on whether or not a tree poses a danger. I have seen some red gums around. We have a magnificent red gum at the front of our house, estimated to be 350 years old. It is on council land and no threat to any property.

Mr Foley: What about if a bit of wind comes along and it falls over on your house?

The Hon. DEAN BROWN: There is no danger to any house. However, I have seen what appear to be extremely healthy river red gums drop a massive branch right off next to the main truck without no explanation at all. I saw one not long ago. The branch itself would have been a significant tree if you had tried to put a tape around it—in other words, the branch was more than 2.5 metres around. I examined the branch that fell off and it appeared that just heat, weight and age were enough to snap it off as if hit by lightning. That was not the case.

That is where I think councils will have to apply a great deal of common sense because, if you have a branch of a river red gum overhanging a house, despite the appearance of the tree it could pose a threat. Clearly councils will need to make sure they are there to protect not only themselves but protect life and property for other people who live in those homes, which is the point the honourable member was making effectively. We will have to see how it is administered by local government. All of us accept the fact that some very significant trees are being lopped or cut down which we should never allow to be cut down. The fact that there can be a river red gum that is 250 years old in the metropolitan area means that, quite rightly, there should be protection for that.

Congratulations to the member for Fisher for the report prepared and I am delighted that this legislation is coming in. We will have to monitor it carefully in terms of the way it is finally applied to ascertain whether a further fine adjustment is needed to the legislation as it applies in reality. I ask all members to support the bill through all stages.

Bill read a second time.

In committee.

Clauses 1 to 5 passed.

Clause 6.

Mr LEWIS: The minister second-guessed the question I wish to ask him in committee. Quite simply, if a citizen makes an application to have a tree removed which is not on their land but which poses a risk to them and their property, life or limb and, if that application is refused, who will be

liable if damage then results? Is there any means by which it will be possible for the aggrieved citizen to recover damages other than through their own prudent insurance or other otherwise have to bear the cost themselves? For instance, does the legislation require the people who oppose the legislation and/or local government to pick up the tab for the damages if damage results?

The Hon. DEAN BROWN: I appreciate the points raised by the member for Hammond. It is a difficult issue and I suppose that we will have to wait and see what happens, particularly in reality. If an application has been made, council refuses that application and it fails to carry out its assessment of that tree in a full and appropriate manner and the tree falls over as a result or blows down and drops limbs as a result, one could suggest that it had failed to do that and the liability would be back against local government. The honourable member was making the point in relation to land owned by the council, not land owned by the individual.

Mr Lewis: In either circumstance.

The Hon. DEAN BROWN: In either circumstance, the same would apply. That is the point that I was making. It will be a very interesting assessment as to whether or not the council has applied due diligence in having the tree assessed. Frankly, if it is a river red gum, it needs to be considered that virtually any limb of that river red gum could drop off at any time, particularly on hot nights, and I have seen it occur. Councils will need to take good advice and make sure that they protect the life, in particular, and property of individuals when making those decisions.

Clause passed.

Clause 7 and title passed.

Bill read a third time and passed.

ADJOURNMENT

At 6.40 p.m. the House adjourned until Tuesday 2 May at 2 p.m.

HOUSE OF ASSEMBLY

Tuesday 11 April 2000

QUESTIONS ON NOTICE

FOOD BANKS

5. **Ms STEVENS:** What investigations have been undertaken by the Department of Human Services on the concept of food banks and what action has been forthcoming on any report relating to this matter?

The Hon. DEAN BROWN: In 1998 the Department of Human Services funded a feasibility study to look at the potential for a food bank in this state.

Food banks already exist in Queensland, New South Wales, Victoria and Western Australia, distributing some 6,000 tonnes of food to over 800 welfare agencies in 1997.

Essentially they are independent non-profit bodies which act as central distribution points for food which, whilst fit for consumption, is surplus or not saleable due to weight variation, packaging, etc.

The South Australian feasibility study supported the establishment of such a program and I approved the implementation planning phase early in 1999.

Major non-government welfare agencies have been consulted and support the project.

A Board comprising representatives from government, the food industry and community organisations has been appointed to oversee the establishment of a food bank in this state following the completion of the implementation plan.

FOUNDRY EMISSIONS

6. **Ms STEVENS:** How many health related complaints have been received by the Department of Human Services in relation to foundries operating in South Australia, which foundries are involved, what is the nature of the complaints and what action has been taken in relation to each complaint?

The Hon. DEAN BROWN: There have been numerous inquires from members of the public regarding health-based issues in relation to emissions from foundries in South Australia. The inquires/complaints have been mainly about Mt Barker Products but there have been some relating to foundries such as Mason and Cox, and Castalloy.

The inquires are orientated towards concerns over potential health effects from exposure to fumes emitted from these foundries.

Depending on the nature of the inquiry/complaint, the person may be referred to the Environment Protection Authority, local council or the Department of Human Services may take action such as conducting site visits, discussions/interviews, surveying/reviewing health data, personal monitoring and rainwater testing.

HEALTH COMMISSION

7. **Mr ATKINSON:**

1. By what authority is the chief executive officer of the Department of Human Services acting in the position of chief executive officer of the South Australian Health Commission, is there a conflict of duty in negotiating the memorandum of understanding between the department and commission and has legal advice been sought on this matter and if so, what is it?

2. Was the possibility of a conflict of duty under the Public Sector (Incompatible Public Offices) Amendment Act 1998 considered and if so, can anything be done to regularise this conflict before the Act was assented to and can this be retrospective?

3. Is it lawful for the commission to relinquish its budget to the department and for the department to use commission assets for both commission and departmental purposes as stated in the memorandum of understanding?

4. Does the government propose any changes to legislation to overcome these difficulties?

The Hon. DEAN BROWN:

1, 2 and 3. The appointment of the chief executive officer of the Department of Human Services and related legal advice has been canvassed at length in the 1998 and 1999 Auditor-General's Report.

4. The Minister for Human Services indicated to Parliament on 20 and 26 October 1999 that he will be introducing amending legislation to deal with the situation.

NEEDLE EXCHANGE PROGRAM

9. **Mr ATKINSON:**

1. What is the estimated cost of replacing needles issued to injecting drug users under the needle exchange program with retractable needles?

2. Have there been any instances in Australia of accidental needle-stick from discarded needles issued under this Program resulting in HIV or Hepatitis infection and if so, what are the details?

The Hon. DEAN BROWN:

1. In South Australia during 1998-99, approximately 2,564,200 items of injecting equipment were distributed through the statewide needle and syringe program coordinated by the Drug and Alcohol Services Council (DASC). The most commonly supplied injecting equipment is purchased by DASC at 13.86 cents per unit.

DASC is currently investigating the feasibility of introducing retractable injecting equipment. Early indications are that the unit cost would be approximately double that for the currently most commonly supplied injecting equipment. However, this may reduce depending on the quantities purchased. Cost is only one of a number of factors being investigated by DASC. It is necessary also to have regard to product safety and reliability, ease of use and likely local acceptability by users.

2. in South Australia there have been no reported cases of Hepatitis B, Hepatitis C or HIV resulting from injury by discarded needles.

TOBACCO PRODUCTS REGULATIONS

10. **Mr ATKINSON:** Will the Government enforce the Tobacco Products Regulation Act 1997 against youths who seek to buy tobacco products in addition to the government's proposed entrapment of retailers and if so, how is it proposed this will be done?

The Hon. DEAN BROWN:

1. and 2. Section 38 of the Act makes it an offence to sell or supply tobacco products to persons under the age of 18 years. Section 39 provides that a person may be required to produce evidence of their age. A person who fails to comply with this requirement, or makes a false statement, or produces false evidence, is guilty of an offence. This is the only offence created by these Sections for which minors seeking to buy tobacco products are liable for prosecution.

Where breaches of S39 are reported, they will be investigated by officers of the Department and appropriate action taken.

TRANSADELAIDE EMPLOYEES

46. **Ms RANKINE:**

1. How many temporary TransAdelaide employees were there in 1998-99 and what were their positions?

2. How many TransAdelaide employees are currently in the redeployee/rehabilitation section, how long has each person been in this section and what training is being provided?

The Hon. DEAN BROWN:

1. In 1998-99 TransAdelaide had 50 'temporary' employees, predominantly employed in administrative roles, with a couple of workshop staff.

2. As of 27 October 1999, there are 89 employees being redeployed/rehabilitated within TransAdelaide. The table below shows a breakdown of the period of redeployment in months.

0 – 6 months	=	43
7 – 12 months	=	12
13 – 24 months	=	13
25 – 36 months	=	10
37 – 48 months	=	5
49 – 60 months	=	5
60 + months	=	1

Training provided for TransAdelaide redeployees consists of:

- Resumé writing;
- Jobsearch skills;
- Interview skills;

- Literacy skill development;
- Handling conflict;
- Mathematics skills;
- Addressing selection criteria;
- Report/letter writing skills;
- Computer training: Microsoft Word (Introduction, Intermediate, Advanced);
- Internet and Intranet training; and
- Other skills as identified by client and case manager.

The number of redeployees placed this year, effective from January 1999 is as follows:

Temporary Placements in TransAdelaide from 6-12 months	4
Permanent Placement in TransAdelaide	8
Permanent Placement in other Government Departments	9
Temporary Placement in other Government Departments	2
Number of redeployees who have taken TVSP's	78
Total	101

In order to enhance job placement opportunities and outcomes, a Manager was appointed to the career services centre in October 1999 to oversee operations and improve networking.

This has led to considerable improvement in case management and follow up practices, including prompt identification of alternative placements. Accordingly, redeployees are now more pro-active in their job search activities.

The services of Morgan and Banks are currently being trialled, through their 'Labour Linq' division, to further assist those redeployees whose preference is to move outside the Public Sector.

MORGAN & BANKS

47. **Ms RANKINE:** What is the total cost to the government of engaging Morgan & Banks to recruit two staff for the Minister?

The Hon. M.H. ARMITAGE: The cost to the government of engaging Morgan & Banks to recruit my chief of staff and ministerial adviser is outlined below:

- Advertising $5,500
- Morgan & Banks professional fees $19,282

I am advised that these costs are lower than the typical recruitment costs for similar senior positions. The Morgan & Banks professional fees are less than 14 per cent of the first year total remuneration package and are substantially below the typical fee of around 19 per cent.

I am surprised about the concern expressed over the use of monster.com.au. It is common practice by best in class employers to use internet based career sites when searching for quality candidates. It provided very good value to the taxpayers, in that placing the details on Monster.com.au involved no additional cost, and allowed a much wider coverage than is possible by relying purely on print media.

THIRD PARTY INSURANCE

56. **Mr HILL:** Has the Government considered the feasibility of introducing compulsory third party property insurance for motor vehicles, what would be the average increase in cost under this scheme and are there any jurisdictions where this scheme operates successfully?

The Hon. DEAN BROWN: The introduction of compulsory third party property insurance was the subject of an inquiry by the Parliamentary Economic and Finance Committee in 1995.

After considering the evidence for and against compulsory third party property insurance, the Committee did not favour the introduction of a compulsory scheme. The findings of the Committee are outlined in the 'Fourteenth Report of the Economic and Finance Committee on Compulsory Third Party Property Motor Vehicle Insurance'.

As pointed out in a previous response on this matter, the Committee recommended that the insurance industry conduct a major education program to ensure that motorists were made aware of the financial ramifications of being uninsured.

The campaign was conducted during 1996 by individual insurers, the Royal Automobile Association of SA Inc and the Insurance Council of Australia. The campaign involved radio and press advertising, notices on buses and taxis, billboards and displays at shopping centres. The Insurance Council also prepared approximately three million information pamphlets which were distributed by insurance companies, brokers and motor vehicle dealers. The pamphlets were also distributed by Transport SA with registration renewal notices for a period of 12 months. This ensured that a pamphlet was forwarded to every vehicle owner.

The Minister for Transport and Urban Planning understands that some 92-94 per cent of vehicle owners now have third party property or comprehensive insurance. However, universal cover could not be achieved, even if third party property insurance became compulsory. One of the reasons for this is the presence of interstate registered vehicles in South Australia, which would negate the universality of the scheme, as no other State or Territory has compulsory third party property insurance.

NOARLUNGA HOSPITAL

58. **Mr HILL:** How will reduced operational hours and closure of emergency services at the Christies Beach Medical Centre impact on the Noarlunga Hospital and what additional resources will be provided to cover any increase in demand for hospital services?

The Hon. DEAN BROWN: As a result of the reduction of operational hours by the Christies Beach Medical Centre, it is anticipated that additional people will attend the Noarlunga Health Services (NHS) Emergency and Primary Care Department, especially on weekends.

I am advised that NHS will be able to meet the increased demand within current resources.

POLICE, HOLDEN HILL

63. **Mrs GERAGHTY:** How many Holden Hill police patrol vehicles were on duty during each shift between 1 October 1999 and 1 November 1999, inclusive?

The Hon. R.L. BROKENSHIRE: I have been advised by the police of the following information concerning patrols operating in the Holden Hill Local Service Area for the month of October 1999. These figures are obtained from the CAD (computer aided dispatch system) of patrols logged on each day. They include uniform mobile patrols from Holden Hill and Tea Tree Gully, Traffic, Investigations and Northern Operations Service motor cycles. This information is detailed in a table for each day and each shift for October 1999, unfortunately at the time of the request no figures were available for 30-31 October or 1 November 1999.

HHLSA Patrols Logged on October 1999

Oct.	Day	Afternoon	Night
1	25	23	10
2	27	20	16
3	28	18	7
4	32	26	5
5	24	21	10
6	30	24	10
7	33	25	14
8	29	34	13
9	30	20	14
10	24	21	6
11	29	24	8
12	25	23	7
13	31	27	7
14	21	28	17
15	25	26	16
16	29	23	19
17	25	28	10
18	46	27	12
19	30	17	11
20	39	23	8
21	26	25	13
22	24	21	11
23	30	24	14
24	32	20	5
25	33	18	7
26	35	26	8
27	33	30	7
28	34	30	14
29	26	29	13

Day Shift	7.00 am - 3.30 pm
Afternoon Shift	3.00 pm - 11.30 pm
Night Shift	11.00 pm - 7.30 am

DEVELOPMENT APPLICATION

69. **Mr KOUTSANTONIS:**

1. Why is Development Application No 211/0775/98 considered to be not orderly, a non-economic development and likely to have a detrimental impact on streetscape amenities?

2. How will traffic safety be affected and why will the proposed development not serve as a convenient pedestrian crossing?

The Hon. DEAN BROWN: The Minister for Transport and Urban Planning has provided the following information:

1. At its meeting held on 9 September 1999, the Development Assessment Commission (DAC) refused the development application by Prizac Investments Pty Ltd to construct a pedestrian overpass over Burbridge Road at Hilton as it considered that the proposal was seriously at variance with the relevant provisions of the Development Plan applying to West Torrens Council.

The Development Act 1993 provides that DAC is an independent statutory authority empowered to make its own decisions on development applications within its jurisdiction. Neither the Minister for Transport and Urban Planning nor the government has the power to direct DAC in its decisions.

However, the Minister for Transport and Urban Planning has been advised that DAC considered the proposed development to be not orderly in that it seeks to impose a structure that will detrimentally impact on the streetscape in a dominant way and has the potential to affect traffic safety.

DAC considered that the development is not economic in that it is not necessary for the safe and convenient crossing of Burbridge Road by pedestrians.

It is the view of DAC that Burbridge Road with the views eastwards to the Mount Lofty Ranges is an important gateway to Adelaide. The proposed development would, by virtue of its bulky towers, heavy overpass and accompanying electric signage, significantly intrude on this attractive entrance vista. The buildings, particularly the council chambers, on either side of Burbridge Road at the site of the proposed bridge form an attractive streetscape. The bridge, by virtue of its size, bulk and intrusiveness, would detract from this attractive streetscape.

2. DAC agreed that physically grade separating vehicles and pedestrians maximises pedestrian safety. However, it considered that the inclusion of advertising panels on both sides of the overpass structure close to traffic signals, has the potential to compromise traffic safety through driver distraction. The electronic display provider advised that the signage should encourage passing traffic to view the sign. This is at odds with road safety conditions particularly for drivers approaching a signalised intersection. In addition, the northern ramp of the overpass is adjacent the main Burbridge Road access/egress point of the Hilton Plaza Shopping Centre. This could result in conflict between vehicle movements and pedestrian access to the ramp.

A Principle of Development Control relevant to the Zone where the development is proposed states that:

> 'Buildings should be focussed on a direct and convenient pedestrian network within the Zone which links the civic/community, office/commercial and shopping/service areas'.

The existing signalised pedestrian crossing associated with the traffic lights at the intersection of Bagot Avenue and Burbridge Road some 60 metres west of the proposed overpass, already serves as a safe and convenient access between the civic buildings and the shopping centre. To cross the proposed overpass would require walking a distance of around 220 metres.

In reaching its decision to refuse the application, DAC took into account advice from agencies including Transport SA and Heritage SA.

It is noteworthy that the applicant has appeal rights to the Environment, Resources and Development Court against the refusal.

CHILDREN'S RIGHTS

75. **Ms THOMPSON:** Which Government sponsored programs contribute towards its obligations under Articles 18-2, 27-3 and 29-1 of the United Nations Convention on the Rights of the Child and what is the total amount devoted to these programs?

The Hon. DEAN BROWN: The government values all children and young people in our community. Government policy is in keeping with the obligations outlined in the UN Convention on the Rights of the Child with regard to ensuring that families are supported in the care of their children and services are in place to assist children to grow and flourish.

While the care of children is a priority across government, the portfolio of human services has a leading role in regard to the first two articles mentioned in the question. The minister is responsible for policy administration and operations of public health, hospitals, family and community services, disability services, and housing.

Children are primary consumers of these services, and their needs and interests are important considerations.

Government also recognises that while parenting provides immense rewards, it also brings many challenges. Families facing difficulties, such as financial problems are often placed under considerable pressure, and this is particularly the case for those who do not have support from extended family and the community.

A range of support is available to families on low incomes including emergency financial assistance and housing subsidy. In addition, a range of programs is currently in place with a specific focus on support to parents. These programs range from general advice and information to services which provide more intensive and individual support. It is not possible to refer to every program, however, some examples of current initiatives from within the Department of Human Services (DHS) are provided below:

- the Parenting SA program, which includes: the very popular 'Parent Easy Guides' which have now been reproduced in 15 different languages and are particularly helpful to newly arrived migrant families - (budget $500,000);
- 'Families at Risk—Strengths, Resources, Access to Services, and Barriers', a research study involving a partnership between Parenting SA, the Women's and Children's Hospital, Flinders University and the University of South Australia, to be undertaken over the next three years, which will have implications for service delivery planning—(total funding $447,000);
- the parent helpline operated through child and youth health, a statewide support program for all parenting concerns;
- the Parenting Network (an initiative of the Women's and Children's Hospital, the Queen Elizabeth Hospital, and Child and Youth Health) a pilot project to support first time parents who live in the Port Adelaide/Enfield area; and
- the Kids 'n' You project , a project to assist young mothers who feel socially isolated—(budget $150,000).

Common features of all these projects are partnerships among agencies and collaborative approaches. Current planning within DHS intends to provide further opportunities for holistic approaches.

The following programs are funded by the DHS to support families and children who are particularly vulnerable:

Program	Amount
· Supported Accommodation Assistance Program (SAAP)	$20,201,700
Domestic Violence Services	$ 5,031,600
Services to Young People	$ 9,759,100
· Family and Community Development Program	$ 6,909,095
Families with Children	$ 2,616,020
Aboriginal Family Care	$ 503,280
Services to Young People	$ 1,188,290
Alternative Care Program	$ 4,970,000

Further information on the extent of services provided to families and children will be available shortly from the DHS 1998-99 Annual Report currently in print.

QUESTIONS ON NOTICE, REPLIES

78. **Mr WRIGHT:** What is the reason for not responding to Questions on Notice 234 and 235 from the previous session?

The Hon. M.H. ARMITAGE: I provide answers to questions that appear on the Notice Paper. Sometimes questions require significant work by my department. As you may be aware, there is a long standing tradition of Parliament that Questions on Notice in a session of Parliament are not automatically reinstated on the Notice Paper in the subsequent session. It was assumed that if the question no longer appeared on the Notice Paper an answer was no longer required.

TOTALIZATOR AGENCY BOARD

79. **Mr WRIGHT:** For each of the past three financial years—

(a) what has been the turnover and profit of the TAB and what extraordinary items have affected the profit;

(b) how much has been spent on advertising; and

(c) how much has been paid to Sky Channel?

The Hon. M.H. ARMITAGE:

(a) turnover and profit for 1996-97, 1997-98 and 1998-99 was as detailed below:

	1996-97	1997-98	1998-99
Turnover	$524,921,000	$593,071,000	$620,300,000
Operating Profit after income tax	$45,826,000	49,097,000	$50,170,000
Extraordinary Items	($4,304,000)[1]	($1,019,000)[2]	($13,000)[3]
Profit and extraordinary items after income tax	$50,130,000	50,116,000	$50,183,000

Notes:
1. Sale Festival City Broadcasters Ltd and Stamp Duty Refund
2. Sales Tax Refunds
3. Sales Tax Refunds offset by Scoping Review costs

The profit figures in the above table have been adjusted to eliminate the accounting effect of an abnormal item which impacted in 1997-98 and 1998-99. This abnormal item was related to the treatment of capital fund Interest. An amount of $2,089,000 was brought to account in 1998 and reversed in 1999.

(b)	1996-97	1997-98	1998-99
Expenditure	$2,158,728	$3,080,125	$3,589,118
Expenditure as percentage of turnover	0.41%	0.51%	0.57%

The above figures include advertising, promotions and sponsorship costs.

(c) The TAB has advised that information requested regarding payments to Sky Channel is subject to commercial in confidence arrangements.