

HOUSE OF ASSEMBLY

Wednesday 2 June 2004

The **SPEAKER (Hon. I.P. Lewis)** took the chair at 2 p.m. and read prayers.

NATIONAL COMPETITION PAYMENTS

The **Hon. M.D. RANN (Premier)**: I seek leave to make a ministerial statement.

Leave granted.

The **Hon. M.D. RANN**: The commonwealth has sought to penalise South Australia by withholding payments of moneys that I believe are owed to South Australia as competition payments. Today I have written to the federal Treasurer, calling upon him to withdraw competition payment penalties of \$8.7 million (or 15 per cent) of the competition payments due to this state. These penalties were applied on 8 December last year for South Australia's supposed failure to adopt reforms proposed by the National Competition Council (NCC) to legislation applying to the liquor licensing, barley and chicken meat industries. That means almost \$9 million less we have to fund our schools, hospitals, police and roads and is a cut we cannot afford. It is all because South Australia's current arrangements over the sale of liquor, the marketing of barley and the rules governing our chicken meat industry are seen as anti-competitive by the federal Liberal government and, in particular, by Treasurer Peter Costello.

The South Australian government provided strong and compelling reasons for the retention of existing arrangements in these areas—arrangements that have worked and are working well in this state—in an appeal statement of 17 October 2003. These arguments have been ignored by the federal Treasurer. When Australian governments, including the previous South Australian government, agreed to a range of competition reforms in 1995 it was on the basis that both economic and social impacts of reforms would be considered. However, the NCC is ignoring these social impacts. What is more, the federal Treasury has accepted its recommendations without further consideration. It is Treasurer Costello who applied these penalties.

A real issue of concern is the requirement on South Australia that we remove the 'proof of need' test for hotel and retail liquor merchant licences. Bodies such as the Drug and Alcohol Services Council, the Salvation Army, and South Australia Police have argued strongly against the abolition of the needs test. They argue that the greater the number of liquor outlets the greater the prevalence of liquor-related harm. Do we want a community where alcohol is sold at every corner shop or service station convenience store just because it complies with some theory about competition or anti-competitive behaviour? Ironically, there is expert opinion that this 'proof of need' test actually protects against business failures in the industry and against market domination by one or two powerful players, which would lead to a reduction in competition.

Now for the issue of the single desk in terms of barley. The Barley Marketing Act 1993 has served South Australia well and has provided the state with the orderly 'single desk' marketing system that has allowed the barley industry to flourish. The government has no desire to see the end of a system that has served barley growers so well. Members

opposite might oppose this single desk for barley; that is up to the Liberal Party. However, the National Competition Council does and the federal Treasurer agrees with it. The NCC recommended the deduction of 5 per cent from the total South Australian competition payments as a suspended penalty that would not take effect if barley marketing reforms were implemented by 30 June 2004. South Australia appealed this assessment in 2003 on the basis that the state required more time to consider the results of the Round Review. The South Australian government is further concerned that barley growers will have the existing protection provided by ABB removed without any guarantee that they will benefit from this.

The South Australian government also objects to the penalty imposed upon the Chicken Meat Industry Act, which offers growers a choice between collective or individual bargaining with processors. All we want is for small growers to be able to come together to secure their bargaining position with the large processors. However, despite early indications from NCC officials that the act would be compliant, the NCC later declared it was not and hit South Australia with a \$2.9 million penalty. The South Australian government remains committed to implementing sensible competition policy reforms where there is clear evidence that such reforms will deliver benefits to the community as a whole. The government strongly objects to the NCC's insistence on the removal of protections to small business and the community, as in the case of barley, liquor licensing and chicken meat industry legislation. I am amazed that members opposite in the Liberal Party do not support our stand on this. Accordingly, I have written to the federal Treasurer today requesting that he:

- immediately reverse his decision to impose penalties of \$8.7 million of competition payments;
- confirm, firstly, social impacts of legislative reforms should be considered equally with economic impacts and, secondly, the November 2000 decision of the Council of Australian Governments that governments are entitled to choose from a range of reform outcomes providing a net public benefit; and
- direct the NCC to apply this policy in its future assessments.

South Australia is committed to providing competition reform that is in the public interest. Our reform of shop trading hours is a clear example of this. We are not interested in applying a one size fits all template handed down from Canberra.

Members interjecting:

The **Hon. M.D. RANN**: It is quite clear that members opposite want to do away with the single desk. They are lining up with the NCC and Costello. We are lining up on the side of the barley growers and the farmers. I have urged the federal Treasurer—

Members interjecting:

The SPEAKER: Order!

The **Hon. M.D. RANN**: Competition reform in South Australia should benefit South Australia. The public interest requires that assessment be made of the social as well as the economic impacts of the application of national competition policy. We cannot allow ourselves to be made beholden to a narrow approach favoured by the NCC. I have urged the federal Treasurer to restore the competition payments that he is presently holding back from South Australian families.

South Australia cannot afford to do without this money now or into the future. Unless the federal Treasurer changes his mind, we will have no choice but to eventually legislate

within the time frame he has set. We must all work together to convince the Liberals in Canberra that they are going down the wrong path. The South Australian barley industry, hotels industry and chicken meat industry must redouble their determined efforts in lobbying the Howard government. Members opposite must join us in the fight on behalf of South Australia, not against it. They need to take up the call of the Minister for Agriculture and put state before party and lobby their federal colleagues. They need to tell them they have got it wrong, and I would welcome their support on behalf of South Australia

Members interjecting:

The SPEAKER: Order! The honourable member for MacKillop is presupposing that question time has commenced. It has not.

CHILD ABUSE

The Hon. K.O. FOLEY (Minister for Police): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: Following the report of the inquiry into the handling of sex abuse claims within the Anglican Church, I can announce that the government will now strengthen our state's laws regarding the mandatory reporting of suspected sexual and other abuse. This morning I met with the Commissioner of Police, who has recommended that the existing reporting requirements under the Children's Protection Act be extended. The government agrees with this position.

I can inform the house that the government will urgently introduce legislation extending mandatory reporting requirements to staff and volunteers of church and other religious organisations. The legislation will include any minister of religion, including a priest, rabbi, ordained minister, Christian Science practitioner or other similar functionary.

Mr Brindal interjecting:

The Hon. K.O. FOLEY: Just listen. The requirement will not extend to confessionals and other similar sacred communications. The government will work closely with church groups in the implementation of these changes. Notifiers will require training and organisations will need to develop appropriate protocols.

Members interjecting:

The SPEAKER: Order! Leave has been granted.

The Hon. K.O. FOLEY: Thank you, sir. As members know, those who prey on young children do not operate only within religious organisations. The law already requires volunteers or persons employed by organisations that provide health, welfare, child care or residential services for children to notify the authorities of suspected cases of child abuse. But child abusers also target other groups which currently may not be covered by the act. That is why we will further extend mandatory reporting to cover individuals within recreational and other groups who are engaged in the actual delivery of services to children or those who supervise them. The Police Commissioner has also recommended that the penalty for failure to notify be increased. I can therefore inform the house today that the government will be proposing that the penalty be increased from \$2 500 to \$10 000.

This government has made child protection a priority from the moment it took office. This government commissioned the Layton report into child protection and has subsequently committed more than \$200 million in extra funding for this vital area. This will see the number of child protection staff

increase by more than 250 child care workers. The measures I have announced today will widen the safety net for our children, regardless of where they are.

SAPOL BUDGET

The Hon. K.O. FOLEY (Minister for Police): I seek leave to make a ministerial statement.

Leave granted.

The Hon. K.O. FOLEY: Yesterday in this place the member for Mawson claimed that a leaked South Australia Police memo to local service area managers identified 11 local service areas as having exhausted their budget. I have since been informed that the memo was actually an email—between whom we do not know, as I am yet to be provided with a copy by the member. I have since discussed the issue with the Commissioner of Police and can assure the house that any suggestions that the South Australia Police budget has been exhausted are totally incorrect. I am advised that, at the end of April 2004—

Mr Brokenshire interjecting:

The Hon. K.O. FOLEY: 'Emailing me'! Now the leaked email is to him, is it? A memo to an email to him! I am advised that, at the end of April 2004, SAPOL's year to date position for recurrent expenditure was \$188 000 under budget. SAPOL's forecast recurrent budget position for the end of the year is to be on the positive side of break-even, with a small surplus currently forecast. The combined year to April 2004 managed operating budget position for the northern operations and the southern operations was \$86 000 ahead of budget.

Mr Brokenshire: Why did you pull your relief pool—the northern relief pool?

The SPEAKER: Order!

The Hon. K.O. FOLEY: I do not pull relief pools. That, of course, is the Police Commissioner's responsibility.

The SPEAKER: Order!

The Hon. K.O. FOLEY: As part of a normal quarterly review performed at the end of March, SAPOL redirected funds totalling \$475 000 to address local service area cost pressures. These funds were provided from the corporate operating reserves within SAPOL. The Commissioner of Police has the full confidence of this government. He does an excellent job in administering the policy of this government and managing the South Australia Police budget. This government will continue to support our police by giving them the resources and laws they need to get on with the job.

PAIWALLA SWAMP

The Hon. J.D. HILL (Minister for Environment and Conservation): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.D. HILL: Yesterday in question time, on advice received from officers in my agency, I made reference to the innovative approach being taken to allocate water saved from the Loxton irrigation scheme to Paiwalla Swamp for environmental purposes. I am disappointed that the member for Unley is not in the chamber. I have since been advised that Paiwalla Swamp is somewhat unique in that it is one of the few areas in the Lower Murray Swamps that can be allocated water specifically held in South Australia's River Murray entitlement for wetland management purposes. In this regard, the water allocation plan for the River Murray prescribed watercourse specifically allocates 200 gigalitres

of water for the management of nominated wetlands. Therefore, the allocation for Paiwalla Swamp has been made from that water prescribed for wetland management rather than from that saved from the Loxton irrigation scheme. I think it was the reference to that water that the member for Unley had in mind when he asked the question.

LEGISLATIVE REVIEW COMMITTEE

Mr HANNA (Mitchell): I bring up the 22nd report of the committee.

Report received.

Mr HANNA: In accordance with the preceding report I advise that I no longer wish to proceed with Private Members Business Bills/Committees/Regulations, Notice of Motion No. 2. I now bring up the 23rd report of the committee.

Report received and read.

QUESTION TIME

CHILD ABUSE

The Hon. R.G. KERIN (Leader of the Opposition): Does the Attorney-General consider that the Anglican Church Inquiry and the Premier's statements yesterday have compromised any ongoing police investigation into possible criminal charges?

The Hon. M.J. ATKINSON (Attorney-General): Clearly, I cannot say whether or not that is so until I have consulted with those doing the investigation.

SMOKE-FREE PREGNANCY PROJECT

Ms THOMPSON (Reynell): My question is to the Minister for Health. How will the Smoke-Free Pregnancy Project announced last Monday, World No Tobacco Day, assist pregnant women to stop smoking and reduce the risk of ectopic pregnancies, miscarriages, low birth weight babies, stillbirths and Sudden Infant Death Syndrome?

The Hon. L. STEVENS (Minister for Health): I certainly thank the honourable member for Reynell for the question about the Smoke-Free Pregnancy Project announced last Monday on World No Tobacco Day to help pregnant women to stop smoking. The World Health Organisation has designated World No Tobacco Day to encourage communities and individuals to take action to reduce the dreadful consequences of smoking.

It is estimated that one-quarter of pregnant South Australian women smoke during their pregnancy, and this can lead to a variety of health risk factors for both mother and baby. Once born, babies are also more likely to suffer from asthma, ear infection and upper-respiratory tract infections, if their mothers smoked during the pregnancy. A woman is more likely to quit smoking during pregnancy, too, than at any other time during her life, and with help from a health professional about half of all pregnant smokers do quit.

The Smoke-Free Pregnancy Project will provide information, and one-on-one and group counselling, all supported by a pregnancy quitline telephone service. Support to quit is also available to the pregnant woman's partner to make it easier for the woman to quit and remain a non-smoker. Tobacco still remains the single largest preventable cause of premature death and disease in Australia today, and I encourage all

pregnant women who smoke to make a special effort to call the Quitline on 131 848 for advice and assistance.

CHILD ABUSE

The Hon. R.G. KERIN (Leader of Opposition): My question is to the Deputy Premier as Minister for Police. Given the statement by the Attorney-General yesterday to the house that there should not be a review into abuse claims of children under state care because the task force—

The Hon. K.O. Foley interjecting:

The Hon. R.G. KERIN: All right. Given the statement by the Attorney-General yesterday that there should not be a royal commission into the sexual abuse of children in state care because the task force is doing the job, will the Deputy Premier assure the house and South Australians that the task force named the Child Exploitation Investigation Section of the police force is adequately resourced?

The Hon. K.O. FOLEY (Deputy Premier): I spoke to the Police Commissioner yesterday—we speak most days about various matters—and we discussed the pending tabling in parliament of the report into the Anglican Church.

Mr Williams interjecting:

The Hon. K.O. FOLEY: Monday; sorry. I am losing track of days; I do apologise member for MacKillop.

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Do you want me to answer the question or do you just want to heckle?

Ms Chapman interjecting:

The Hon. K.O. FOLEY: Well, if you just give me a chance to answer, member for Bragg, I am happy to give an answer, but if you would rather heckle, I will sit down and read the newspaper. In my discussion with the Police Commissioner prior to the tabling of the report, I said to him, as I have on a number of occasions on this matter that, clearly, the issue of resources will be adequately supported by the government. That is, the Commissioner should advise the government of any resources that he feels he needs additional to his current allocation, and we will provide them. We spoke subsequent to the tabling of the report, as we have done on a number of occasions about this matter, including a very lengthy 1½ hour discussion today on this and other matters. At this stage the indications are that he has sufficient resources within SAPOL's budget, but he is aware of the government's position in that, if further resources are required he will request them and we will deal with that at that time—and we will look at that favourably.

He made the point to me that there is also the issue of resources from the DPP perspective. Of course, it may be that resources are needed, not necessarily just in the police area, but there may be requirements elsewhere; we do not know. As soon as we do know we will address it but, as my colleague just indicated, since coming to office we have substantially increased resources to the DPP's office. At this stage I am advised that the resourcing allocation is sufficient, but that will be monitored and we will be advised on an ongoing basis.

The Hon. R.G. KERIN: I have a supplementary question. Given the minister's assurance that until now the unit has been adequately resourced, how does he explain that the Child Exploitation Investigation Section has failed to follow up serious allegations of child sexual abuse and the death of a person in institutional care? On 28 November last year a complaint was made to the Child Exploitation Investigation

section of SAPOL related to the abuse, death and burial of a person on the grounds of a particular institution. The section responded by email, agreeing to a course of action which included a visit to the burial site to be videoed, and the recollections of the complainant recorded 'within a few days'. However, in December the section emailed the complainant stating that, due to other investigations and an acute shortage of staff, they had not been able to dedicate much time to matter. In February the section sent a third email which stated that they had not been able to devote any time to the matter in recent weeks due to inordinate workloads. I spoke to the complainant this morning, and he informed me that there has still been no action taken by the police, more than six months after his initial contact and despite their assurances that they would investigate quickly.

The Hon. K.O. FOLEY: If I may, it would have been opportune, and I would have thought courteous and, indeed, appropriate for, perhaps, the Leader of the Opposition to speak to the Police Commissioner. The house needs to understand this: whatever resources the Police Commissioner needs to fight paedophilia he will get from this government. Make no mistake: what he needs he will get. Let us put this debate in perspective. If members opposite—

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: There has been a decision by this government that the former government would not take. The former government—of which the Leader of the Opposition was premier and, certainly, a senior cabinet minister—refused to remove the 1982 date. Former Attorney-General—

Members interjecting:

The SPEAKER: Order! The Deputy Premier has the call.

The Hon. K.O. FOLEY: The former cabinet and former attorney-general Lawson did not have the courage or the guts to remove the pre-1982 section of the immunity. This government did. Then the Police Commissioner, from memory, ran an open hotline for those pre-1982. We then had (I think I have the sequence correct) the Anglican Church initial fallout from that issue, which saw an extraordinarily large number of cases come before the police in a very short space of time. It is bizarre and quite unfair to be critical of a police department that was hit very quickly with a massively increased workload, for which resources were provided. I am sick and tired of this opposition—this disgraceful opposition, this gutless opposition—

The Hon. DEAN BROWN: Sir, I rise on a point of order. Under standing order 98, the Deputy Premier is clearly debating not even the question but other issues. I ask you to bring him back to the specific question that was asked of him by the leader.

The SPEAKER: If the Deputy Premier can remember the specific question—

The Hon. K.O. FOLEY: I can, sir.

The SPEAKER: I suggest to him that he return to it—

The Hon. K.O. FOLEY: As I said, the Commissioner had been provided with resources. He knows that, if he needs them, he need only ask for them. I will obtain a report with respect to the specific case in question, because I am sick and tired of this underhand criticism of the administration of the police bureaucracy. What I will say is this—

The Hon. DEAN BROWN: Mr Speaker, I again rise on a point of order.

The SPEAKER: Order! Under standing order 98 the Deputy Premier knows that, in answer to a question, he may

not debate the subject of the same. That is clearly where the Deputy Premier is not now heading but has, indeed, gone. I think that, if there is no further factual information in response to the supplementary question asked by the leader, it would be better for the house's purposes to move on.

BANKSIA ENVIRONMENTAL AWARDS

Ms BREUER (Giles): My question is to the Minister for Environment and Conservation. Have any South Australian projects been nominated for the Banksia Environmental Awards that are being announced on World Environment Day this Saturday?

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for Giles for that appropriate question. I am very pleased to inform the house that two organisations from South Australia have been nominated for the prestigious Banksia awards to be presented in Victoria, I think (certainly, not in South Australia), this coming weekend. Two organisations, Greening Australia and petroleum company Santos, have been nominated.

Santos has been recognised for its work to protect the sensitive Coongie Lakes area in the north of South Australia. Greening Australia has been nominated for its work on the Fleurieu Peninsula to save the endangered South Australian subspecies of the glossy black cockatoo. This project is receiving joint state and federal funding and is being managed by the Department of Environment and Heritage.

Being nominated for a Banksia award is a significant achievement in itself, and I congratulate those two organisations. It is particularly significant to have a petroleum company nominated for an environmental award. The South Australian projects have both been nominated in the Environmental Leadership in Protecting Bush Land and Waterways category, along with other projects from all over Australia. The winners of the awards will be announced in Melbourne this Saturday on World Environment Day.

The protection of the Coongie Lakes involves exhaustive community negotiations and could not have happened but for the leadership of Santos in delivering a memorandum of understanding. As a result, petroleum activity has been excluded from 115 700 hectares of the lakes and wetlands, and a new national park, covering 26 600 hectares, is being established over the core lakes area.

Greening Australia has helped with the glossy black cockatoo recovery program, which it is hoped will double the population of glossy black cockatoos to 300 by 2008. This involves re-establishing habitat, including the food trees used by the cockatoos on the southern Fleurieu Peninsula. This project engages the participation of many hundreds of students and volunteers each year. I would like to congratulate both Santos and Greening Australia on their nominations and sincerely hope that at least one of them comes home with a Banksia award.

STATUTE OF LIMITATIONS

The Hon. R.G. KERIN (Leader of the Opposition): Will the Attorney-General confirm to the house that it was not the government but the Hon. Andrew Evans in another place who moved to remove the 1982 statute of limitations, and that the Attorney-General initially did not agree with that proposition?

The Hon. M.J. ATKINSON (Attorney-General): The history of this matter is that in the last parliament there was

an organisation with a name like Survivors of Abuse, and they were aggrieved by the refusal of the then Liberal government to even consider lifting the pre 1 December 1982 immunity. That organisation wrote to me several times when I was shadow attorney-general and I said that, upon coming to government, Labor would consider lifting the immunity. We came to government. I took advice on the matter, which is where I came across the docket revealing the Hon. Robert Lawson's position on this matter.

My friend Andrew Evans moved a private member's bill in the other place and, having taken advice, I was pleased to commit the government to the bill. In fact, some of the best legislative initiatives in my time in parliament have been private members' bills. But without the support of the government it would not have prevailed.

The Hon. R.G. KERIN: As a supplementary question, will the Attorney-General please advise the house whether the Treasurer was wrong yesterday when he said that the statute of limitations had actually been brought in by a Liberal government?

The SPEAKER: The honourable leader knows that he does not have to beg the Attorney for anything. And neither does the Attorney or any other minister have to express any gratitude.

The Hon. M.J. ATKINSON: I am not sure if the quote by the Leader of the Opposition is correct. If it is, I shall respond in due course.

YOUTH CONSERVATION CORPS

Mrs GERAGHTY (Torrens): My question is to the Minister for Employment, Training and Further Education. What opportunities are available to young people through the Youth Conservation Corps?

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): The government recognises that, when young people first start looking for work, it can be a daunting and difficult challenge for them. So, one of the areas on which we have placed emphasis in the employment and training area is to make sure that our young people learn new skills and get into the networks that you need to lead to work. I am very proud to be responsible as minister for the government Youth Conservation Corps program. I take this opportunity to compliment the Premier, because this is an initiative that he has championed for quite some time. One of the reasons why the Premier was keen for us to have the Youth Conservation Corps is because there is an opportunity to provide work for unemployed or underemployed young people between the ages of 15 and 24 who are keen to develop skills associated with conservation and environment. The program centres on young people being provided with interesting and exciting project work over a six-month period that has a strong focus on making sure that the participants have the necessary skills to enter the work force.

With this in mind, the Youth Conservation Corps program incorporates a strong focus on gaining accredited training and recognition in a number of areas. I will list some of them, which I think that members in this house would recognise as very useful when going into the work force: senior first aid; level two health and safety; career planning; environmental training; restoration/building training; project management/data collection; team leadership roles/mentoring; confidence; work ethic; communication skills; problem

solving, including people and logistical problem solving; work site organisation; and networking/friends. Currently we have 23 community projects running which include re-establishing natural bushland and gardens at the Cleland Conservation Park and Black Hill Conservation Park, refurbishment of sections of the Adelaide Zoo renovations, and engaging the South Australian community and community organisations through planting 1 million local native trees across the Adelaide metropolitan area over the next five years. I am pleased to say that the Premier and I am very much involved in growing trees for this project as well as being participants, and I think that a number of members in this place are also growing trees to help with this effort. One of the other examples is the construction of a bicycle loop trail network in Cudlee Creek.

These programs are supported by a number of heritage and conservation programs, and many are dear not only to my heart but also probably to other members in this place. I mention particularly the Dolphin Foundation, Trees for Life and the SA Museum which are just a few of the organisations that support the Youth Conservation Corps. Members would be pleased to know that so far a total of 313 young people are currently participating in this program, and the really good news is that the gender breakdown in this program is 50 per cent male and 50 per cent female. That is fairly unusual, but it is certainly something that we aim to have in most of our programs, especially when you consider that in South Australia women make up about 51.9 per cent of the population, so we are striving to reach that target.

I am also very proud to advise the house that the patron, Dr David Suzuki, has also been following this particular program. There is a very good feeling amongst the community and government organisations who directly benefit from the hard work and dedication provided by the young people who freely volunteer their time and skills. In closing, I acknowledge the efforts of Conservation Volunteers Australia and Greening Australia for delivering their program, and I compliment the young people—particularly the 313 that I mentioned—for making sure that this is a successful project that is sought after by young people.

CHILD ABUSE

The Hon. R.G. KERIN (Leader of the Opposition): Will the Attorney advise the house how many convictions have been achieved by the removal of the statute of limitations following the initiative of the Hon. Andrew Evans?

The Hon. M.J. ATKINSON (Attorney-General): Something like 585 cases are under investigation, but none of them has yet been brought to court. As members would recall, it is not long since we lifted the statute of limitations. I do not want the parliament to become overwrought about how many convictions are going to be obtained. If you look at the High Court authority on the evidence needed to obtain a conviction in these sex abuses cases after so many years, it is obvious that there will be a very heavy burden on the Office of the Director of Public Prosecutions in obtaining convictions because of the effluxion of time. So, I am not going to oversell the possibility of convictions here.

Nevertheless, I am told that 585 cases are under investigation. There has been an enormous response to the police hotline established by the Police Commissioner after the parliament lifted the pre 1 December 1982 immunity. It was the right thing to do on principle; it should have been done by an earlier government.

TORRENS PARADE GROUND

Mr KOUTSANTONIS (West Torrens): My question is to the Minister for Administrative Services. What are the uses of the Torrens Parade Ground facilities?

The Hon. M.J. WRIGHT (Minister for Administrative Services): I thank the member for West Torrens for this very important question. Members would be aware that the Torrens Parade Ground transferred from the commonwealth to the state in 2001, as part of the Centenary of Federation celebrations. While the heritage listed building was structurally sound, it was left in a poor state of repair and needed significant upgrading to comply with current standards. The government committed the \$4.3 million to refurbish the building, fit out part of the ground floor and repave the surface of the parade ground. The government was keen to maintain a strong connection with the building's military history and, as a result, office space on the first floor of the refurbished building is leased at reduced rents to the Returned and Services League, the Royal Australian Air Force Association and the Vietnam Veterans Association. The History Trust leases offices and exhibition space on the ground floor.

Community events, such as Anzac and Remembrance days, the Adelaide and Fringe festivals, Jacob's Creek Tour Down Under, Carols by Candlelight and Tasting Australia will continue to utilise the parade ground. Schools holding and attending events in the city will also continue to use this facility. The drill hall has become a flexible, contemporary facility, available for use for appropriate arts, cultural and community activities.

The Premier officially opened the refurbished building on 22 April. Due to the level of interest in the building refurbishment by ex-service groups and the broader community, an open day was also held on Sunday 23 May.

CHILD ABUSE

The Hon. R.G. KERIN (Leader of the Opposition): Does the Attorney-General agree that the allegations of child abuse against the Reverend John Mountford would not have come to light without the Anglican Church internal inquiry?

The Hon. M.J. ATKINSON (Attorney-General): As I understand it, the matter was canvassed before the Anglican Archdiocese of Adelaide inquiry was established.

The Hon. R.G. KERIN: I have a supplementary question. Then why were the demands not made before by the Premier rather than wait on the report yesterday?

The Hon. M.J. ATKINSON: Would the Leader of the Opposition repeat his question?

The SPEAKER: Order! I understand the question was, quite simply: why wait until yesterday to do anything about it? The Attorney.

The Hon. M.J. ATKINSON: If someone wanted to take that matter to the police, whether it was a victim, the victim's family, members of the Anglican Church who are aware of the matter, or people from St Peter's College, they were free to take it to the police. As I understand it, some weeks after the incident, after the Reverend Mountford fled in 1992, it was taken to the police.

The Hon. R.G. KERIN: As a further supplementary question, is the Attorney admitting that it is only because of

the Anglican Church inquiry that the matter is now going to be looked at by the police?

The Hon. P.F. CONLON: I take a point of order. There have been a series of supposed supplementary questions that are not supplementary questions but are of the nature of cross-examination, and I must say a very poor one.

Members interjecting:

The Hon. P.F. CONLON: I take umbrage at the comments by the member who suggested that I have something to hide. I want him to apologise and withdraw immediately. It was said to me by the member MacKillop that he wants to know what I have to hide. I want that comment withdrawn, and I want him to apologise. It is disgraceful! You are a grub!

The SPEAKER: Order! The leader of government business in the house, the Minister for Infrastructure, has asked the member for MacKillop to withdraw a comment. I did not hear the member for MacKillop's comment. If the member made it, is he willing to withdraw that comment?

Mr WILLIAMS: I was seeking to understand why the government did not want to answer the question. I did not make the comment.

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order! The assertion is regrettable but I know of no precedent in which a question asked of a minister by way of interjection as to whether he has something to hide or not has ever been found unparliamentary. I think the sooner we move on, the better.

The Hon. M.J. ATKINSON: I rise on a point of order. Surely the question, 'What do you have to hide?' takes its content from the background against which it is said. It is my submission that against this background the member for MacKillop's remark is unparliamentary.

The SPEAKER: Probably about as unparliamentary as 'grub'. The Leader of the Opposition.

The Hon. R.G. KERIN: My question is again to the Attorney-General. Given the Premier's statement yesterday that 'the school and the church once again put its own image and its own perceived interests ahead of the interests of those whom it had a legal and moral obligation to care for,' I ask: is this statement not totally applicable to the government's refusal to investigate allegations of sexual abuse of children in government care?

Members interjecting:

The SPEAKER: Order! The Deputy Premier may choose to answer the question but not from his seat—rather on his feet and on the record. The Attorney-General is on his feet and has the call.

The Hon. M.J. ATKINSON: I do not think that the record of the previous government and the current government are far apart on this matter. We have the same—

The Hon. R.G. KERIN: I take a point of order. Under standing order 98 relating to relevance, what the Attorney is talking about has nothing to do with the question that I asked.

The SPEAKER: Order! The Attorney-General will address the substance of the question.

The Hon. M.J. ATKINSON: I was addressing the subject of the question. The question would apply to all governments in South Australia's recent history. Yesterday I was asked what inquiries or options, short of a royal commission, the government would be willing to undertake into wards of the state. Although I am opposed to a royal commission for reasons that I have been stating publicly for many months, I am considering an inquiry or options short of a royal

commission. That is something that I would like to do in a calm and rational manner and not in the way it is being done by the Liberal opposition, trying to create smears on the back of abused children.

Members interjecting:

The SPEAKER: Order!

Mrs REDMOND: I rise on a point of order, sir. Again, I draw your attention to the content of the Attorney's answer. The essence of the question related specifically to a statement made by the Premier yesterday and the relevance of what the Attorney has to say to about that.

The SPEAKER: I uphold the point of order.

Mr BRINDAL: I rise on a further point of order, sir. The Attorney accused the Liberal opposition of raising 'smears on the back of abused children'. You, sir, my leader and I are the only people who have been raising this issue publicly. I am affronted by that comment. I have been raising this issue in the house for 12 months. I am affronted, and I ask that the Attorney apologise.

The SPEAKER: Order! The point of order raised by the member for Unley is the offensive implication of the remark made by the Attorney-General as to the factual nature of the assertion he made. It is not unparliamentary, but I invite the Attorney-General to withdraw the slur as it might apply to other honourable members who have not offended in that regard.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): My question—

Members interjecting:

The SPEAKER: Order! The deputy leader has the call.

The Hon. DEAN BROWN: —is to the Deputy Premier—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: —who appears to be making threats across the chamber.

The Hon. K.O. Foley: No; I just said be careful.

The Hon. DEAN BROWN: No; you were making threats across the chamber.

The Hon. K.O. Foley: No; I was saying be careful.

The Hon. DEAN BROWN: Why has the government failed to act already on recommendation 54 by Robyn Layton QC in March last year that there be mandatory reporting by staff and volunteers of church and other religious organisations? In his ministerial statement today the Deputy Premier said that the government will 'urgently introduce legislation extending mandatory reporting'. This is the same recommendation of 15 months ago, but no legislation has been amended.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY (Deputy Premier): I look forward to the opposition's support to pass legislation rapidly, but I just wonder what the track record of the Liberal government was in dealing with matters of sexual abuse. I wonder what they did during their term of government.

Members interjecting:

The SPEAKER: Order!

The Hon. K.O. FOLEY: Perhaps we might—

The SPEAKER: Order!

The Hon. DEAN BROWN: I rise on a point of order, sir. My question was very specific to the Deputy Premier: why had he not acted in the last 15 months? I want an answer to that.

The SPEAKER: I uphold the point of order.

The Hon. K.O. FOLEY: We will act now as quickly as we can, but I ask: why did they not do it in the eight years they were in government?

The SPEAKER: Order! The opportunity to ask questions does not—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: Mr Speaker—

The SPEAKER: The deputy leader will resume his seat. Along with all other ministers, the Deputy Premier is not provided in standing orders with the capacity to ask questions, rhetorical or otherwise. It is highly disorderly for him simply to blow his stack in that fashion.

SCHOOLS, PAMPHLETS

Ms CHAPMAN (Bragg): My question is to the Premier. What is the cost of the publicity campaign being conducted by the government this month, which involves sending letters and pamphlets entitled 'Education in South Australia: a major priority for the Rann government' to the chairs of school councils?

The Hon. M.D. RANN (Premier): Apparently, the honourable member does not like the fact that I am writing letters to school councils. Maybe she can ask her frontbench colleague about the survey he is sending out to the community, which can only be described as comical. I will not apologise for writing about education to school councils. But what she does not like is the fact that this government is putting money and funds into education rather than cutting them.

Ms CHAPMAN: Has the Premier's personal access to the list of governing council chairs contravened the privacy guidelines which, the former minister Hon. Trish White wrote in her letter to me on 10 September 2003, was the reason for denying me access as shadow minister to the list of governing council chairs as I had requested in a letter to her of 8 April 2003?

An honourable member interjecting:

Ms CHAPMAN: Have you? Well, you are in breach of the guidelines.

The Hon. M.D. RANN: I know the member for Bragg wants to be the Leader of the Opposition, but she will not be the Premier.

Ms CHAPMAN: Did the Minister for Education and Children's Services obtain permission for each of the chairs of the governing councils for the distribution of the information pursuant to the privacy principles which are pursuant to the Department of Premier and Cabinet circular PC012?

Mr Venning interjecting:

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I could not hear all of the question, Mr Speaker. Could I have it repeated, because the member for Schubert was making a rather large amount of noise?

Ms CHAPMAN: I am happy to repeat this question for the minister. Did the minister obtain permission from each of the chairs of the governing councils for the distribution of the information pamphlet pursuant to the privacy principles under the Department of Premier and Cabinet circular PC012?

The Hon. P.F. Conlon: It's a monstrous act, Mike.

The Hon. J.D. LOMAX-SMITH: I am not aware of the contents of PC012. Whilst I have read many of the Premier and Cabinet's rules and regulations, I have not committed them all to memory, so before I answer the question I will check the facts.

The SPEAKER: Order! Can I simply help the Minister for Infrastructure who, by way of interjection, attempted to belittle the substance of the question being asked by the member for Bragg. Having been treated to the same indignity for less cause, I take exception to that approach and warn all honourable members that the chair will not tolerate that kind of behaviour. All honourable members have a right to ask a question, and for it to be answered. More particularly, not just the principle but also the substance of the interjection from the minister, if it were not serious, then why is the information denied other members?

SCHOOLS, BUS CONTRACTS

Ms CHAPMAN (Bragg): My question is to the Minister for Education and Children's Services. Why does the index used to determine the rate of school bus service contracts which are adjusted quarterly, not take into account, first, the wage increases from the effective date and increases in government fees and charges, secondly, the insurance premiums and, thirdly, the maintenance costs; and why does the index use the cost of unleaded fuel when buses use diesel fuel and have so for 15 years?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Bragg for her question. Those are operational matters and I am happy to get the department to respond.

POLICE, MANAGEMENT

The Hon. D.C. KOTZ (Newland): Thank you Mr Speaker. Will the Minister for Police advise the house whether or not he has found the section of the Police Act prohibiting him giving any direction to the Police Commissioner with regard to control and management of police? Under the heading 'Commissioner responsible for control and management of police', section 6 of the Police Act 1998 provides:

Subject to this act and any written directions of the minister, the Commissioner is responsible for the control and management—

The Hon. M.J. ATKINSON: I rise on a point of order. It seems entirely out of order for a member to ask a minister whether he is aware of part of the corpus of South Australian legislation and then to answer her own question by reading out a section. It is readily available material. We are all taken to be aware of what the law is.

The SPEAKER: No. The Attorney-General is mistaken; that was not the question. The question was: is he yet able to tell the house under what section he has claimed or stated that he cannot? The question is in order. It does not seek, either, a legal opinion.

The Hon. K.O. FOLEY (Minister for Police): The member answered her own question. The point is this: is the member seriously suggesting that I should direct or interfere with the day-to-day operations of the police force? If that is what she is suggesting, I am horrified, because that is not how I will operate as a minister of this government. For Liberal members of parliament to be wanting a police minister—

The Hon. D.C. KOTZ: I rise on a point of order. I refer to standing order 98, which talks about relevance. Yesterday the minister admitted that he did not know and did not have the right to instruct the Minister for Police. So, I would like him to direct his answer to the question that was asked.

An honourable member interjecting:

The SPEAKER: Order! Under what sections in the Police Act is the Minister for Police claiming to—

The Hon. K.O. FOLEY: Sir, I would be happy to send her a copy of the act. I have no intention of directing this Police Commissioner. I have no intention of interfering. I am quite comfortable with that approach in being police minister. Members opposite may wish to do the job differently, should they ever have the job. I do not.

The Hon. DEAN BROWN: I rise on a point of order. Based on your ruling to this house last night, if the minister, in answer to a question, makes a specific claim as the Deputy Premier did yesterday, then under that he or she can be expected to give the source of that claim. I refer to your very lengthy statement and ruling to the house last night. I believe that this question is simply trying to determine, therefore, under what authority the Deputy Premier made that statement yesterday.

The SPEAKER: That is as may be. The Deputy Premier chooses not to answer.

The Hon. K.O. FOLEY: I will answer the question quite specifically: I have not read the specific piece of the act to which you are referring. The member just did, and it sounded about right.

Members interjecting:

The SPEAKER: Order! Perhaps we can get past this. The provisions read by the member do not, in fact, prohibit the minister from directing the Commissioner. If there are other clauses, then the minister might like to draw attention to them.

LAYTON REPORT

Mrs REDMOND (Heysen): My question is to the Deputy Premier. Can he advise the house of what he means by the term 'urgently' in relation to the introduction of legislation in his ministerial statement delivered earlier today? In March 2003, after the Layton report was tabled in parliament, the Premier stated that the government was urgently considering that report. But, as yet, there has been no formal response from the government.

The Hon. K.O. FOLEY (Deputy Premier): The Layton inquiry was a very detailed, long and prescriptive document. We have worked our way through that document, and we have provided, at least from last numbers I am advised, at least \$200 million of new funding, 250 social care workers and a whole lot of other reforms that we rolled out over the time. We will address this one very urgently. The point I made earlier was: be critical of us for not moving little quicker—perhaps. But, for eight years the Liberal party in the state did nothing about child protection; we are a million miles ahead of where they were.

RING CYCLE

Mr HAMILTON-SMITH (Waite): My question is to the Minister Assisting the Premier in the Arts. When did the minister first become aware of the \$4 million plus blow-out for the *Ring*? Can he guarantee the house that the bail-out will not be more than \$4.3 million?

The Hon. K.O. Foley interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL (Minister Assisting the Premier in the Arts): I refer the details of the question that was asked by the member to my ministerial statement last week. I cannot recall the exact date when I discovered the financial problems with the *Ring*. There has been a series of issues with the *Ring* over the last couple of years. Primarily, the problem with the *Ring* was that the original budget agreed to by the former minister (Hon. Diana Laidlaw) was not sufficient to achieve the outcomes that were expected, and there is one particular reason for that. It was anticipated that the set construction would be built by the Festival Centre Trust. As it happened, the Festival Centre Trust was unable to build it, so the job had to be outsourced to other construction enterprises right across Australia, and that significantly caused an increase in the budget.

An honourable member interjecting:

The Hon. J.D. HILL: How is it Di Laidlaw's fault? A proper risk assessment was not done at the time that the budget was approved. The expert who has been brought in to give advice and to put this project on track, Mr Noel Staunton, told me that he believes the original budget was naive. He has worked through the company to reduce costs and to get the budget back on track. We now have—

Ms Chapman: A mess.

The Hon. J.D. HILL: The member for Bragg's inanity by way of interjection is extravagant in the extreme. If she had something positive to contribute to the debate it would be welcome. We are fixing up the problems caused by the former government not only in the arts but also across a whole range of portfolio areas.

Mr HAMILTON-SMITH: My question is again to the Minister Assisting the Premier in the Arts. What arrangements did he put in place on coming to office for the ministerial oversight of financial management of the *Ring* and what action, if any, did he take in relation to the Auditor-General's Report for the year ending June 2003, which was highly critical of the government's financial management of the *Ring*?

The Hon. J.D. HILL: I was not responsible for the *Ring* on coming to office.

Mr HAMILTON-SMITH: Sir, I rise on a point of order. The government came to office in March 2002. My question was: what actions did the government take on coming to office to ensure financial oversight?

The SPEAKER: Order! The Minister for Environment and Conservation, in his capacity as Minister for the Arts. All other honourable members may aspire to that office, but they are not the minister. The minister has the call.

The Hon. J.D. HILL: Thank you very much, Mr Speaker. The second question asked by the shadow minister was not the question that he asked originally. I answered that question honestly. I was not the minister responsible for the *Ring* on the Labor Party's coming to office. If the member's question is, 'What did the government do?' I will obtain a detailed response for him.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Sir, I have a supplementary question to the same minister. Who was responsible when the Labor government came to office; which minister was responsible?

The Hon. J.D. HILL: Mr Speaker—

Members interjecting:

The SPEAKER: Order!

The Hon. J.D. HILL: —I am not responsible for the matter about which the member has asked me.

MINERAL EXPLORATION

Mr WILLIAMS (MacKillop): Would the Premier support a major new mine of Olympic Dam proportions if it contained uranium? In a media release of 7 October last the Premier said that ore deposits formed in South Australia hundreds of millions of years ago 'appear to be rich in gold, zinc and copper, along with other valuable minerals, including platinum and magnesium'. The Olympic Dam style ore body—

The Hon. P.F. CONLON: Sir, I ask for your ruling on whether the question is, indeed, a hypothetical one.

The SPEAKER: Order! There is no point of order. The honourable member for MacKillop.

Mr WILLIAMS: The Olympic Dam-style ore bodies many geologists and exploration experts and, indeed, the government believe exist in the Gawler Craton contain all those minerals as well as uranium, which the Premier neglected to include in his media release.

The Hon. W.A. Matthew: The 'ban on Roxby' man!

The SPEAKER: Order, the member for Bright!

The Hon. W.A. Matthew interjecting:

The SPEAKER: Order! The member for Bright is not the Premier. The Premier has the call.

The Hon. M.D. RANN (Premier): And the member for Bright will never be the Premier. In fact, it is even doubtful whether he will get into the leadership position ahead of the member for Bragg or others who might be in her way. I am delighted to announce today to this house that the South Australian Labor government has put in place the strongest incentive package ever, to my knowledge, to encourage the exploration of the state's mineral resources. We made this announcement, which is designed to encourage exploration, because so much of our state remains unexplored.

Mr WILLIAMS: On a point of order, the Premier has plenty of opportunities to make all sorts of grandiose announcements, but I was hoping that in question time he might answer my specific question.

The Hon. M.D. RANN: And let me say this: in addition to the exploration package that I have announced, just last week we had a news conference with Western Mining. Everyone knows of my strong affection and respect for Western Mining. They will know of my strong affection and respect for Mr Richard Yeeles of Western Mining. I was delighted to be able to share a news conference with the honourable minister in charge of mines with Mr Andrew Michelmore, the CEO of Western Mining, when we announced that there will be a \$50 million feasibility study designed to look at the potential—and hopefully to report about February or March of 2006—for not only a major expansion but, we hope, a doubling of Western Mining's Olympic Dam mine.

The Hon. K.O. Foley: Get that stuff out of the ground!

The Hon. M.D. RANN: Yes, let's get it out of the ground. I am saying that already this is one of the largest copper mines in the world, and they have also found considerable reserves in gold. So I say to members opposite: join me in supporting Western Mining and its feasibility study. I look forward to an announcement round March of 2006, which I know that we can all be proud of.

Mr WILLIAMS: By way of supplementary question, since the Premier has talked about incentives to the mining industry in South Australia, does the government still support

his proposal from last year's budget to increase mining royalties in South Australia from 2.5 per cent to 3.5 per cent?

The Hon. K.O. FOLEY (Treasurer): Not only do we support it but so do members opposite, because they voted for it!

Mr WILLIAMS: As a further supplementary to the answer to that question, I am wondering what we voted for, since the legislation has not been put to the house.

The Hon. K.O. Foley: The budget.

Mr WILLIAMS: The legislation to increase the mining royalties has not been introduced to the parliament.

The SPEAKER: Order!

The Hon. I.F. EVANS (Davenport): As a supplementary question to the Premier, given that the Premier supports the doubling of Western Mining does he also support the doubling of the radioactive waste that will be created with it?

The Hon. M.D. RANN: What I do support—

Members interjecting:

The Hon. M.D. RANN: No, no: you listen to me. Don't you worry about that!

An honourable member interjecting:

The SPEAKER: Order! The honourable Premier has the call.

The Hon. M.D. RANN: This is the difference between you and us: we support South Australia looking after its own waste. You support South Australia taking everybody else's waste—that is the difference.

HILLS FACE ZONE

Mrs HALL (Morialta): My question is to the Minister for Urban Development and Planning. Will the minister advise the house how long the moratorium on development within the Hills Face Zone will be in place? Will she give a timeframe to subsequent government action in response to the Hills Face Zone review? The former minister for urban development and planning announced on 27 February a moratorium on all development within the Hills Face Zone and the development of policy following the Hills Face Zone review. I know he has just become a father, but constituents of mine in the electorate of Morialta have expressed their grave concern over continuing uncertainty regarding the future in their region.

The Hon. P.L. WHITE (Minister for Urban Development and Planning): I thank the honourable member for her question. She is right in the timeframe she gave for the former minister, and new father, having released the interim Plan Amendment Report (PAR) which, in itself has a maximum timeframe attached to it of 12 months, but that does not signal that it will take 12 months to put that permanent arrangement into place. Obviously there has been a consultation period associated with the proposal. That has now effectively come to an end and my department is considering the views and submissions that were lodged by constituent councils and residents in those council areas and that information will feed into the Plan Amendment Report that finally comes forward. So, I do not anticipate that it will take the full 12 months, but we will be working on that over coming months.

RAILWAY EMERGENCY PROCEDURES

The Hon. P.L. WHITE (Minister for Transport): I seek leave to make a ministerial statement.

Leave granted.

The Hon. P.L. WHITE: I am pleased that members have elected to stay and listen to my very important ministerial statement. Yesterday on the Australian Rail Track Corporation national main line, a rail maintenance vehicle operated by Transfield Services—a track maintenance company working for the ARTC—either because it was not properly braked or the brakes failed, travelled seven kilometres between Mount Lofty and Bridgewater without an operator. I have been advised that it travelled through four level crossings and that emergency procedures were immediately implemented to avoid danger to other track users. There were no injuries. I have instructed my department to fully investigate the circumstances that led to this event and what needs to be put into place to avert further incidents.

I have been advised that, because of the nature of work undertaken by rail maintenance vehicles, they do not automatically set off level crossing signals if they are in working mode; rather, vehicles are modified by users to activate level crossing warning signals when the vehicle is in travel mode. It is not known in which mode the vehicle involved in yesterday's incident was. This circumstance is different from the situation in place with TransAdelaide rail vehicles.

With regard to our passenger fleet, two mechanisms prevent such a runaway event from occurring. Firstly, the dead man's system requires a driver to depress the dead man pedal before a vehicle can move, or continue to move; secondly, the advanced warning signalling system in place on the TransAdelaide network would stop any train at a red signal unless a driver was in place to manually override the automatic stopping.

Track maintenance vehicles like the one involved in yesterday's incident are electrically insulated in order that they do not operate level crossing warning devices or any other elements of the signalling system. This is so that, when working in the vicinity of level crossing, sometimes for several hours, machines do not operate level crossing warning signals, causing delays or inconvenience to road traffic. I am advised that heavy track maintenance vehicles generally operate in the same manner throughout Australia. In accordance with section 38 of the Rail Safety Act 1996, Transport SA has formally requested an investigation, and my department will work closely with ARTC to ensure that any deficiencies are addressed.

HILLS FACE ZONE

The Hon. P.L. WHITE (Minister for Education and Children's Services): I seek leave to make a second ministerial statement.

Leave granted.

The Hon. P.L. WHITE: In answering the member for Morialta's question, I neglected to mention the fact that the moratorium, as she put it, currently operating in the Hills Face Zone does not prevent all development in the Hills Face Zone; it just makes it non-complying. I wanted to make that point clear.

EARLY CHILDHOOD SERVICES

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I seek leave to make a ministerial statement.

Leave granted.

The Hon. DEAN BROWN: I rise on a point of order, Mr Deputy Speaker. There has been a practice in this house that copies of ministerial statements are made available. I can understand, for the most recent ministerial statement, why that was not possible. However, for other prepared ministerial statements, where ministers are reading, copies should be made available.

The Hon. J.D. LOMAX-SMITH: I cannot understand the relevance of that point.

The DEPUTY SPEAKER: Order! I understand that written statements will be provided. The minister.

The Hon. J.D. LOMAX-SMITH: I rise to announce the establishment of an inquiry into early childhood services. Early childhood care and services were last reviewed in South Australia by Justice Olsson in the early 1980s. A substantial reform program was embarked upon by the Bannon Labor government following that review, culminating in the abolition of the Kindergarten Union, which was a non-government organisation fully funded by the SA government, and the establishment of the Children's Services Office under its own act of parliament (the Children's Services Act 1985). This office saw the rapid expansion in the availability of childcare services, largely as a result of significant increases in commonwealth funds made available to that sector. The CSO ceased operation as a stand-alone authority in 1994-95, and its role was absorbed into the education department.

Over the past nine years, changes in commonwealth and state policy, as well as significant changes in patterns of demand for children's services, have impacted upon community perception about the adequacy and appropriateness of children's services in South Australia. This government intends to develop the best directions for children's services in this state. Over the next three months, I will chair a steering committee which will provide a policy focus for government on improving early childhood services.

The membership of the committee includes: Ms Jennifer Rankine MP, Parliamentary Secretary for Children's Services; Professor Philip Gammage from the University of South Australia; Steve Marshall, Chief Executive of the Department of Education and Children's Services; Ms Carolyn Mitchell, Human Resources Director from the Adelaide Bank; Lou Denley, Deputy Chief Executive from the Department of Families and Communities; Ms Leonie Trimper, President of the South Australian Primary Principals Association; Ms Anne-Marie Shin, Principal, Pennington Junior Primary School; Debbie Moyle, Manager, Community Education, Aboriginal Education; Janet Giles, United Trades and Labor Council; and Jim Birch, CEO of the Department of Human Services.

The committee will report to cabinet on a proposal for action in relation to the availability and adequacy of services for children and their families, the most effective relationship for other family policy settings at state and federal levels, the affordability of the range of children's services, and how best the transition to school for young children and their parents can be supported. This government has already made significant moves to improve supports for children and families in the early years and this inquiry will further advance our early childhood policy and will provide future clear direction for the provision of adequate and appropriate services for young children and their parents in South Australia.

GRIEVANCE DEBATE

CHILD ABUSE

The Hon. R.G. KERIN (Leader of the Opposition): Today I rise to highlight the double standards that we have seen from this government over the very important issue of child abuse and its absolute refusal to do anything at all about our repeated calls for an inquiry. Over the last 48 hours, we have seen an extraordinary contrast between the way the government wants other people to deal with this issue and the way it is willing to deal with it itself. Its expectations and demands of the Anglican Church, which at least had the courage to have an inquiry, are so much at odds with its position. The Premier and the government have got very hairy chested and tough on the Anglican Church and made a whole range of demands about what it needs to do. However, at the same time, this government, which is so tough on the church, is so soft in its own approach in this important area.

The main message to the government is that it ought to clean up its own backyard if it wants to be the primary critic of other people involved in this issue. The government was very loud about the Anglican report and a whole range of demands were made, and again that was enormous hypocrisy. What really stands out is that, because the Anglican Church had an inquiry, those who were abused have had the opportunity to tell their story and to get a measure of justice. It will not turn back the clock, but they will get a measure of justice. Anyone who has talked at length to victims of child abuse know that they want a forum in which to tell their story and be heard so people can be judged. The government is not providing other people the same opportunity to do likewise.

Members interjecting:

Mr KOUTSANTONIS: I rise on a point of order. The member for Bright just signalled that he was going to cut my throat.

The DEPUTY SPEAKER: Order! If the member for Bright said that, it was a silly thing to say. I take it he did not mean it literally. It was a silly thing to do. The leader has the call.

The Hon. R.G. KERIN: I repeat my call that we need an inquiry with the powers of a royal commission to ensure that those who were abused while under the institutional care of the state have the same rights as we have seen afforded by the Anglican Church to their people. If it is good enough for the Anglican Church and the Catholic Church, what is wrong with this government giving the same rights to those who have been abused under successive governments in this state?

Looking at some of the comments that were made yesterday, if we take out the word 'church' and put in 'government', the Premier has made a compelling case as to why this government should do something. For instance, he said:

Once again we saw examples of people in key positions of responsibility at St Peter's and in the church choosing to cover up rather than dealing with the issue, and that is the sort of culture that needs to be broken.

If we take out the word 'church' and put in 'government', the government is really arguing for a royal commission. He also said:

What I would like to see is people prosecuted for preying on the young and the innocent. It is these people in the churches whom we in society look up to for moral leadership and that is why it is now incumbent on the churches to clean up their act.

Why is the government any different? The government should be no different and it should clean up its act and allow people to get on with it.

We were also told yesterday that there was no need for an inquiry because we have a task force. It has now come to light that that task force has not been adequately resourced, and in question time today I referred to a report that was made in November last year. Then, four days later, an email made a whole range of commitments saying that it would be investigated within days. Three weeks later, another email was sent saying, 'Sorry—a lack of resources,' and another in February saying, 'Because of the workload, we haven't been able to get around to your case.' Here we are, six months later, and a very important case of a supposed death because of child abuse has not been investigated after six or seven months. I do not blame the police. I think that task force is working very hard. However, it needs the resources to do its job.

The Attorney-General has been talking about \$30 million as the cost of a royal commission. That is not what we are calling for: we are calling for a specific inquiry into wards of state in institutional care. Unfortunately, that is not a very big group of people, because many have died; some have suicided; and many, because of the way they were treated, have become drug addicts or alcoholics. However, a good group of people wants to tell their story and they want access to justice. This government is denying them the right given by the Anglican church to people abused in its system. This government has to clean up its own act. It should not act high and mighty or take the moral high ground and demand that everyone else come clean. It should commit to an inquiry with the powers of a royal commission.

NATIONAL COMPETITION PAYMENTS

Mr SNELLING (Playford): I listened with great interest to the Premier's ministerial statement about national competition penalties. I feel as though I am stealing the thunder of my friend, the member for Enfield. However, given that he is ill and unable to make a contribution today, I cannot let this opportunity pass. The Premier said that the state was in danger of penalties of \$8.7 million, or 15 per cent of the competition payments made to the state. These are as a result of our maintaining our current legislative regimes in liquor licensing, barley and chicken meat.

The Premier made a compelling case that, in the case of liquor licensing, we should retain a proof of need as a test for whether a licence is granted in a particular area. He pointed out that the police, the Drug and Alcohol Services Council and others who have to deal with the outcomes of alcoholism all support the retention of the needs test. It seems absurd that bureaucrats in Canberra should demand that this parliament remove this test. I also think it somewhat improper that there be a financial penalty hanging over this parliament unless it follows the dictates of anonymous bureaucrats in Canberra. If someone was making similar demands of the parliament to do what they wanted or there would be some sort of financial penalty, I would consider that to be a contempt of the parliament.

The member for Enfield has spoken eloquently on the Barley Marketing Act, the benefits that flow from the single desk and the demands to remove it. It really astounds me that it is a member on this side of the house who has to raise this issue and come to the defence of barley growers in this state

and that members opposite are so astoundingly silent. It seems—

Mr Venning: Rubbish! I asked the minister a question here last Thursday.

Mr SNELLING: It seems more and more—

Mr Venning: He is being dishonest—blatantly dishonest. It is on the record.

The DEPUTY SPEAKER: Order! The member for Schubert is out of order and he should not accuse someone of being dishonest.

Mr Venning interjecting:

The DEPUTY SPEAKER: The honourable member cannot do that. If he is suggesting that the member is being economical with the truth, the honourable member must put up a substantive motion.

Mr SNELLING: The member for Schubert refutes what I say, and I am happy to withdraw my statement that members opposite have been silent. However, certainly the main person calling for the retention of the Barley Marketing Act has been the member for Enfield. It concerns me that members opposite and the Liberal Party of South Australia seem more interested in their affluent urban constituents than its constituents in the country areas of this state. Nonetheless, I hope that members opposite can raise this issue with the Liberal federal Treasurer who is responsible for this travesty, and make sure that the federal government changes its mind and does not withhold these payments from the state, and that they do a better job representing their constituents.

CHILD ABUSE

Mr HAMILTON-SMITH (Waite): I rise to tell a tragic story of the abuse of a young man in state government care. It is a sad tale, told to me by a constituent. Her letter states:

I outline matters about which I spoke with you today and I hope that in future children will be safer from Sexual Abuse. From late 1992 to 1993 my son was frequently sexually abused by [a person whose name I will not mention in the house] who was at the time a church organist. The cover for this opportunity to abuse was an offer to help him deliver junk mail, an activity which I understand occurred for about half an hour on the first day only. When I discovered the abuse, I encouraged my son to report it to the police to prevent this man from abusing any more children. It was not easy but my son had the courage to do so and the person named in the letter was arrested on about 30 April 1993. He pleaded guilty to the charge of unlawful sexual intercourse and was sentenced by Judge Hume in 1993 to two years suspended. This was despite the offender's admission in a pre-sentencing psychiatric report that he had been abusing since he was 21, and at the time of his conviction he was 67. So, the justice system let us down. My son's life, schooling and future was destroyed but the state health system then made matters even worse.

My son started to drop in to the Second Story Youth Health Centre, a program run by Family and Youth Health under the Minister for Health, which at that time was operating in Hyde Street in Adelaide city. He asked if he could go to the club night at Second Story on Friday nights and I agreed. However, he began arriving home very late, about 1 or 2 am on Saturday mornings. When I asked why he was so late, my son explained that if they went to the club on Friday night they had their hands stamped to get into the Mars Bar free and underage. I could scarcely believe it, but I rang Second Story and spoke to the head counsellor, whose name I think was 'David'. It is a long time ago but I could be wrong about the name and I am not sure now whether it was his given name or family name. What I am sure about is the facts of our phone conversation. When I mentioned my son's assertion about the stamping of hands to get into the Mars Bar, he agreed, that was their practice. I applauded his honesty but asked him to explain this extraordinary practice. He explained that the Second Story closed at 10 pm and that it was too early for young people to go home. I disagreed at this point but asked why they couldn't go to a coffee bar if they wanted to party on for a while. His answer left me speechless: his answer was,

'Well it is a known fact that 98 per cent of confused teenagers are confused because they are either homosexual or bisexual and we think they should have experiences with men of their own age or older to find out which they are.

Quite apart from the absurdity of the percentage claim, which I found astonishing, since I did not know too many teenagers who were not confused, the Mars Bar was a Gay Bar which peddled drugs. So my son, having been abused by a paedophile, was then introduced to drugs and alcohol, and I suspect more paedophiles. I was so disturbed by Second Story aiding my son to break the law that I rang the Police and was told that it was illegal for my son to enter the Mars Bar while under age, BUT it was illegal for the Mars Bar to let him, but it was not illegal for the Second Story to stamp his hand and enable him to get in under-age.

At this stage I didn't know where else to turn. However the intervening years have left me determined to do what I can to help stamp out Paedophilia.

I now believe that the people who ran the Second Storey, far from merely proselytising to make vulnerable people believe they were probably Gay, were in fact procuring young boys for older members of the Mars Bar.

I hope that you are able to investigate this matter, and in light of the extent of child abuse, I would strongly support a Royal Commission. Thankyou for listening to my concerns.

There is a problem in this state with abuse of children in government care. The Premier and the government must do something about it. It goes back over countless governments—probably 30 or 40 years. The Premier needs to show some leadership; he was a minister in the Bannon-Arnold government at the time of this complaint by my constituent. He was senior press adviser to the Dunstan government, and he must have known all the problems that were around at the time. More than anyone, he knows the concerns and the gravity of them, and should lead this government towards a royal commission as demanded by the leader of the opposition.

BOOK LAUNCH

Ms BREUER (Giles): A couple of weeks ago I attended a wonderful launch in Whyalla of a book that was written by one of our Aboriginal community members, a lady who is a good friend of mine called Cissy Sultan. It was really good to go along that day when she launched this book in the council chambers, because much of our Aboriginal history is lost, and we, as a community, have made very little effort to try to keep that history together. Cissy Sultan has written this book, which is the story of her life and the life of her parents and her upbringing in that area. About 100 people were present at the launch, and most of them were in some way related to Cissy. They all turned up and were all very proud of her.

The book that she has produced is a very entertaining one that I am hoping my community will embrace and read. I say this because I was born in and grew up in Whyalla and thought I knew everything there was to know about it. Despite my contacts and links with the Aboriginal communities throughout my lifetime, I found that there was there a whole world of which I was unaware. The story of Cissy and her family opened up my eyes to our past history over the last 100 to 150 years in that part of the state.

My grandmother went to Whyalla in about 1903 after her father was killed in a mine at Broken Hill; she came down to Whyalla with her mother because her mother's brother—Fred Trevan—was living there. Our history goes back that far in Whyalla. My grandmother used to talk to me about playing with the Aboriginal children in the area, and mixing with them. As I said to Cissy on the day when I spoke there, our grandparents probably played together at that time—that is

how far I go back. But I was not aware of the real history of what happened in that part of the state and what happened to the Aboriginal community.

Cissy's story was beautiful, set predominantly in the Gawler Ranges and the Whyalla area. It went from the 1880s to the present. It was a story of Cissy and her parents, Eva and Harry Dare, who had a number of children, three of whom were actually taken from the family at a very early age. In the chapters which relate to that Cissy talks about what happened when her parents lost their three older children, and this was really sad to hear. For all those people out there in our communities in Australia who say that the stolen generation is rubbish, that those stories are ridiculous and that there was no issue there, should read this personal sort of account from someone like Cissy. In her book she states:

'They took Ernie, Ivy and the baby away from their parents and from us. They took our brothers and our sister away from the camp and the people.' She asks 'How could a child be better off without their mother and father and taken a long way away?

I can't understand why you would take kids away from their parents and give them to someone else to look after. Parents should bring their own children up. Grandma was there too and she brought up her children, and would have helped. All the family was there, my Dad and Uncle Bill, and both were working.

Cissy says that this chapter has to be called 'the stolen children' because she can see no other name for what happened in those days under that policy. Unfortunately, one of those young children died. The family did have contact with another one in later years. Their older sister came back to the community and met with the family at one stage. She was there for only a couple of hours and then disappeared, and no-one has heard from her again. It was a very sad story.

Much of the book was contributed to by Cissy's sister, Rita Joslyn, another wonderful, well-known Whyalla identity. Both these sisters have done so much for our community, particularly our Aboriginal community, and are well known and very well respected in our community. There is a whole range of people who are associated with them, who have family ties to them, and they were all there on that day: the Wingfields, Joslyns, Dares, Eyles, McNamaras, Dadlehs, Kites, Abdullas, Burgoynes, Newchurches, Reids, Carters and Taylors—Aboriginal family names very well known in our community.

I congratulate Cissy. I also congratulate Kathy Bradley, who met Cissy at a reconciliation meeting some time ago and decided that Cissy's story was so important for the history of Whyalla that they should collate this story. So, Kathy helped Cissy write the book, which is beautifully produced. A lot of the photographs contained in it are historical photographs. There are copies of certificates and letters that were sent to the family. Congratulations to all, and a big thank you for keeping that part of our history alive.

CHILD ABUSE

Mr BRINDAL (Unley): I take most seriously the fact that the Attorney-General stood in this place today and accused members of the opposition of making smears on the backs of abused children. Far from it: the opposition has raised this matter quite legitimately for well over 12 months in this house in a series of debates. Ministers have promised to get back to me, in particular, on questions that have been raised in debates. In fact, one minister came across today and said, 'We are working on this.' When I am proved wrong in any fact that I give to this house, I expect to be berated by this house. But when I present, on behalf of people in South

Australia, allegations so horrific that I do not want to really mention them in this house, I object to being accused of smearing on the backs of abused kids. If telling the truth is a crime in this house, long let it be a crime.

I wish to refute much of the misinformation perpetrated by the Attorney-General with some simple dates. The bill that created immunity from prosecution was introduced into this place by Dr John Cornwall in 1985. It was a Labor bill. The bill was not opposed by either the Liberal Party or the Labor Party when in government, and neither party went to the election in 2002 with any policy to remove that immunity. The Hon. Andrew Evans from Family First was elected in February 2002 and, on 10 July, introduced the bill for immunity. The Labor Party did not agree to support that bill and referred it to a joint committee—and, indeed, the Hon. Gail Gago, speaking in that committee, did not support that bill. The joint committee comprised the Hon. Andrew Evans, two Labor members, Joe Scalzi and the Hon. Robert Lawson.

In May 2003 the joint committee unanimously reported that the immunity should be removed, and in June the Hon. Andrew Evans introduced his bill, which was unanimously passed through both houses. So, the Labor government did not remove the immunity, the Hon. Andrew Evans did, and if there is culpability in this it falls equally on the government and the opposition. The Hon. Andrew Evans led this, not the government, and the government's seeking to say that it did so is a pack of untruths.

I want to devote some time to asking the government to please explain the whereabouts of those wards of the state (some of whom the leader spoke about today) who have gone missing. I remind this house that we are talking of a state that saw Ky Meekins abducted and sexually abused (by someone whom I will name tomorrow) for a period of three months and then was not allowed by FAYS to be interviewed by the police.

What would have happened to him had he not escaped? What indeed has happened to, I am told, tens of wards of the state who have simply disappeared and cannot be accounted for? I remind this house that we are talking about a time in which a group loosely called 'The Family' got young men and murdered them. Those young men were found murdered. Their bodies were discovered, and they had families and friends. I remind this house that there are wards of the state who have no family, who have no friends, whose only protector was the state and, like Ky Meekins, who was allowed to go missing for three months and has been denied justice for something like 25 years, some of those kids I think are missing have not been accounted for. I stand in this place saying that I do not care who was in government: where are they?

Do they deserve justice or shall we spend \$30 million on the next generations of kids? If there are dead kids, as the leader said today—if there are a couple of bodies mysteriously found buried in a cemetery—how many more are there? And how much blood does any member of this house want on their hands before enough is enough and we say 'This is a disgrace'? This goes beyond Labor. It goes beyond Liberal. It goes for human decency, and those who have been wronged, who have been abused, who may indeed have lost their lives, deserve some measure of justice. This is a chamber that should be about humanity and decency and a fair go for all Australians. And the last time I looked, poor kids of 11 and 12 who cannot stick up for themselves were Australians, whether they are white, black, brown and no

matter what their religion. They deserve a fair go and it is about time this house gave them one.

Time expired.

LIFE SKILLS PROGRAM

Ms THOMPSON (Reynell): I wish to speak today about an important Life Skills learning program that is conducted in the Christie Downs Community House in my electorate and at the nearby Hackham West Community Centre in the electorate of Mawson. The centres have approached me because they are concerned that they have not yet had confirmation of funding for the next year from the federal government, and they are concerned that this will have an impact on the benefits that they have been able to achieve for the children and the families who participated in this program. At Christie Downs, which is the centre that I am most familiar with, there is already a Participation and Learning Scheme (PALS) program. But the Life Skills program has been very significant in adding to what is available through the Participation and Learning Scheme.

It has been stressed that this is to enable children and parents not just to have breakfast and not just to have fun but also to learn about some of the life skills that are important to their being able to achieve success in all levels of their lives. Indeed, the evaluations that I have seen have shown that the children are now much happier about getting up in the morning, even happier about going to bed when they know that next day they are going to their Life Skills program. They have been learning to explore different sorts of food. They have been learning to take responsibility not only for their own behaviour but for the behaviour and safety of other young children, and it is particularly the safety aspect that they have been taking responsibility for.

Some children who were not themselves able to behave very well or go to school very safely in their approach to roads and just their general behaviour in getting to school, since being part of the Life Skills program have improved so much in their behaviour that they are now able to take responsibility for the safety of younger children, not their siblings, whom they are walking to school with. The Life Skills program has sought to involve the parents of these children. Most of the parents are single parents who have found that this Life Skills program has been absolutely invaluable in helping them to deal with the very difficult task of bringing up a child alone. We all know that that is a difficult task.

The support that they have had through the Life Skills program has been very valuable to them. Again, reading the evaluations from the parents, they mention that, as a result of this program, they have participated in the Parenting Alone skills development course. One of the parents said that she would very much like to see a regular parenting group operating out of the community centre so that parents could get together on a regular basis and talk about the challenges that they experience.

Some of these children have not been very good at their dental health care, either. The emphasis in the program on dental health care and the need for the children to clean their teeth every day when they finish their breakfast has been another lesson for them. It is interesting that in the evaluations the children themselves have talked about how their behaviour has changed and that they understand more about being responsible for their safety and the safety of others. They like the way they have learnt to resolve differences with

other children. They have learnt that you can solve problems by ways other than screaming, yelling and fighting. They have liked the way they have been involved in discussions to decide what activities will be undertaken, and this includes things like the holiday program camps that have been part of the programs.

Many of these children's family circumstances would never allow them to go away for a camp on holidays—their single parents just do not have the means to do it. However, the Life Skills program has enabled these children to participate in this important Australian-type activity. I urge the federal government to ensure that funding is available for these important programs which can only add to the health and safety of children in my area.

STANDING ORDERS SUSPENSION

Mr HANNA (Mitchell): I move:

That standing orders and sessional orders be suspended so far as to allow me to move notice of motion 'Other Motions' No. 1 for today forthwith.

The DEPUTY SPEAKER: I have counted the house and, as an absolute majority of the whole number of the members of the house is not present, ring the bells.

An absolute majority of the whole number of members being present:

Motion carried.

Mr HANNA: I move:

That for the remainder of the session, standing and sessional orders be so far suspended to enable Orders of the Day, Private Members Business Bills/Committees/Regulations and Orders of the Day, Other Motions take precedence for a period of one hour over Notices of Motion in those categories.

The Hon. G.M. GUNN (Stuart): I want to know whether the particular bill which I have in my name is going to be taken off the *Notice Paper* and if I am going to be prevented from moving it today. I have waited patiently.

The DEPUTY SPEAKER: Member for Stuart, it is my understanding that Orders of the Day, which are the long-standing matters, will take precedence over new matters for one hour only. So, it is a switch in regard to the hour.

Motion carried.

SOCIAL DEVELOPMENT COMMITTEE: OBESITY

Adjourned debate on motion of Mr Snelling:

That the 19th report of the Social Development Committee, entitled *Inquiry into Obesity*, be noted.

(Continued from 26 May. Page 2226.)

Ms BEDFORD (Florey): The Social Development Committee took very seriously its work on obesity and overweight. As reported in the press this week, the Prime Minister has recognised this issue as the single most serious health issue facing our young people. The Prime Minister has already announced a number of programs, although I am not sure whether he spent the same amount of time as the Social Development Committee did in examining all the programs that are available. We heard from witnesses and took evidence, and took into account all the programs that have been running successfully in South Australia. We hope that

the recommendations contained in the committee's report will be taken up.

Of course, the epidemic of obesity and overweight is not confined just to our young people. I know members in this place are taking very seriously the healthy eating initiatives that are on offer in our dining rooms and canteens. The importance of exercise, in collaboration with a good diet, cannot be overstated. If we are to make any impact on the health budget of this state, we must take some responsibility for our own health. By that I mean that we have to start examining what we eat, the amount of exercise we take and the care we take of our body.

The recommendations, which I consider to be ground breaking, included the recommendation that advertising in children's television viewing times be curtailed. I am very hopeful that those recommendations will be picked up and run with. The habits formed by our young people early in their lives have a great impact on their lifelong experiences.

The notion of cigarettes being sold with warnings on the labels could also be extended to food labelling, inasmuch as we see in all supermarkets a plethora of chocolates and biscuits surrounding the check-out areas to tempt shoppers. This practice of impulse buying, which is encouraged at supermarkets, has to be curtailed, and the safest way for that to happen is for those sorts of food items to be removed from the front of the shop and replaced with healthy eating guides and the sort of fresh food alternatives that I know all members in this place would prefer rather than processed food.

The entire food basket of South Australia, because of our clean and green image, is well placed to see us eating in a much better fashion. The consumption of fresh fruit and vegetables has to increase if we are to look after our bodies in the best way we can. The correlation between exercise and diet is firmly established, and I recognise the importance of the Prime Minister's statements about schools providing many more sporting activities for students. However, as I read those remarks, I thought about how important it will be for the Prime Minister to back up those remarks with some funding. As we all know, children cannot participate in team sports, and so on, unless they can afford the equipment—and it is not only the uniforms, which are incredibly expensive. I know that many junior football clubs in my electorate are having difficulty even buying the flags to be used on the lines of the soccer pitches and at football goal posts.

It will also be important to ensure that many more children are involved in sport at the school level. This is not to say that we want teachers working extra hours without remuneration, as we have seen in the private school system, where a terrible burden has been placed on teachers who are working extra hours, which affects their family life. It is important that the work that goes into after-hours school and sporting activities is recognised by the Prime Minister and that something is put forward in relation to rewarding that work.

It may be that we call on our volunteer networks again, but it will be terribly important for there to be a credit system where people are given some sort of value for the work they put in with our young people because, as we all know, every dollar we spend in prevention saves \$3 or \$4 in the cure. The number of witnesses who spoke to us about the importance of diet in controlling diseases such as diabetes cannot be underestimated, and even asthma in some cases is related to diet in some way. The diabetes epidemic that we face in Australia has a lot to do with our food consumption, and it is important that some of the allied health measures that we discussed are also taken up.

I thoroughly enjoyed the reference on obesity and overweight. That might sound a little perverse but it is an area that I have had a great deal of interest in for a long time. Seasonal eating, which is something that we have grown away from in my lifetime in Australia, is a very important aspect of health. It is not good to be eating the same sort of things all the time and variety in diet is an important aspect of what we need to look at, as is the availability of different sorts of foods. Rather than buying in fruits and foods from the other side of the world so we can have cherries or strawberries all year round, it might be worth looking at how we might better produce those sorts of fruits here in Australia so we can eat them when they are fresh and seasonally available.

I commend the work of the committee to the house. I think the recommendations that we made were excellent. Having sat through all the evidence, I believe that, if we can even pick up half of what we have recommended, we will go a long way to seeing a much fitter society. As I said earlier, the fitter we are and the better care we take of our own bodies not only delivers us a happier and healthier life but it eases the burden on the state's health budget.

Mr SCALZI secured the adjournment of the debate.

REPRODUCTIVE TECHNOLOGY (CLINICAL PRACTICES) (PROHIBITION OF PUBLICATION OF CERTAIN MATERIAL) AMENDMENT BILL

Adjourned debate on second reading.
(Continued from 26 May. Page 2227.)

The Hon. M.J. ATKINSON (Attorney-General): I make it clear to the house that I will be opposing this bill. Although I am on the record as being an opponent of publicly funded in-vitro fertilisation treatment for lesbian couples, I do not believe that we should be criminalising communication between lesbian couples wanting to achieve a pregnancy and those who can help them achieve it. As I understand it, the bill is aimed at criminalising a web site that is uploaded from South Australia that has the purpose of putting lesbian couples in touch with sperm donors. Whatever one feels about artificial insemination for lesbian couples and for a baby to be brought up in a fatherless household, nevertheless it is my view that the parliament would be going much too far to prohibit such a web site. I do not believe it is right to apply criminal penalties to someone who tries to put these parties in touch with one another.

It surprises me that the member for Mawson, having canvassed this proposal on talkback radio not long after he discovered the existence of the web site, could persuade the parliamentary Liberal Party to allow him to bring such a bill to the house. I would be surprised, indeed, if more liberal-minded members of the opposition such as the members for Heysen and Unley, or indeed others, would support what I think is an overreaction. Were such a web site uploaded from South Australia to be prohibited, its place would be taken by web sites uploaded interstate and overseas.

There was a bill about uploading offensive and pornographic material from South Australia which I supported in the last parliament and under the current government. That bill went on to become law. It was a bill to apply the classifications on film to material uploaded on the internet. Some may say there is an inconsistency between my position on that bill and this, but the distinction I make is this. Pornographic material (material portraying sex between adults and

children and the like) is unambiguously wrong and ought to be punished in so far as it is uploaded within our jurisdiction. It is true that pornographic material—material portraying sex between adults and children, abhorrent and revolting material—will still be uploaded onto the World Wide Web from overseas. But I think we have a duty within our borders to try to prevent such literature being uploaded where we can punish it using the criminal law.

I think people of goodwill will differ about whether there is a place for a broker who brings together, via the internet or some other means, men who can supply sperm and lesbian couples who wish one of their partnership to bear a child who will be raised by them. I support the idea of children, particularly boys, being raised in a family that comprises a father and a mother. With juvenile offending and delinquency, we are reaping the results of the whirlwind of the late Senator Lionel Murphy's Family Law Act, which made divorce so easy and encouraged one-parent families. Nevertheless, I am reluctant to employ the criminal law to prevent lesbian partners obtaining sperm to conceive a child and to raise it themselves.

I do not think there is a role for the criminal law here, and I think the member for Mawson has gone way over the top in bringing to the house an ill thought-out bill to punish something that seemed undesirable when it was raised with him during a talkback radio program. Although I am an admirer of talkback radio as a means of gauging public opinion and as a means of giving the least powerful and least regarded people in society an opportunity to talk to tens of thousands of people for the cost of a local call, nevertheless I am reluctant to legislate on the feelings of those on talkback radio on one particular evening without further inquiries.

I think this bill comes to us much too hastily. It is wrong on principle. Although I speak at this time only for myself and, I think, the Premier, I am quite confident that I would be supported unanimously by the parliamentary Labor Party, although that remains to be seen when we deliberate on this matter. I urge the house to vote against the bill for the reasons I have given.

The Hon. R.B. SUCH (Fisher): I will make a brief contribution. I cannot support this bill for various reasons. I have had some first-hand experience in relation to IVF matters. This bill represents a knee-jerk reaction by the member for Mawson—although no doubt well intentioned. Today, we are in a new era of family-type matters (using that term in a broad sense). Some people do not like what has happened or is happening, but in many ways we are charting new waters. I know that this measure is directed specifically against lesbians, but I am aware of situations where very responsible, professional women live together, but they are not lesbians, according to any reasonable definition, because they are not in a sexual relationship. Although it sounds paradoxical, in such a case, you would have a double single-parent situation.

I believe that such a non lesbian female couple, if I can put it that way, would make excellent parents. However, I acknowledge the point made by the Attorney that, in an ideal world, boys should grow up preferably with the guidance of a father and a mother and, similarly, that female children should have the influence of a mother and a father, but we no longer live in that perfect world.

So, I think the member for Mawson has got legislation together somewhat hastily, and I would like to see this matter—and the whole issue relating to reproductive

technology—considered, and I know we have looked at certain aspects of cloning and so on in the not long distant past. Matters like this ought to be the subject of more considered opinion and debate, rather than a quick bill coming into parliament following someone highlighting what exists on the internet.

The problem with the internet, as the Attorney is well aware, is that there are a lot of things that governments are finding difficult to deal with, and I have drawn this to his attention. Through no fault of his own, he has been unable to do much about it, that is, the glorification of outright vandalism. The body responsible—the Australian Film Classification Authority, or it might be even the Australian Broadcasting Authority (the Attorney would know the precise body)—has had difficulty and said that it cannot intervene when people are using the internet from within South Australia or Australia to glorify acts of vandalism which are illegal.

There are other aspects in how we deal with an internet situation. We are trying to deal with that in relation to child pornography, excessive violence and all those things, yet we seem unable to deal with even the basic issue of vandalism which is portrayed on the internet in some glorified way. So, there is another aspect to this issue. For those reasons, but particularly because the member for Mawson has generated some anti-lesbian legislation in a hasty way, I think we need to take more time. It needs to be a considered response to look at the implications of what is contained in this bill before we rush into criminalising behaviour which may involve people who are decent citizens and who are trying to do something which is honourable and decent but which some people in the community may not like for personal moral reasons. So, on those grounds, I cannot support this bill, but I am interested to hear the contributions of other members over time.

The Hon. I.F. EVANS secured the adjournment of the debate.

STATUTES AMENDMENT (MISUSE OF MOTOR VEHICLES) BILL

Adjourned debate on second reading.
(Continued from 26 May. Page 2230.)

The Hon. M.J. ATKINSON (Attorney-General): I commend the member for Fisher on introducing the bill before us. Members will recall that, during the state election campaign that culminated on 9 February 2002, it was the centrepiece of the Liberal Party's criminal justice policy that it would outlaw hoon driving. I recall that the member for Mawson, together with the then premier went, I think, to Adelaide International Raceway to announce the Liberal Party's policy on this matter amidst a cloud of burning rubber. I think it was an effective policy launch for the then government, because it addressed the concern of many South Australians that hoon driving had become a serious problem throughout South Australia, particularly in the metropolitan area and townships. Most people will have heard the hoon drivers at it in their locality at some time in the past 10 years. By hoon driving I mean excessive motor vehicle wheel spinning such as to lay rubber on the road. It is also known as donuts, and other aspects of hoon driving include speed trials along our public roads, both state government and local government roads, and that is common in New South Wales.

Indeed, when I travelled to Sydney to be briefed by a New South Wales police officer about hoon driving, he said that the principle concern of the New South Wales government and the New South Wales Police before their law was introduced was that hundreds, sometimes more than a thousand, people gathered around a public road to watch a speed trial by motorists. So, not only was there great danger to safety at these speed trials but they attracted a rowdy crowd of many hundreds of people. Part of that crowd was the equivalent of the lookout, a person who acted like the cockatoo for a two-up game.

Mrs Geraghty interjecting:

The Hon. M.J. ATKINSON: The member for Torrens interjects that she was a cockatoo but not for a two-up game. Perhaps she will enlighten us later about what she was acting as a cockatoo for. Because of these cockatoos, armed as they were with mobile phones, it was very difficult for the New South Wales Police to catch up with those who were running these speed trials.

So, what the New South Wales government did—I know from my trip to Sydney that the New South Wales police were sceptical to begin with—was to outlaw speed trials. It specifically made them punishable by pre-conviction impoundment of the cars of those who participated in the speed trial. I do not doubt that what we regard as hoon driving—I think that all aspects of hoon driving here in South Australia, and what was regarded as hoon driving a New South Wales—is already contrary to the law. The difficulty is that the punishment for hoon driving is not as appropriate as it might be. Indeed, punishment has to wait for a long time until it is finally imposed, and the punishments imposed, after such a long time, have not had the effect of general deterrence, namely, deterring members of the public generally from hoon driving.

During my visit to Sydney to talk to the New South Wales police about hoon driving, they informed me that, although they were originally sceptical of pre-conviction impoundment, it has worked well in the past few years. I think the only way to deter young men—and they are overwhelmingly young men who engage in hoon driving—is to make an example of some of them by pre-conviction impoundment. If, subsequently, when the matter comes to trial, their innocence is established, I am sure that any provision that we introduce (or the member for Fisher introduces) will restore the alleged hoon driver to a position consistent with their innocence.

However, I think the only way to make a bad example of hoon driving is pre-conviction impoundment. In doing so, the important thing is that we should balance the rights of the parent, relative or friend who owns the vehicle in which the hoon the driver perpetrates the offence with the right of society to stamp out hoon driving by pre-conviction impoundment or, in the case of repeat offending, the forfeiture to the Crown of the motor vehicle. Because if mum or dad, aunt or uncle or whoever owned the car had no reason to know that it was being used for hooning, then I think the law should allow that person to recover his or her car from the police lockup. I do not think it is fair to punish innocent third parties with pre-conviction impoundment. There has to be some careful balancing of rights in this legislation. I think that, in substantially copying the Queensland legislation, the member for Fisher has done his best.

As it happens, in the last general election the Labor Party also had a policy on hoon driving that was on all fours with that of the Liberal Party, but to the credit of the Liberal Party

it got there first, so there was no point in the Labor opposition also having a similar launch. We are of one mind, government and opposition, about what needs to be done about hoon driving. In my opinion, included in hoon driving should be—

Dr McFetridge interjecting:

The Hon. M.J. ATKINSON: Yes. The member for Morphett is right about that, and I am working on that matter as he speaks.

The ACTING SPEAKER (Ms Thompson): While the Attorney has paused, I notice the clock. If he is claiming to be lead speaker in opposition to the bill, his time can be extended.

The Hon. M.J. ATKINSON: Yes, I am, and I will explain why I am opposing the bill. I would want the bill to include, as hooning, having a radio, hi-fi or CD system playing very loudly so as to disturb the neighbourhood. I am sure the member for Morphett would agree that driving around the neighbourhood with one's car radio on full blast waking up the neighbours is a kind of hoon driving for which pre-conviction impoundment should apply—not just the car radio or the CD system, but the car itself. In my view, that should also be part of hoon driving.

I also think that we should call hoon driving by its name. I would not for a moment gib at calling the bill an anti-hooning bill, because I think hooning has become part of the lexicon. I think most of the public know what we mean by hooning in a motor vehicle, and I think it should be called by its name.

As it happens, I think the Statutes Amendment (Misuse of Motor Vehicles) Bill is something of a euphemism, and I think it should be called what it is supposed to be: an anti-hooning proposed law. I am opposing the bill on behalf of the government because the government has been working for two years on its own bill. Regrettably—

The Hon. R.B. Such: I must be slightly more efficient.

The Hon. M.J. ATKINSON: Yes, the member for Fisher is probably more efficient in this matter than the government of South Australia. The difficulty is that many government departments—Transport SA, the Attorney-General's Department and the police—

The Hon. R.B. Such: Uncle Tom Cobbley.

The Hon. M.J. ATKINSON:—and, as the member for Fisher interjects, Uncle Tom Cobbley—have dipped their oar into work on this proposed law and it has become bogged down in inter-departmental disputes. The police are reluctant to agree to the bill because they realise that it is their officers who are expected to enforce what may be a difficult bill to enforce and that there is difficulty, even if the law changes, in police catching hoons in the act. The act of hooning can be over in seconds on our roads—

The Hon. R.B. Such: It works in Queensland.

The Hon. M.J. ATKINSON: The member for Fisher says that it works in Queensland, and I am confident that it works there, as it does in New South Wales, as I was advised by the police there at the international terminal before I flew off to the Standing Committee of Attorneys-General meeting in Norfolk Island (so, I did not cost the taxpayers any extra money by going to Sydney to be briefed on this). The police are concerned that their lockups will be used; that they will be expected to look after these cars (with the resource implications of that); that they will be expected to bear the costs of any deterioration in these cars while they are in police care; and that the cost of hiring a garage or yard in which to keep these cars, and the precautions of keeping them in the condition in which they were when they were impound-

ed, will all fall back on them. So, the police obviously need some reassurance that this will not cost them money.

I think it is a good thing that, when the cars are released from impoundment (particularly if the alleged hooner has by this time admitted guilt or has been found guilty), the hooner, or the owner of the car who reasonably knew that the car was being used for hooning, should pay all the costs of impoundment. That is a very important provision. I do not believe that it occurs in New South Wales, but it should occur here in South Australia, and I hope that is a feature of the member for Fisher's bill.

The government is working on a bill. We will have a bill substantially like that of the member for Fisher in the next parliament. I am confident that both the government and the opposition will support it and that we will prevail over the opposition of the Greens MP and the Democrats in another place.

I think that there is scope in this legislation for the involvement of local government. We should give local government some incentive to be involved in detecting hooning in motor vehicles. It may be that they will be in a better position to enforce this law if they are given an incentive to do so by being able to levy fines and impound the vehicles.

Mr SNELLING (Playford): One of the things that makes life hell for my constituents is hoon drivers, who can be particularly terrifying for them. It can be particularly distressing when they have someone doing doughnuts and wheelies out the front of their house in the early hours of the morning, in addition to the normal annoyance that comes from being woken up in the early hours of the morning for no good reason other than some lout's idea of having a good time.

I must acknowledge the good work that Salisbury council has done in my electorate in trying to pursue this matter. I do not always agree with everything that the Salisbury council does but, in this case, I am in full agreement. It has a very good crime officer who makes it his business to chase up complaints. What happens is that, when one of these cars is behaving like this in the street—

Mr Goldsworthy interjecting:

Mr SNELLING: Or the driver. Thank you, member for Kavel, for correcting me. When a person is behaving like this in a car, if a witness is able to obtain the licence plate of the car and reports it, an officer from Salisbury council makes it their business to pursue the driver of the car. They take up the matter, and they will bill the driver of the car for the expense of cleaning the burnt rubber off the road. I think that is an excellent initiative of the Salisbury council.

Mr Koutsantonis: What's the Mayor of Salisbury doing now?

Mr SNELLING: I will ignore that interjection. I think it is an important initiative. Recently, someone was gaoled for causing death by dangerous driving, an incident that happened in my electorate. A young woman who was driving home in the early hours of the morning from work, as I recall, was hit by a stolen vehicle, an incident that resulted in her death. These incidents are becoming more and more common all the time, and this is something that has to be pursued. I congratulate the member for Fisher for taking the initiative on this issue. I travelled to New South Wales last year to talk to the police about what they were doing, and they raised with me this policy of impounding vehicles, stressing how successful it had been in reducing the incidence of hoon

driving. I put to them some of the concerns that South Australia Police have about the cost incurred to the police of impounding vehicles and the various administrative problems that would be involved in doing this, but they put to me that the inconvenience and expense to them was well worth it, given the dangers that were involved in this sort of behaviour.

Some time ago a report called Broken Windows was put out by two American criminologists, who argued that where you have a neighbourhood where there are broken windows, where it is quite clear that there is widespread lawlessness, that encouraged other acts of lawlessness in the neighbourhood. I think New York was the city they were talking about, and they said that in those parts of the city where there was obvious lawlessness through graffiti and broken windows, derelict houses and so on, this created a climate in which other crimes were committed. The City of New York actually took on this report, and it was the basis for its zero tolerance policing policy, which has resulted in such enormous reductions in crime in New York.

I would add to the broken windows and vandalism that were being talked about in that original report this sort of hoonish driving and black burnt tyre marks on the road. All these things, as well as being a crime in themselves, create a climate of fear and a climate in which other crimes are likely to be committed. I am concerned that in some of the neighbourhoods in my electorate, where there are burnt tyre marks on the road and hoon driving going on, this creates a climate of fear in which law-abiding, decent people are unwilling to go out into the streets. They are unwilling to use the public facilities of the area. They stay in their homes behind their security doors and, as a result, crimes other than just hoon driving flourish.

This initiative of the member for Fisher is an excellent one. I think it is well worth the consideration of the house and the house should either support the member for Fisher's legislation or the Attorney-General's indicated desire to introduce government legislation in this area. I will be looking forward to it. I will be letting my constituents know what the government is doing. In my electorate it is probably one of the issues that keeps me busiest as a member of parliament. The disruptive tendency is probably the number one issue, and I would follow that by this hoon driving, complaints about hoon driving in the suburbs of my electorate, which is causing tremendous disturbance to my constituents. I look forward to some action being taken in this area. I have full confidence in the government taking the appropriate action to make sure that this sort of behaviour is stamped out.

Mr KOUTSANTONIS (West Torrens): I rise to oppose the bill in its form but not its sentiment. I think the member for Fisher, who is an excellent member of parliament and excellent Deputy Speaker, is doing some very good work. I too have a lot of problems in my electorate with hoon driving, especially down Ashley Street, Lipsett Terrace (Brooklyn Park) and, of course, Anzac Highway. The member for Morphett knows all about these idiots who drive up and down Anzac Highway at full speed, waking up our residents, risking people's lives doing burn-outs in the side streets around Immanuel College and the schools on Morphett Road; right down the end along Sir James Congdon Drive; behind the athletics stadium and behind the airport to the golf course, on Tapleys Hill Road.

I am disgusted by this kind of behaviour. I do not understand for one moment why anyone would do that sort of thing

in their motor vehicle. They drive cars like Nissans, Mitsubishis, Subarus and Ford XR6s. I got a phone call the other day from a constituent of mine who saw a white XR6 in Ashley Street, Torrensville. Unfortunately, he could not get down the number plate.

Ms Rankine interjecting:

Mr KOUTSANTONIS: No, that is not true.

Mr Hanna interjecting:

Mr KOUTSANTONIS: No, I have never seen one of those. The Road Traffic Act is a very interesting act, along with the amendment that the member for Fisher has moved, to insert a new section 46A. I will read it to members for their information:

46A—Misuse of a motor vehicle

(1) A person misuses a motor vehicle for the purposes of this section if the person—

(a) drives a motor vehicle, in a public place, in a race between vehicles, a vehicle speed trial, a vehicle pursuit or any competitive trial to test drivers' skills or vehicles.

That is a very good amendment. The member for Fisher has moved it because, as I can tell you, our public roads should not be used for this type of driving but, in fact, they are. It reminds me that a constituent of mine approached me about Ashley Street in Torrensville. Out the front of his house, the black rubber that has been left on the road by these idiots—

The Hon. M.J. Atkinson: And I was there.

Mr KOUTSANTONIS: The Attorney-General, on the day of the cabinet arrival in the City of West Torrens, went down to meet my constituents on Ashley Street and saw first hand the devastation that people are causing. People know that, when these people are laying rubber onto roads, the engines rev quite loudly. There is a lot of smoke and tar and a lot of rubber on the road. It is noisy and usually happens in the middle of the night. People, such as most members opposite, think that Torrensville is an industrial suburb, but it is not. A large number of residents live there—over 3 500 in Torrensville, in fact—and these hoon drivers think that they can somehow come down here and treat the western suburbs as their own personal raceway. Also, some of my constituents from Brooklyn Park have told me that Lipsett Terrace is a thoroughfare between Marion Road, Airport Road and beyond. These people go through a school zone. It is a large, wide road, and residents there put up with a great deal. Also, in Lockleys, there is another road which connects Sir Donald Bradman Drive and Henley Beach Road. This road is also used as some sort of raceway.

Unfortunately, as the Attorney-General pointed out in his remarks, these roads are covered by the local government, so the state government cannot actually go in and establish any traffic calming methods. The best way the state government has of dealing with these hoon drivers is to implement changes to the act, as the member for Fisher is moving to do with his Statutes Amendment (Misuse of Motor Vehicles) Bill 2004, which is a bill for an act to amend the Road Traffic Act 1961 and the Summary Offences Act 1953. The best tool we have is to empower SAPOL and its officers with everything they need to go in and prosecute these offenders and not only prosecute them but also take away the means of offending again. It is much like catching kids with slingshots or other prohibited firearms or weapons that they might be using, and the best way to stop them using it as a threat is to take it off them. Given that—

Ms Bedford: It is so simple, it could work.

Mr KOUTSANTONIS: It is so simple that it could work. I am sure that the member for Florey in her simplicity will support the government's bill when the Attorney-General brings it in during the next session of the parliament. Indeed, I hope that all members of the opposition support our view. I know that the member for Morphett also has grave concerns about people hooning around Jetty Road late at night, using the tramlines as a lubricant for their tyres.

Dr McFetridge interjecting:

Mr KOUTSANTONIS: Because I used to be a trader on Jetty Road. I was also a member of the Chamber of Commerce. I was always very upset, as we had to get the council to put up barriers in 1993 to stop cars sliding into shopfronts because of the low footpath on Jetty Road. It is always a nightmare on Jetty Road on a Saturday night or Sunday morning. That is why we are empowering SAPOL with a bill. The Attorney-General, I understand, is still consulting on the bill and speaking with key stakeholders and local residents in South Australia about what they want to see in the amendments of the Summary Offences Act and the Road Traffic Act. My remarks are in no way a criticism of the member for Fisher, because I know that he is a man of deep commitment to South Australia and South Australians and that he is trying to empower them to improve their standards of living in their homes.

A lot of people cannot understand what it is like to have hoon drivers continually going past your home, making excessive noise. Often all the police have to prosecute someone with excessive noise or dangerous driving. That does not take into account that the car has been modified somehow to make it more powerful to enable it to be misused in this way; it does not take it out of the hands of the offenders. The government's bill will put a bit of responsibility onto parents and the hoon drivers by saying, 'Look, if your car is being used for this sort of activity, it is going to be taken away. So, work out what the car is being used for and, if you cannot trust your children, the person you are lending your car to or yourself, then do not drive it because, if you do that, we will take it away from you.'

Given the government's commitment to road safety, its push to deduct demerit points for speed camera offences and the lowering of the speed limit from 60 km/h to 50 km/h, the government would be well advised to look very closely at the member for Fisher's bill and ensure that it takes up the tenor and substance of the bill and incorporate a lot of the suggestions made in the member for Fisher's bill, because I think the member for Fisher is onto something here. I am just a little jealous that I did not think of it first. I am a humble man; I am not one for grandiose—

Debate adjourned.

SITTINGS AND BUSINESS

The Hon. I.F. EVANS (Davenport): I move:

That Notices of Motion: Private Members Business Bills/Committees/Regulations Nos 1 to 13 be postponed and taken into consideration after Orders of the Day: Private Members Business Bills/Committees/Regulations Nos 5 and 6.

The ACTING SPEAKER (Mr Snelling): Is the honourable member's motion moved with the acceptance of those members affected by his motion?

The Hon. I.F. EVANS: Mr Acting Speaker, I can confirm that I have spoken to the members for Stuart, Mitchell, Unley, Fisher and MacKillop, and they have all agreed to the motion.

The house divided on the motion:

AYES (22)

Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Chapman, V. A.
Evans, I. F. (teller)	Goldsworthy, R. M.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hanna, K.
Kotz, D. C.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
McFetridge, D.	Meier, E. J.
Penfold, E. M.	Redmond, I. M.
Scalzi, G.	Such, R. B.
Venning, I. H.	Williams, M. R.

NOES (20)

Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Caica, P.
Ciccarello, V.	Conlon, P. F.
Foley, K. O.	Geraghty, R. K. (teller)
Hill, J. D.	Key, S. W.
Koutsantonis, T.	Lomax-Smith, J. D.
O'Brien, M. F.	Rankine, J. M.
Rann, M. D.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
White, P. L.	Wright, M. J.

PAIR(S)

Kerin, R. G.	Rau, J. R.
Brown, D. C.	Weatherill, J. W.

Majority of 2 for the ayes.

Motion thus carried.

STATUTES AMENDMENT (MISUSE OF MOTOR VEHICLES) BILL

Second reading debate resumed.

The SPEAKER: The honourable member for West Torrens.

The Hon. I.F. EVANS (Davenport): The member for West Torrens is not here, so I move:

That the debate be adjourned.

The Hon. M.J. Atkinson: No, there is a speaker.

The SPEAKER: The member for Davenport has moved that the debate be adjourned. Is that motion seconded?

The Hon. M.J. Atkinson: Someone is on their feet.

The SPEAKER: I have a thousand people on their feet!

Ms THOMPSON: Mr Speaker, I seek the call if the member for West Torrens does not wish to complete his time.

The SPEAKER: I have accepted a motion from the member for Davenport. I heard and saw the member for Davenport, in that order, and all members know that, if they want to be heard and seen, they jump up and call the attention of the chair by addressing it as Mr Speaker or Mr Deputy Speaker, as the case may be. The proposition is that the motion moved by the member for Davenport be agreed to.

The house divided on the motion:

AYES (22)

Brindal, M. K.	Brokenshire, R. L.
Buckby, M. R.	Chapman, V. A.
Evans, I. F. (teller)	Goldsworthy, R. M.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hanna, K.
Kotz, D. C.	Matthew, W. A.
Maywald, K. A.	McEwen, R. J.
McFetridge, D.	Meier, E. J.
Penfold, E. M.	Redmond, I. M.
Scalzi, G.	Such, R. B.

AYES (cont.)

Venning, I. H. Williams, M. R.

NOES (20)

Atkinson, M. J. (teller) Bedford, F. E.
 Breuer, L. R. Caica, P.
 Ciccarello, V. Conlon, P. F.
 Foley, K. O. Geraghty, R. K.
 Hill, J. D. Key, S. W.
 Koutsantonis, T. Lomax-Smith, J. D.
 O'Brien, M. F. Rankine, J. M.
 Rann, M. D. Snelling, J. J.
 Stevens, L. Thompson, M. G.
 White, P. L. Wright, M. J.

PAIR(S)

Kerin, R. G. Rau, J. R.
 Brown, D. C. Weatherill, J. W.

Majority of 2 for the ayes.
 Motion thus carried.

LAND AGENTS (INDEMNITY FUND-GROWDEN DEFAULT) AMENDMENT BILL

Adjourned debate on second reading.
 (Continued from 24 March. Page 1628.)

The Hon. I.F. EVANS (Davenport): Thank you, Mr Speaker. I thank the members—

The Hon. M.J. ATKINSON: Mr Speaker, I rise on a point of order

Mr Meier: Troublemaker!

The Hon. M.J. ATKINSON: The member for Goyder interjects that I am a troublemaker when I am about to share with the house an opinion of the Crown Solicitor's Office. I do not think it is troublemaking to raise—

Mr MEIER: I rise on a point of order, Mr Speaker. I was referring to his calling a division on the previous two occasions. I think he upset the Deputy Premier very seriously.

The SPEAKER: Order!

The Hon. I.F. EVANS: Mr Speaker, I rise on a point of order. Making a contribution on behalf of crown law is part of the debate. I have the call. The Attorney had his opportunity to make a contribution, which he used, but he never raised the crown law opinion.

The SPEAKER: Order! For reasons that the Attorney may not immediately understand, the member for Davenport has the call at this point, but let me explain that ruling. The Attorney has already addressed the matter and spoken on the second reading. He cannot, therefore, address the house twice. The member for Davenport.

The Hon. I.F. EVANS: Thank you, Mr Speaker. I thank members for their contribution on the second reading—

Mr KOUTSANTONIS: I rise on a point of order, Mr Speaker. In my time, it has always been the practice of this house that, when you have said that if the person introducing the bill speaks they close the debate, you turn to see whether anyone else is standing. I was standing, sir.

The SPEAKER: Then you have the call.

Mr KOUTSANTONIS (West Torrens): Thank you very much, Mr Speaker.

The Hon. I.F. EVANS: I had the call, Mr Speaker.

The SPEAKER: If the member for West Torrens, who was standing, wishes to make his contribution, he is entitled to.

The Hon. I.F. EVANS: I clearly had the call.

Mr KOUTSANTONIS: Thank you, Mr Speaker. Sir, that has always been the practice of the house, and I thank you for your wisdom and tolerance. I am stunned that members opposite are shaking their heads, because my constituents deserve to be heard on this issue.

Members interjecting:

The SPEAKER: Order!

Mr KOUTSANTONIS: I cannot believe that I am being censored in this place by members opposite. Thankfully, this is a democracy and my constituents can be heard.

The SPEAKER: Order!

Mr KOUTSANTONIS: Of course, members opposite believe in totalitarian regimes where we cannot be heard, and I find that offensive. This bill should be sent to a Select Committee in my opinion, first and foremost. I have the greatest deal of sympathy for the people who have been hurt by this, but I do not believe that the government should be held to hostage and ransom by one member of the parliament.

Mr Meier: Who's that?

Mr KOUTSANTONIS: People like you.

The SPEAKER: Order!

Mr MEIER: I rise on a point of order, Mr Speaker. That is a stupid statement the honourable member has made, and I would suggest that he had no knowledge of what he was talking about when he said that this parliament had been held to ransom by one member and when asked who that was he said it was me.

The SPEAKER: What is the point or order?

Mr MEIER: I have had no participation in this debate before.

The SPEAKER: The honourable member for West Torrens has the call.

Mr KOUTSANTONIS: Thank you, Mr Speaker. I would like to read into *Hansard* the Crown Solicitor's advice.

Mr BRINDAL: I rise on a point of order, sir. I ask you in terms of relevance: this chamber I believe you have always ruled is a sovereign chamber and as to the Crown Solicitor's advice to this chamber I ask what its status is. The Crown Solicitor has no status, I put to you, sir, in this parliament. You have more status than the Crown Solicitor, sir, and I wonder what relevance the Crown Solicitor's opinion is to this debate.

The SPEAKER: Notwithstanding the point made by the member for Unley about the ranking in protocol, the chamber is, of course, a sovereign chamber, but it is entitled to hear opinion expressed by learned, dare I say it, gentlemen and gentlewomen, from elsewhere. Although, the real point in this instance is, how come the member for West Torrens, perchance, has the Crown Solicitor's ear to get his opinion, when that is a privilege not extended to any other member of the chamber? Notwithstanding that, the member has the material and I take it that it is his opinion. The honourable member for West Torrens.

Mr KOUTSANTONIS: This is what the Crown Solicitor says:

The definition suggests that the bill is a hybrid bill. It seeks to confer upon investors in Growdens a right to be compensated from the indemnity fund in circumstances where no other owner of a failed investment would be compensated under South Australian law. Erskine May (19th edition at page 873-4) provides a number of examples of objections made to public bills in the House of Commons on the ground that they should have been hybrid bills.

In three cases such an objection was overruled on the basis that the bill dealt with the matter of public policy affecting all persons in a particular class in the same manner. In the present case the bill seeks to treat investors in Growdens differently to other claimants upon the indemnity fund. In another case cited by Erskine May the

Speaker ruled that a bill which provided for the compulsory transfer to a central trust of the undertakings of certain specified canal companies, but not canal companies generally, was a hybrid bill. That approach was consistent with the definition I have quoted above.

For these reasons I consider that the Growdens Bill is a hybrid bill. I note that the Deputy Clerk of the House of Assembly has expressed the same view in a minute. . . My conclusion makes it necessary to consider the procedures applicable to hybrid bills.

A detailed discussion of the procedure applicable to hybrid bills in the House of Commons appears in Erskine May (19th edition at pages 554-558). As I am confident that the Clerk will be fully familiar with the process it is unnecessary to refer to it in detail. Moreover, in accordance with SO 1 there may be local practices at variance with those of the House of Commons (of which I have no knowledge). Established local practices must be followed where they differ from those in force at Westminster.

The essential elements of the House of Commons practice with hybrid bills are:

- The bill must be referred to an examiner in accordance with the procedure applicable to private bills.
- The Second Reading cannot be moved until the report of the examiners has been received.
- The examiners' report as to whether the Standing Orders for dealing with private bills are applicable and have been complied with.
- After the Second Reading a hybrid bill is referred to a select committee. The select committee may be a joint committee.
- The proceedings in the select committee on a hybrid bill are generally conducted—

Mr BRINDAL: I rise on a point of order, Mr Speaker. Notwithstanding your comments about how the member knows the Crown Solicitor's opinion, the member for West Torrens alleged and referred to a minute from the Deputy Clerk. I ask you, sir, whether it is orderly, how the Crown Solicitor knows what the Deputy Clerk has put in a minute, and whether, in accordance with your ruling yesterday, you would rule that that minute from the Deputy Clerk be tabled so that the whole house knows what the Deputy Clerk may or may not think—not the Crown Solicitor, whose business it does not appear to be.

The SPEAKER: Notwithstanding the member for Unley's honourable intentions, the opinion of the Deputy Clerk is available to all members of the chamber without its having to be tabled, merely upon their approach to the Deputy Clerk or the Clerk or any other table officer they may choose to consult to obtain it. It is not necessary for it to be tabled per se. There are other elements of the proposition which the member for West Torrens puts to the chamber at this point, but I will allow him his time to expound his view and respond from the chair at the conclusion of his remarks.

Mr KOUTSANTONIS: Thank you sir. It further states:

- The proceedings in the select committee on a hybrid bill are generally conducted in the same manner as those in a committee on a private bill. However, unless the house has indicated otherwise, the Second Reading is considered to remove from the promoter of a bill the onus of proving its expediency.

In essence, the House of Commons practice generally treats those public bills that are hybrid bills as if they were private bills.

Whether a money Bill

The need to consider whether the bill is a money bill arises from section 59 of the Constitution Act. Section 59 provides:

It shall not be lawful for either House of Parliament to pass any vote, resolution or bill for the appropriation of any part of the revenue, or of any tax, rate, duty or impost, for any purpose which has not been first recommended by the Governor to the House of Assembly during the session in which such a vote, resolution or bill is passed.

The Deputy Clerk has advised that the bill is not a money bill. On 2 February 1999 Mark Johns provided advice to a former Attorney-General as to whether the Second Hand Vehicle Dealers (Compensation) Fund Amendment Bill 1998 was a money bill. The effect of that bill was to narrow the circumstances in which a claim could be made

against the particular compensation fund. Mr Johns advised that the provisions of the Second-hand Vehicle Dealers Act 1995 which authorised the court or tribunal to authorise payment of compensation out of the fund were standing appropriations authorising payment of public money from the fund. While the matter was not beyond doubt, Mr Johns advised that the bill did alter the purposes for which moneys in the fund might be expended. On balance, Mr Johns concluded that as the bill sought to alter the purposes upon which any part of the revenue might be expended it was a money bill. A copy of that advice is attached.

I consider the present bill to be indistinguishable from that considered by Mr Johns in 1999.

The indemnity fund is established under section 29 of the Land Agents Act. Amongst other moneys, it comprises interest paid on agents' trust accounts, fines recovered as a result of disciplinary proceedings and money required to be paid into the fund under that act or any other act. The requirement that interest on trust accounts be paid into the fund is effectively a form of tax in the sense defined by the High Court in *Matthews v Chicory Marketing Board* (1938). . . 'A compulsory exaction of money by a public authority for public purposes, enforceable by law, and is not a payment for services rendered'. Thus, the purposes for which the fund may be applied constitute an appropriation by the parliament of part of the revenue. A change to that purpose constitutes a change to the purposes of an appropriation within the meaning of section 59 of the Constitution Act. For that reason—

An honourable member interjecting:

Mr KOUTSANTONIS: This is not my quote; this is the Crown Solicitor. It continues:

For that reason I do not agree with the view expressed by the Deputy Clerk. The bill does considerably more than merely divide the existing fund into two parts. It changes—

The SPEAKER: Order! The honourable member's time has expired.

Members interjecting:

The SPEAKER: Order! All honourable members will take their seats. Given the remarks that have just been made by the honourable member for West Torrens, and whether or not all of the remarks he made were quoting from the opinion in his hands of the Crown Solicitor, I am not sure. Some of what he had to say went to the question of whether the bill was a money bill or not. Other remarks I heard went to the question of whether or not the bill was a hybrid bill. In the first instance, before addressing both of those points, I am compelled to make the observation, as I have had to make it before from the benches in the context of being the member for Hammond, I think in every instance, that during the term of the last government the Crown Solicitor certainly found himself capable of comment in a much wider audience than he might have imagined he would attract by providing, in a matter of months, opinion about what was a public work, which was actually contradictory to an earlier opinion he had expressed, and not just contradictory in some detail but 180 degrees in the opposite direction.

To this day the example quoted by the Crown Solicitor, in the Cabinet Handbook, of the Old Treasury Building as being a fine example of what was, indeed, a public work—regardless of the source of the funds, given that the total amount of money to be expended was over \$4 million—is the example to which I refer and which was shortly thereafter cited as not being a public work because not all the funds came from the public purse. Accordingly, I leave all honourable members to place whatever weight they will or otherwise on the remarks that have been provided by the Crown Solicitor for the benefit of whomever it is that may choose to read them.

I am therefore compelled to contemplate the proposition that, if that is what is being put by the member for West Torrens, the bill is a money bill. In the first instance, a money

bill would need to require that the chair conclude, or the house, in coming to a different conclusion from the chair, that the source of funds from which the benefit is to be paid, should the measure pass, are funds which are raised by way of taxation, rather than by way of a contribution to a fund that is managed in trust for people of a class defined in law.

Clearly, it is such a long bow, in my judgment, to claim that it is a money bill that anyone who attempted to pick up that bow would find it impossible to hold it in the middle while standing the bow in order to fire the shot. I doubt that anything other than a pencil would be what they have to draw with; certainly, no bow string exists. The money was never taxation and cannot be appropriated under any circumstances under the act establishing authority to collect it to the public purse, other than that the government as we know it constituted as at present in South Australia be dissolved.

As for the other measure, that of a hybrid bill, there have been occasions in the past in which I have protested to this chamber—and stood alone—that the chamber was making a grave mistake in its abuse of trust for trusts properly established. There are two recent instances. One was the case—albeit popular and politically correct at the time—to allocate land given to the state government to be held in trust—or, indeed, given to the University of Adelaide to be held in trust—where the Waite Arboretum is now established. My call then was that this is not public land but land held in trust in the public interest for a particular purpose. The house ignored my call, passed the legislation and handed the land to the Netherby Kindergarten.

The Hon. M.J. Atkinson: It went to a select committee.

The SPEAKER: Notwithstanding the fact that it went to a select committee, that mistake was made, in consequence of which it was necessary for the house to entertain a bill at a later time brought by the member for Waite to overturn that mistake. That act was repealed and the kindergarten properly established where it should be—on land other than that owned by the trust.

The second instance to which I draw attention is that of the Tomatin McRae Association at Aldinga. That injustice—indeed, not only an injustice but an unlawful act of parliament, should it be challenged in the High Court whilst there is time—still stands to this day. I did not hear any other member of this place listen to my remarks—

The Hon. M.J. Atkinson: It went to a select committee.

The SPEAKER: It may have been the case. I do not see that the best interests of the public in either instance were served by its so doing. My point, therefore, is that, if it is a hybrid bill, the process of referring it to a select committee is not likely to bring any greater measure of legal accuracy or justice to the victims of the offences committed by Growdens. I will not go further down that pathway, though, other than to make the observation that there have been occasions in the past, regrettable or otherwise, where such bills as might have gone to a select committee by a motion of the house to suspend the standing orders accordingly have not done so. Again, it could be argued that the public interest may have been abused. I therefore leave it to the house to decide whether I am mistaken or correct in saying in this instance that it is not a bill that requires the attention of a select committee and that, if the house believes me mistaken in that particular, I am quite happy to be found to have been in error and to see the matter go to a select committee in order to determine whether or not the public interest is properly served in the process, and I rule accordingly.

The Hon. M.J. ATKINSON: Mr Speaker, at what point would it be in order to move that the bill be referred to a select committee?

The SPEAKER: That moment in time arises after it has passed the second reading debate and before it goes to a Committee of the Whole.

Ms THOMPSON (Reynell): I rise to complete the remarks that have been made to ensure that the house has the benefit of the advice of the managing solicitor advising the Crown Solicitor in relation to this matter, but I also wish to add some comments of my own. To complete the advice given by the Crown Solicitor, I continue where the member for West Torrens finished. For that reason, I do not agree with the view expressed by the Deputy Clerk. The bill does considerably more than merely divide the existing fund into two parts. It changes the purposes for which part of the fund may be applied. To summarise my advice: (a) the bill is not a bill for a private act; (b) the practices of the House of Commons suggest that the bill is a hybrid bill; and (c) the bill is a money bill and cannot be passed in the absence of a Governor's message—and it indicates that the Crown Solicitor's office is available to provide further advice on this matter.

I return to the substance of the bill and my reasons for opposing the substance of the bill. I am sure members will be aware that many people have suffered badly as a result of the actions of Growdens and their involvement with that firm. Unfortunately, however, many people have suffered badly through poor speculative practice on the part of many operators. When one deals in these matters, I understand that the caution is 'buyer beware'. The real estate indemnity fund exists for a range of purposes, as defined in the act.

Mrs Redmond interjecting:

Ms THOMPSON: The member for Heysen will have her opportunity. I welcome her contribution in the debate. If she wishes to continue contributing now, that is fine: she can have 10 minutes plus if she would like. The real estate indemnity fund consists of funds provided through conveyancers and real estate agents. The fact that some members of the public had access to the funds through Growdens was a matter of accident at the time. The availability of the fund to some, but not all, people affected by the Growdens collapse depended upon who had handled some of their matters.

Members opposite are indicating considerable concern for people affected by the Growdens collapse and are indicating various interpretations of the legislation. Some (not all) members opposite may have—indeed, do have—far greater skills in interpreting the law than I. I do not have legal training. However, as I have already indicated, I welcome the contribution of the member for Heysen. I do not know whether she is a practising lawyer but she is certainly an experienced and well-trained lawyer. I recall that the Attorney in his remarks was very interested to hear the contributions of the members for Heysen and Bragg in relation to the parts of the bill proposed by the member for Davenport, which seek to change the definition of fiduciary default. I am sure that the Attorney is still very interested to hear the opinion of these members about a retrospective change, as I understand, to the definition of fiduciary default.

I am really surprised at the level of heat in the debate coming from members opposite, as they do not normally seek to change legislation retrospectively. As I have already indicated, my skills in this area are not great, but I have certainly heard many debates in this place about reasons for

not making retrospective changes to legislation. The fact that there are a number of people who have been badly hit and hurt for many years by the Growden's collapse has inspired a number of members to be very vigorous in their pursuit of a method of retribution. I have to say that none of my constituents have approached me on this matter, so I have not personally heard their stories of despair. However, I have certainly heard the stories of despair of people who have had the prospect of losing not only their jobs but their entitlements, and the whole issue of people whose jobs disappear from under them without any redundancy pay and, therefore, no means of making any plans for their financial future, or for their families and for their old age.

I expect that the same sort of despair is felt by people who lost money in the Growden's collapse, and I do not in any way suggest that they had been doing anything other than seeking to obtain redress for the fact that they were very shabbily treated by incompetent and, I believe, dishonest, business operators. I do not know sufficient about it to be sure that there was dishonesty, but I gather there must have been from the sorts of remarks that have been made. However, I have not yet grasped how this justifies changing the legislation so long after the events. I do note that, despite the fact that people affected by the Growden collapse have apparently been lobbying MPs consistently since the early 1990s, there was no attempt to change the legislation during the eight years of the Liberal government. I therefore assumed that there were very good reasons for their not changing the legislation.

The fact that people now seem to be supporting an initiative of the member for Davenport does not explain why for eight years the previous administration took no action in relation to this. I know that there were court cases proceeding and that the District Court, in the end, ruled that the circumstances are not fiduciary default, so that is the reason why the member for Davenport is proposing to change the definition of fiduciary default. As I have said, we welcome the contribution of the member for Heysen on this issue. In the short time that she has been here I have seen her as someone who upholds the traditions of the law, which I can only repeat include not changing legislation retrospectively, and the fact that there has been ample opportunity for members opposite in the last eight years to initiate such a change, although it has waited till now, is something that I simply do not understand.

I listened carefully to the contribution of the member for Davenport, but he did not explain why he has waited so long to initiate this change. With the benefit of the opinion of the Crown Solicitor that there are many reasons for dealing with this bill with caution, and with the fact that we are changing legislation retrospectively, that the change to the legislation if enacted would affect the rights of the people who were involved in the Real Estate Industry Indemnity Fund—

Time expired.

The SPEAKER: Before the member for Playford speaks, there is something that all members ought to be aware of: that is, the crimes were committed. We then introduced legislation which altered the fact, and it is that legislation that is now proposed should be repealed. It is not a question of retrospectivity. It is merely establishing what was in precedent.

The Hon. M.J. Atkinson: With respect, Mr Speaker, that is not a ruling: that is a highly conjectural claim.

Mr SNELLING (Playford): I oppose this bill. I do so uneasily, because I have been approached by a couple who

live in my electorate who were investors in Growden's and who subsequently lost a great deal of their savings. However, I point out, and it comes to the core of what the member for Davenport seeks to do, that my constituents were investors. They were investing money in order to obtain a return on their investment. Like any investor, they took a risk and, unfortunately, they lost out.

[Sitting suspended from 6 to 7.30 p.m.]

Mr SNELLING: I continue my remarks on the Land Agents (Indemnity Fund-Growden Default) Amendment Bill 2004. It was the job of Growdens and its associated companies to arrange mortgage finance. They would hold money on deposit from investors while waiting for investment opportunities to arise. It was quite clearly the business of Growdens, and the people who invested in Growdens were in the business of investing money for a return, which was not the original intention of this house when it established the fund. The problem is that, as the member for Davenport seeks to do, when the parliament basically starts to bail out people whose investments go bad it may seem quite an easy and a good thing to do on the surface, but doing this has all sorts of unforeseen implications.

What happens with the next group of investors who, for whatever reason, have invested poorly and lost their money? The Growdens investors were not the first group of investors to lose large amounts of money. Many investors in the past have lost a great deal of money—often their life savings. Is the member for Davenport suggesting that, every time this happens, the parliament has to step in and find a pot of money somewhere in the government sector with which to bail out these investors? As heartbreaking as these stories might be, what the member for Davenport suggests would set a very dangerous precedent, and we would just find that everywhere—

The Hon. I.F. Evans: Rubbish! Absolute rubbish!

Mr SNELLING: The member for Davenport says 'Rubbish!' I do not see why, in analysing a bill and looking at what the future consequences of passing that bill might be, that should be rubbish. I think it is an important thing that this house does.

The key issue with this bill is what constitutes fiduciary default. Fiduciary default is primarily about doing things with trust money that are contrary to the instructions of the person who has given that money to you in trust. Generally, when that trust is breached, that is stolen money and the person who has stolen it flees overseas beyond the reach of the law.

The Hon. I.F. Evans: Speak to John Rau about how that happened.

Mr SNELLING: Yes, indeed. The member for Davenport says to speak to John Rau, the member for Enfield, about his constituent. I well remember the evidence that one of his constituents gave to the Economic and Finance Committee about exactly that case. My recollection is that the constituent of the member for Enfield who came to the Economic and Finance Committee had given \$100 000 to a conveyancer.

Ms Thompson interjecting:

Mr SNELLING: The constituent had given it to the conveyancer and the person who had received the money fled overseas with the constituent's \$100 000. That \$100 000 was not an investment: it was taken, and the reason why the member for Enfield argued that his constituent should have access to the indemnity fund was precisely because the person who had received the money had breached trust. In

that case, it was not an investment. It would seem that, as the member for Reynell says, in accordance with the act, the member for Enfield's constituent should have access to the fund. In fact, I recall when the—

Ms Thompson interjecting:

Mr SNELLING: Exactly. The member for Reynell points out to me that the issue was whether the constituent had exhausted all avenues in order to try to obtain the money, including undertaking legal action. That was the issue: the fiduciary default was not the issue. I think that everyone was in agreement that fiduciary default had, in fact, occurred. I also point out that, in my opinion, this legislation is retrospective, and it is retrospective—

Debate adjourned.

The Hon. I.F. Evans interjecting:

The ACTING SPEAKER: Order!

Members interjecting:

The ACTING SPEAKER: Order! I would suggest that if members want to debate among themselves they do it outside the chamber.

BEECHWOOD GARDEN

The Hon. J.D. HILL (Minister for Environment and Conservation): I move:

That for the purposes of section 14 of the Botanic Gardens and State Herbarium Act 1978, this house resolves that the Board of the Botanic Gardens and State Herbarium may dispose of any interest in, and be divested of any control of, any of the following land—

(a) Certificate of Title Register Book Volume 5862, Folio 262 (formerly Volume 4175, Folio 187); and

(b) Certificate of Title Register Book Volume 5133, Folio 747 (formerly Volume 4175, Folio 188).

I will speak briefly to this motion. I understand that the opposition will seek to adjourn this matter tonight, which is perfectly fine with me. However, I place on the record for the benefit of members and the public the government's reasons for proposing this proposition. As members would know, in 1981 the Botanic Gardens Board, assisted by the state government, purchased the major part of Beechwood's grounds as a heritage garden (which was known as Beechwood Garden), and Marbury School purchased Beechwood House on a separate title for use as a senior campus, with mutual protection afforded to the garden by an indenture agreement. That agreement outlines rights and obligations of the garden owner and house owner. Various persons and entities have owned the house allotment over the subsequent years. Beechwood Garden was listed on the National Estate Register on 21 October 1980 and on the Register of State Heritage items on 24 March 1983. A heritage glasshouse in the garden allotment was listed separately on the State Heritage Register on 24 March 1983.

The 1995 Glenn review of the Botanic Gardens and State Herbarium identified Beechwood Garden as outside the Botanic Gardens' core business and recommended the sale of this property. The board has reaffirmed this position on two occasions since; I think the last time was either last year or the year before. In March this year a motion (the one to which I am speaking now) was introduced into both houses of parliament to enable the board of the Botanic Gardens and State Herbarium to divest and dispose of Beechwood Garden. On 11 May 2003 the board received an offer from the Beechwood House owner to purchase Beechwood Garden. At its meeting of 20 October 2003 the board resolved to divest Beechwood Garden. The board and house owner entered into a conditional contract for the sale and purchase

of land (that is, the sale contract), with the advice of the Crown Solicitor's Office, to divest Beechwood Garden subject to the following: the approval from both houses of parliament for the board to divest Beechwood Garden (which is an essential prerequisite, in any event) and the execution of a heritage agreement by the Minister for Environment and Conservation and the house owner.

The heritage agreement will ensure that the house owner protects the heritage and environmental aspects of the garden to the satisfaction of the minister; manages the garden in accordance with the heritage agreement; opens the garden to the public; and fixes current assets in disrepair. Once both houses of parliament have approved the divestment, the heritage agreement will need to be executed and the sale contract will become unconditional. The details of the sale contract are as follows: the purchase price will be \$450 000, which takes into account the land management agreement, which amount will be reduced by \$200 000 against the liabilities of undertaking the immediate renovation of the conservatory and potting shed and the removal of mature and diseased pine trees. The department will maintain Beechwood Garden for a period of six months after settlement of the sale contract. The board will pay the required stamp duty for the transfer of the garden allotment, and the sale proceeds will be retained by the board to recover costs associated with the sale and will be reinvested into priority infrastructure for the Sesquicentenary of the Adelaide Botanic Gardens in 2005.

Under the existing arrangements the garden is open to the public on two occasions a year, in spring and autumn. Just to give members a sense of how many people visit the garden: in spring of 2003 the garden was open for 36 days, and 980 visitors are recorded to have visited. In autumn this year the garden was opened for 29 days, and 793 visitors were recorded. The gardens cost the Botanic Gardens about \$70 000 a year to run. A number of issues in relation to the garden require capital expenditure.

As I have said, about \$200 000 worth of capital expenditure is required, which puts a burden on the Botanic Gardens. When these gardens were established there was no direct allocation for this particular set of gardens. It is certainly the view of the Botanic Gardens that they should be divested, and it is certainly government's view that that should happen. We have negotiated a very good arrangement with the current house owner, who will ensure that the issues the local community is concerned about, that is, that the gardens will be open to the public and that their heritage values will be protected, will occur. I believe that the heritage values will be enhanced by a local person who has the capacity to look after them properly.

I have made sure that there has been appropriate consultation with the local, federal and state members of parliament, as well as other appropriate people, including the local mayor, and the member for Davenport as shadow minister has also been briefed. There may well be questions, and I would say to members who have detailed questions that, if they would like to provide me with those questions before we next debate this, I will get answers back to them either on that occasion or prior to it, or members can raise questions during debate.

Mr Venning: Will it still be open to the public?

The Hon. J.D. HILL: It will still be open to the public.

Mr Venning interjecting:

The Hon. J.D. HILL: Just because the question has been raised, let me say that, if this is successful, there will be a heritage agreement over the property which means it cannot

be subdivided; it cannot be developed. The owner will have to maintain it. I will conclude my remarks on that point.

The Hon. I.F. EVANS secured the adjournment of the debate.

AUSTRALIAN ENERGY MARKET COMMISSION ESTABLISHMENT BILL

The Hon. P.F. CONLON (Minister for Energy) obtained leave and introduced a bill for an act to establish the Australian Energy Market Commission and for other purposes. Read a first time.

The Hon. P.F. CONLON: I move:

That this bill be now read a second time.

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

Leave granted.

The Government is again delivering on a key energy commitment through new legislation to establish the Australian Energy Market Commission to strengthen the quality, timeliness and national character of the governance of Australia's energy markets for the benefit of South Australians and all Australians.

The Australian Energy Market Commission Establishment Bill will establish a new Commission with responsibility for rule-making and market development across the Australian energy sector.

As honourable members would be aware, South Australia is participating in the reform of the regulatory framework of Australia's energy markets in response to the Council of Australian Governments Energy Market Review 2002 (Parer review). In December 2003, the Ministerial Council on Energy responded to the Parer review by finalising policy decisions for its major energy market reform program. These policy decisions were publicly released as the Ministerial Council's Report to the Council of Australian Governments on Energy Market Reform. All first Ministers, including the South Australian Premier, endorsed the Ministerial Council's Report.

The Ministerial Council on Energy agreed that the existing legislative framework giving effect to the rules of the National Electricity Market and the network access regimes for electricity and gas are to be simplified and amended to clearly establish the Council's responsibility for national energy market governance and policy. Accordingly, a national legislative framework is being established on a collaborative basis between the Commonwealth, States and Territories under a new inter-governmental agreement, the Australian Energy Market Agreement, which has been endorsed by the Ministerial Council on Energy. It is planned that all First Ministers will execute this Agreement within the next two weeks.

The Ministerial Council on Energy is to assume a national policy oversight role for the Australian energy market, including for electricity and gas, superseding the National Electricity Market Ministers Forum. Two new regulatory bodies are to be created – the Australian Energy Regulator and the Australian Energy Market Commission. The Council will oversee the policy framework under which the new regulatory bodies will operate but will not be engaged directly in the day-to-day operation of the market or conduct of the two agencies.

Under the Australian Energy Market Agreement, the Australian Energy Regulator will be established as the national energy market regulator, including both electricity and gas. The AER will become responsible for the regulation of distribution and retailing (other than retail pricing) during 2006, following development of an agreed national framework. The Australian Energy Regulator is being established through Commonwealth legislative amendments to the Trade Practices Act 1974, and although it will operate under the umbrella of the Australian Competition and Consumer Commission, it will be established separately and be independent in its deliberations.

South Australia is the lead legislator with respect to the Australian Energy Market Commission. As such, the new Commission will be established by this Bill in the South Australian Parliament, though it will be physically located in Sydney. The Australian Energy Market Commission will be given powers by the amended National Electricity Law and Gas Pipelines Access Law, which in turn will be applied by the amended Application Acts in the States

and Territories. In this way, the Australian Energy Market Commission Establishment Bill 2004 will give rise to a new national rule making and market development agency, which over the next year will have jurisdiction across Australia.

The Australian Energy Market Commission will be accountable to and subject to the power of policy direction from the MCE. The object of the Australian Energy Market Commission is to make code changes, undertake reviews and carry out other Australian energy market development functions as conferred on it under relevant Commonwealth, State and Territory legislation. The electricity code change role of the existing National Electricity Code Administrator will be transferred to the Australian Energy Market Commission, as will the functions of the existing National Gas Pipelines Advisory Committee and the gas Code Registrar.

The Australian Energy Market Commission, as a South Australian body, will be subject to South Australian laws in relation to financial management and accountability, and annual reporting. There will be a specific provision in the National Electricity Law and Gas Pipelines Access Law for judicial review of decisions by the Australian Energy Market Commission.

The Australian Energy Market Commission will focus on electricity during the 2004-05 financial year, with gas following a year later. Similarly the Australian Energy Regulator will only have initial responsibility for National Electricity Market matters.

Honourable Members should note that some elements that would normally be expected to appear in such an establishment Bill do not appear in this Bill, as they will instead be addressed in amendments to the National Electricity Law and Gas Pipelines Access Law. The specific energy objectives of the Australian Energy Market Commission, the Commission's powers to request information from market participants, immunity from personal liability for Commissioners, and the mechanism for policy oversight by the Ministerial Council on Energy will appear in the reformed National Electricity Law and Gas Pipelines Access Law.

Under these National Energy Laws, the Ministerial Council on Energy will be provided the power to issue policy directions to the Australian Energy Market Commission with respect to undertaking an electricity or gas market review.

Funding arrangements for the Energy Market Commission also do not appear in this Bill, but will be addressed in separate legislation. Both the Australian Energy Market Commission and the Australian Energy Regulator will be funded by an industry levy.

Prior to the establishment of such a levy, New South Wales, on behalf of the National Electricity Market jurisdictions, will fund the Australian Energy Market Commission on an agreed basis. Any surplus from the National Electricity Code Administrator once it ceases operation will be passed to New South Wales to offset some of the interim expense.

Electricity and natural gas are essential services that impact upon the daily lives of all South Australians and all Australians. Reliable supply of electricity and gas at efficient prices is essential to the community and to the ongoing competitiveness of South Australian businesses, small and large. The long-term interest of consumers will be established as a primary objective for the Australian Energy Market Commission through the National Energy Laws.

Through the Ministerial Council on Energy, all States and Territories have undertaken to work towards establishing the Australian Energy Regulator and the Australian Energy Market Commission by 1 July 2004. As lead legislator in respect of the Australian Energy Market Commission, South Australia is in the forefront of national energy market reform. Introduction of this Bill to the South Australian Parliament at this time is to maximise South Australia's capacity to meet this undertaking.

This has necessitated the Bill being introduced prior to agreement by the Ministerial Council on Energy. Any differences between this Bill and that agreed by the Ministerial Council on Energy will be introduced as amendments in the House of Assembly.

I am also introducing to Honourable Members the *Statutes Amendment (Electricity and Gas) Bill* which will further strengthen the already robust regulatory regime established by this Government in preparation for the transition of small customers of electricity, and shortly gas, into the fully competitive retail markets. That Bill responds to the recommendations of the Chairman of the Independent Pricing and Regulatory Tribunal of New South Wales, as contained in his March 2004 report, by ensuring a robust and transparent process for the setting of justifiable standing contract prices.

The introduction into the South Australian Parliament of these two Bills at this time clearly illustrates this Government's commit-

ment to improving energy market regulation, both at a state and national level, for the benefit all South Australians and all Australians.

I commend the Australian Energy Market Commission Establishment Bill 2004 to Honourable Members.

EXPLANATION OF CLAUSES

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

Definitions are provided for terms used in the measure. In the Bill, the Australian Energy Market Commission is referred to as the *AEMC*.

MCE is the Ministerial Council on Energy established on 8 June 2001, being the Council of Ministers with primary carriage of energy matters at national level comprising Ministers representing the Commonwealth, the States, the Australian Capital Territory and the Northern Territory. *MCE (States and Territories)* is the MCE when making decisions, in accordance with its procedures, with the participation only of Ministers representing the States and Territories.

National Energy Law is—

- a National Electricity Application Act
- the National Electricity Law
- the National Electricity Regulations
- the National Electricity Code
- a Gas Pipelines Access Application Act
- the Gas Pipelines Access Law
- the Gas Pipelines Access Regulations
- the National Third Party Access Code for Natural Gas Pipeline Systems.

Jurisdictional Energy Law is a law of the Commonwealth, or a State or Territory of the Commonwealth, that relates to energy and is prescribed by regulation.

4—Crown to be bound

The measure is to bind the Crown, not only in right of South Australia but also, so far as the legislative power of the Parliament permits, the Crown in all its other capacities.

5—Australian Energy Market Commission

The Australian Energy Market Commission is established as a body corporate with the usual features of a body corporate.

6—Functions

The AEMC will have the following functions:

- the rule-making, market development and other functions conferred on the AEMC under National Energy Laws or Jurisdictional Energy Laws
- the provision of advice to the MCE as requested by the MCE.

7—Operations outside State

The AEMC may perform its functions and exercise its powers in and outside the State.

8—Objectives

The AEMC will be required to have regard to any relevant objectives set out in National Energy Laws in the performance of its functions.

9—Independence

The AEMC will not be subject to direction by the Minister in the performance of its functions. However, this will not limit any provision of the National Energy Laws about the giving of directions to the AEMC by the MCE.

10—AEMC may publish statements, reports and guidelines

The AEMC may publish statements, reports and guidelines.

11—Memorandum of Understanding

The AEMC may enter into a Memorandum of Understanding with other bodies for the purposes of facilitating and coordinating the performance of its functions.

12—Membership of AEMC

The AEMC is to consist of 3 Commissioners appointed by the Governor on the recommendation of the Minister, of whom—

- 1, who will be appointed to be the Chairperson, will be a person nominated for such

appointment by the MCE (States and Territories)

- 1 will be a further person nominated by the MCE (States and Territories)
- 1 will be a person nominated by the Minister of the Commonwealth who is a member of the MCE.

13—Terms and conditions of appointment

A Commissioner will be appointed for a term of 5 years and on conditions as to remuneration and other matters that the Minister has recommended to the Governor in accordance with a resolution of the MCE.

14—Acting Chairperson

Provision is made for appointment of a Commissioner as an acting Chairperson.

15—Vacancies or defects in appointment

An act or proceeding of the AEMC will not be invalid by reason only of a vacancy in its membership or a defect in the appointment of a Commissioner.

16—Chief executive

17—Other staff

Provision is made for the AEMC to employ a chief executive and other staff.

18—Public Sector Management Act not to apply

The *Public Sector Management Act 1995* will not apply in relation to the chief executive and other staff.

19—Consultants

The AEMC is empowered to engage consultants.

20—Delegation

Provision is made for the AEMC to delegate functions or powers to a Commissioner or the chief executive or some other member of the staff of the AEMC.

21—Meetings of AEMC

This clause regulates the procedures for meetings of the AEMC.

22—Disclosure of interest

A Commissioner will be required to disclose any direct or indirect interest in a matter before the AEMC that could conflict with the proper performance of the Commissioner's functions.

23—Common seal and execution of documents

This is the usual provision relating to the fixing of the common seal and the execution of documents.

24—Confidentiality

The AEMC will be required to protect the confidentiality of information given to it in confidence or obtained by compulsion in exercise of its powers. Provision is made for certain authorised uses of such information.

25—Annual performance plan and budget

The AEMC will be required to submit performance plans and budgets to the Minister.

26—Accounts and audit

The AEMC will be required to keep accounts in accordance with the *Public Finance and Audit Act 1987*. The accounts will be audited by the Auditor-General.

27—Annual report

The AEMC will be required to provide annual reports to the Minister and each of the other Ministers who are members of the MCE. The Minister is to table each annual report in Parliament within 12 sitting days after receipt of the report.

28—Regulations

This clause provides for the making of regulations.

Schedule 1—Temporary financial provision

1—Temporary financial provision

The Minister is empowered to give directions to the AEMC requiring the AEMC to enter into specified loan agreements and to make specified payments from its funds.

2—Transfer of assets etc of NECA or NEMMCO

Provision is made for transfer by the regulations to the AEMC of assets or liabilities of NECA or NEMMCO.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

STATUTES AMENDMENT (ELECTRICITY AND GAS) BILL

The Hon. P.F. CONLON (Minister for Energy) obtained leave and introduced a bill for an act to amend the Electricity Act 1996 and the Gas Act 1997. Read a first time.

The Hon. P.F. CONLON: I move:

That this bill be now read a second time.

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

Leave granted.

In preparation for the introduction of full retail competition in the South Australian electricity market on 1 January 2003, this Government established a legislative and regulatory framework designed to facilitate competition whilst at the same time protecting households and small businesses during the transition to this newly competitive environment.

As part of that new regime, the Essential Services Commission was established as a powerful regulator with a key objective of protecting the long term interests of small customers.

Almost two years have elapsed since this Parliament passed the legislative amendments required to establish that regulatory regime. During that time, South Australia has transitioned to a fully contestable electricity market with small customers now having the choice of remaining with their existing electricity retailer, AGL, or transferring to a market contract with one of the retailers currently marketing to the small customer market.

The indicators from the Essential Services Commission's latest Statistical Report are that more and more South Australian small electricity customers are feeling confident enough to seek a market contract that better suits their needs. As of 31 March 2004, there had been just over 38,000 small electricity customer transfers completed in South Australia, representing around 5% of the small customer base of around 740,000 customers. A further 20,000 (or 2.7%) transfers were in progress.

Whilst numerous small customers have elected to transfer to a market contract, the majority of small customers of electricity have remained on the standing contract with prices established under the Electricity Act provisions.

Consistent with the price justification regime established in 2002, the Commission undertook significant work in determining whether the standing contract prices AGL proposed would apply from 1 January 2003 could be justified as reasonable, having regard to the contributing cost factors and the overall objectives of the Commission.

The Commission's comprehensive review of the standing contract prices to apply from 1 January 2003 submitted by AGL resulted in an annual average increase of 23.7% from the previous year's prices. In its final report, the Commission found that these higher prices were primarily driven by higher network charges, which were locked in by the pricing arrangements established by the former Liberal Government to maximise the privatisation proceeds.

It was with reference to these considerable price increases, and the need to consider whether the standing contract prices were still justified for 2004, particularly given the changes in the National Electricity Market, that the Commission initiated an information review process in mid 2003 in the absence of a new price proposal from AGL.

As would be expected with such large price increases, the review attracted a great deal of interest from the public as well as numerous submissions, including one from the Energy Consumers' Council. The Energy Consumers' Council was sharply critical of the Commission's analysis and in particular, considered that recent reductions in wholesale prices should translate into a significant reduction in standing contract prices.

The Government is fully aware of the need for all electricity consumers to be confident that the standing contract price being charged is a justifiable one.

Accordingly, following the release of the Commission's finding in late 2003, the Premier commissioned a report by the Chairman of the Independent Pricing and Regulatory Tribunal of New South Wales to review the methodology used by the Commission to date in considering standing contract prices.

The report of the Independent Pricing and Regulatory Tribunal largely endorsed the methodology adopted by the Commission but recommended a number of minor improvements to further enhance

the current process. One of the report's key recommendations was to improve the clarity and transparency for determining justifiable standing contract prices.

In response to the report's recommendations and consistent with this Government's continuing commitment to ensuring a robust and transparent process for setting standing contract prices, this Government has reviewed its current regulatory regime. It has recently appointed three part-time Commissioners to provide the Commission with additional resources and has drafted the *Statutes Amendment (Electricity and Gas) Act 2004* I present to you today. This Bill enhances the current price setting regime by:

- Requiring the retailer to submit a proposed price path for the upcoming three year period together with a justification for those prices;
- Compelling the Commission to undertake an inquiry into those prices; and
- Mandating the inquiry process extend to at least six months thereby providing adequate opportunity for stakeholder input.

I am confident these amendments will further strengthen the existing process whilst providing small customers of AGL and competing retailers with greater price certainty over the medium term. This in turn will assist small customers in comparing their electricity costs, under the standing contract regime, with the available market contracts.

Further, in preparation for the introduction of full retail competition in the gas industry and this Government's commitment to a whole of energy approach to regulation, an equally robust price setting regime will be established for small customers and customers of a prescribed class in gas.

As all honourable members would agree, the energy industry is a dynamic and ever-changing environment. For this reason, this Government is always seeking ways to improve it for the benefit of South Australian energy customers. These amendments will ensure small customers of electricity and gas will continue to be protected should they elect to remain on the standing contracts whilst at the same time, providing them with the pricing information they need to facilitate their venture into the competitive retail market, should they wish.

I commend the Bill to honourable members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Electricity Act 1996*

4—Amendment of section 23—Licences authorising operation of transmission or distribution network

Section 23 lists various conditions that the Essential Services Commission must impose on a distribution network operator's licence. One such condition is the retailer of last resort requirement. Section 23(3) currently limits the operation of such a requirement to the period until 1 January 2005. This clause amends section 23(3) so that the retailer of last resort requirement will continue until 30 June 2010.

5—Amendment of section 24—Licences authorising retailing

This clause adds to the mandatory conditions for a retailer's licence a condition requiring the licensee to provide services specified by the Commission, on a costs recovery basis approved by the Commission, to an electricity entity that becomes bound to sell and supply electricity under a retailer of last resort requirement.

6—Amendment of section 36AA—Provision for standing contract with small customers

This clause is intended to change the standing contract price provisions in various ways:

- future standing contract price determinations of the Commission will be required to expire after a minimum period of 3 years
- it is made clear that a determination may fix a series of prices that vary over time according to a formula
- unless the Commission determines that special circumstances exist—
- a determination may not be made to take effect before the expiry date of the last preceding determination

- a determination may only be made if the electricity entity has made a submission to the Commission stating the entity's proposed standing contract price, and the entity's justification for the price, not less than 6 months and not more than 9 months before the making of the determination
- the Commission must conduct an inquiry into the appropriate standing contract price during that period
- if a standing contract price is not fixed in accordance with the above, the price will be the price fixed by the electricity pricing order under section 35B as at 31 December 2002 for the sale of electricity to non-contestable customers.

Part 3—Amendment of *Gas Act 1997*

7—Amendment of section 34A—Standing contracts

The changes proposed by this clause are to new section 34A which was enacted by the *Statutes Amendment (Gas and Electricity) Act 2003* but has not yet been commenced by proclamation. New section 34A corresponds to the standing contract provisions for electricity. The changes proposed by this clause also correspond to those proposed by clause 6 to the standing contract provisions for electricity with the exception that until 1 July 2005, the standing contract price for gas will be the price last fixed by the Minister under the temporary price-fixing powers contained in Schedule 2 of the *Gas Act 1997*.

The Hon. W.A. MATTHEW secured the adjournment of the debate.

PITJANTJATJARA LAND RIGHTS (EXECUTIVE BOARD) AMENDMENT BILL

Second reading.

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I move:

That this bill be now read a second time.

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

Leave granted.

Successive Governments, both Liberal and Labor, have struggled to address social problems on the Anangu Pitjantjatjara ("AP") lands.

Issues of unemployment, the alienation of individuals from their families and communities, illness, chronic substance abuse, petrol sniffing, and violence, in particular domestic violence, have taken a terrible toll on the community.

Tragically, mortality rates are high.

In September 2002, the Coroner, in his inquest into the death of three young people living on the lands from petrol sniffing, noted the devastating harm of this problem, including approximately 35 deaths in 20 years in a community with of population of between 2 000 to 3 000 people.

Government responses to these issues, while made with the best intentions and with a genuine political will to make a difference, often deliver poor results.

Now is not the time to go over that history. No doubt that exercise will be done.

Suffice to say the approaches have been bureaucratic, slow to respond and not sustained over time.

Under Governments of both political persuasions the levels of disadvantage of the people of the AP lands have improved at best only marginally. State Government services are not being delivered quickly enough or effectively enough.

The services are being held up by a lack of coordination and by a lack of capacity and capability of service providers on the lands.

The communities themselves have been under pressure to deal with remote bureaucracies and bureaucratic processes. We have expected too much from, and placed too many responsibilities on, the local leadership without ensuring that it has the capacity to meet those responsibilities.

The almost constant background of communal divisions on the lands poses its own problems in finding effective responses.

Since the Coroner released his report into the petrol sniffing deaths on the lands which occurred in 1999 and 2001, significant additional resources have been allocated for use on the lands.

Police have responded by the deployment of additional officers to the lands.

Over \$2m of extra funding was allocated in the financial year 2003-04 for health service programs, including mental health services, programs to combat petrol sniffing and respite care programs.

Despite the availability of this money delivery of these services has stalled.

In the meantime conditions on the lands have worsened.

Recent events, including the loss of a number of young lives, together with an escalating level of violence and social dislocation call for a new approach to grapple with these almost intractable problems.

What is needed now is immediate, direct, coordinated and properly funded action.

The Government responded by appointing a Co-ordinator to ensure that State Government services and services funded by the State Government are delivered.

Mr Jim Litster was initially appointed as Co-ordinator of State Government services. More recently, Mr Bob Collins has been appointed by the State Government to undertake that role.

Mr Collins brings to that role an exceptional understanding of the needs and aspirations of indigenous Australians. He has already visited the lands and established a co-operative relationship with individuals and indigenous organisations on the lands which provide human services.

Mr Collins has delivered an interim report to the Government which includes recommendations for the provision of immediate services and a recommendation that elections be held for the Executive Board of AP.

The Co-ordinator is supported by a Task Force. The priority for the Co-ordinator and the Task Force will be to urgently identify programs that can be delivered now or can be fast-tracked for delivery.

The Government is confident that the co-ordinator of State Government services can fulfil that role without the need for coercive powers. The indications are, to date, that the Co-ordinator will receive the necessary degree of cooperation from the Executive Board.

The role of the Co-ordinator is limited to the provision of State Government services or services funded by the State Government. The Government believes that the Co-ordinator should be able to perform his functions in partnership with and with the full co-operation of the Executive Board.

The Government understands that in an ideal situation the services should be provided on the lands through co-operation, consultation and in partnership with the traditional owners.

The Bill now before the House also deals with governance arrangements on the AP lands.

Under the existing provisions of the Act, the Executive Board of AP is, subject to its Constitution, elected annually.

The present Executive Board was elected on 7 November 2002.

In July 2003, a special general meeting of Anangu Pitjantjatjara resolved to amend its Constitution to provide for three year terms.

The existing Executive Board had been advised by its lawyers that one effect of that amendment was to extend the term of office for the existing Board, which was elected under the old rules, from one to three years.

There was some concern, including on the part of Government, as to the validity of that extension.

In an attempt to address that concern a proposal was developed to submit a resolution to the Annual General Meeting of AP to be held on 15 December 2003 for the purpose of endorsing the existing Executive Board for the extended term.

Government observers from the Crown Solicitor's Office and the Department of Aboriginal Affairs and Reconciliation attended the Annual General Meeting.

The meeting on 15 December 2003 was abandoned with no resolution of that issue.

The validity of the current Board is far from clear. From any perspective that situation is undesirable. The Bill deals with that uncertainty by providing for the current Board's term of office to be from 7 November 2002 until the next election. The Bill also removes any uncertainty about the validity of any otherwise lawful acts or decisions of the Executive Board.

In coming to his recommendation that fresh elections be held on the lands, Mr Collins found that there is a serious dispute among Pitjantjatjara people about the validity of the constitutional change that extended the terms of office of the Executive Board from one

to three years. In his report Mr Collins records that he was lobbied heavily on this issue and was presented with a petition signed by a large number of Pitjantjatjara people calling for fresh elections. Mr Collins notes that his recommendation for elections is made solely in order to end the serious disputation that is distracting and weakening the capacity of the Executive Board to do its job. Importantly, he reports that the recommendation does not infer that any member of the Executive Board has taken any improper or inappropriate action.

The election of members of the Board must, under the terms of the Bill, occur no later than eight weeks from the date of assent.

The elections will be held in accordance with rules forming proposed Schedule 3 of the principal Act. The rules were drafted in consultation with the Electoral Commissioner. The Bill also provides for scope to amend the rules by regulation. While there is no present intention to make any amendments, the provision is considered highly desirable and will be used in the event that the Electoral Commissioner identifies a need to make alterations or additions to the rules.

The Executive Board elected under the provisions of this Bill will hold office for one year.

The Government also proposes to conduct a review of the Act in consultation with Anangu Pitjantjatjara and other recognised indigenous bodies with a direct interest in the administration of the lands. The review will include consideration of a reformed electoral process. The review will examine governance arrangements of the lands.

In the meantime, the Services Co-ordinator will be able to establish a collaborative relationship with the Executive Board and other indigenous organisations on the lands.

A reformed electoral system for Anangu Pitjantjatjara must be appropriate to the circumstances of the people on the lands having regard to their values and culture. Above all, it must be fair and not operate to disenfranchise sections of the community. Under the reformed governance arrangements, members of the Executive Board will hold office for three year terms, consistent with the wishes of Pitjantjatjara people.

The Government believes that this an issue about which the Opposition can and should make a positive contribution. We welcome its constructive input.

I commend the Bill to the House.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Pitjantjatjara Land Rights Act 1981*

3—Amendment of section 4—Interpretation

This clause inserts the definition of *Electoral Commissioner* into section 4 of the principal Act.

4—Amendment of section 9—Constitution of the Executive Board of Anangu Pitjantjatjara

This clause amends subsection (2) of section 9 of the principal Act, separating the holding of an election of the Executive Board of AP from the holding of the AGM of Anangu Pitjantjatjara. The clause also amends subsection (4) by providing that a member of the Executive Board holds office from the date of the member's election until the next election of members, and makes a consequential amendment to subsection (5).

The clause also inserts a number of new subsections into section 9 of the principal Act. The proposed subsections provide—

- that such an election must be conducted in accordance with the rules set out in proposed Schedule 3, and, if those rules fail to address a matter that the Electoral Commissioner thinks necessary for the proper conduct of the election, the Electoral Commissioner may make rules in relation to that matter and must act in accordance with those rules;
- when such an election must occur;
- the mechanism for disputing returns.

5—Insertion of section 9A

This clause inserts a number of offences relating an election under section 9 of the Act. These offences are offences such as bribery, or the use of intimidation with a view to interfering with an election, that may affect the

outcome of an election and thus may give rise to the voiding of an election by the Court of Disputed Returns established by this measure. The clause also inserts offences which may not alter the result, such as divulging certain information relating to the way a person voted, and also prevents a scrutineer from acting as an assistant to a voter.

6—Amendment of section 14—The approved constitution of Anangu Pitjantjatjara

This clause inserts amends section 14 of the *Pitjantjatjara Land Rights Act 1981* by providing that an amendment to the approved constitution of Anangu Pitjantjatjara must be approved by the Minister rather than OCBA, and deletes the requirement that an amendment must be approved if it complies with the law of the State.

7—Amendment of section 19—Unauthorized entry on the lands

This clause amends section 19 of the principal Act to enable the Electoral Commissioner, and a person assisting the Electoral Commissioner, to enter the lands in relation to an election of members of the Executive Board under section 9.

8—Insertion of Schedule 3

This clause inserts new Schedule 3 into the principal Act. The proposed Schedule 3 sets out the rules pursuant to which an election of Executive Board members and chairperson under section 9 must be conducted.

The rules, based on the *Local Government (Elections) Act 1999*, address numerous matters, including the electorates for an election, the method of voting, eligibility, nominations, counting of votes, declaration of results and means of appealing disputed returns. The Electoral Commissioner is the returning officer and will conduct any election under section 9.

The Schedule also establishes a Court of Disputed Returns in relation to an election.

The Schedule is able to be amended by the Governor by regulation.

Schedule 1—Transitional provisions

The Schedule consists of 5 transitional provisions. The Schedule requires a new election of the Chairperson and all other members of the Executive Board to be conducted not later than 8 weeks after the date of assent to the Bill, unless such an election is, in the opinion of the returning officer, impracticable or culturally inappropriate. The returning officer must then fix a new date for the election, which must be conducted as soon as is practicable and appropriate (and the ability to refix the election date extends to a subsequent date fixed under the Schedule). The Schedule also clarifies the current Board member's terms of office, and validates certain acts or decisions of the Board done or made during the terms of office of current Board members.

Dr McFETRIDGE secured the adjournment of the debate.

SITTINGS AND BUSINESS

The Hon. S.W. KEY (Minister for Employment, Training and Further Education): I move:

That the time for moving the adjournment of the house be extended beyond 10 p.m.

Motion carried.

HEALTH AND COMMUNITY SERVICES COMPLAINTS BILL

The Hon. DEAN BROWN (Deputy Leader of the Opposition): I seek leave to make a personal explanation.

Leave granted.

The Hon. DEAN BROWN: In the debate on the Health and Community Services Complaints Bill, when we were considering the amendments from another place, I indicated that I received a letter from Mr Ian Yates which said, in part:

By seeking to remove volunteers from the scope of the bill the opposition is saying that poor practice, lack of competency,

discrimination, etc., and service provision are all permissible and excusable if the service is provided by a volunteer.

I indicated that I took exception to that, and I said that it was wrong: I still maintain that position very strongly indeed. In relation to Mr Ian Yates of COTA, who had written a letter, I indicated:

Ian Yates is a person who has had considerable experience in government. After all, he was a senior staff member in former premier John Bannon's office, as I recollect, so he understands government well. In fact, I think he worked in the personal office of the premier, if I remember rightly.

I wish to explain to the house that that was an incorrect statement. It was always my belief that that was the case but, clearly, whoever told me was wrong. I have received a letter from Ian Yates of COTA, and I wish to place on record what he had to say: 'I have never worked for John Bannon—'

The ACTING SPEAKER (Hon. G.M. Gunn): I point out to the deputy leader that he is making a personal explanation, and he is now straying particularly wide of the personal explanation. He must indicate where he has been misquoted or wrong. He cannot enter into debate.

The Hon. DEAN BROWN: I am indicating that I was wrong in the assertion I made, so I am setting the record straight. I am quoting from a letter that I received from Ian Yates, and I think it appropriate that I set the record straight by quoting from his letter, as follows:

For the record, I have never worked for John Bannon as Premier, or in any capacity. I have never worked for any Premier. I have never worked for any political party, nor been a member of one. I have never worked for the State Government, or any state authority.

Members interjecting:

The ACTING SPEAKER: Order!

The Hon. K.O. FOLEY: I rise on a point of order, sir. The deputy leader is not giving a personal explanation: he is debating. The deputy leader has been telling untruths to this parliament for as long as I have been here. He needs to at least find the right forum to correct the record: this is not it.

The Hon. DEAN BROWN: I rise on a point of order, Mr Acting Speaker.

The ACTING SPEAKER: Order! The chair will deal with one point of order at a time. The chair believes that the points raised by the Deputy Premier have a considerable amount of relevance. I suggest to the member that he has to indicate clearly the comments he is making in relation to where he has been either misquoted or misrepresented. Therefore, he cannot use another person's comment to engage in debate.

The Hon. DEAN BROWN: But, Mr Acting Speaker, I am indicating that I made a statement that was incorrect to the house. I have read that incorrect statement. I am now reading out the correct statement, and I am doing so simply by quoting a letter I received from Ian Yates correcting the record. I wish to ensure that the house understands that, in quoting Mr Ian Yates, I was incorrect in my original assertion. I stand by my objection to the statement I made that I wish to correct the record.

Members interjecting:

The ACTING SPEAKER: Order!

The Hon. K.O. FOLEY: I rise on a point of order, sir. The deputy leader is clearly flouting the ruling of the chair. For somebody who has been here so long, and who has a history of telling untruths to this parliament, I prefer that he debate it at the appropriate time.

The ACTING SPEAKER: Order! As the Acting Speaker, I do not want to become involved in a difficult controversy.

Members interjecting:

The ACTING SPEAKER: Order! The chair wishes to act absolutely in accordance with standing orders. I suggest to the Deputy Premier that the comments he has made are inappropriate, and I ask him to withdraw.

The Hon. K.O. FOLEY: I have no intention of withdrawing.

The ACTING SPEAKER: The Deputy Premier puts the chair in a very difficult situation. I will have to ask the Speaker, because I do not wish—

The Hon. K.O. FOLEY: I have no intention of withdrawing my statement that the former premier of the state has a history of telling untruths to this parliament.

The ACTING SPEAKER: The Deputy Premier cannot make those comments unless he is prepared to do so by direct motion. I appeal to the Deputy Premier to withdraw that comment, otherwise I have no alternative but to—

The Hon. K.O. FOLEY: I withdraw, Mr Acting Speaker.

The ACTING SPEAKER: Thank you. The Deputy Leader of the Opposition should conclude his personal explanation, because he has been given ample opportunity. If he wishes to make further comments, there is the grievance debate tomorrow.

Members interjecting:

The ACTING SPEAKER: Order!

The Hon. DEAN BROWN: I wish simply to apologise to Ian Yates for the incorrect assertion.

Mr Koutsantonis: And to the house!

The ACTING SPEAKER: Order!

The Hon. DEAN BROWN: And the house, too.

The ACTING SPEAKER: Order! I suggest to the house that we proceed with business.

Members interjecting:

The ACTING SPEAKER: Order!

APPROPRIATION BILL

Adjourned debate on motion to note grievances.
(Continued from 1 June. Page 2386.)

Mr VENNING (Schubert): This is the Rann Labor government's third budget. It is more of the same: deception, smoke and mirrors and spin. The record will speak for itself. We are benchmarked against other states, and we are already behind all states except Tasmania. I remind the house that, three years ago, we were coming second in all the economic stakes. They cannot hide from this, and they will not be able to turn it around next year when the floodgates open and the mother of all budgets is handed down before the election. This was their last chance to gain some credibility, and I am afraid they have failed in the effort to strive just for the AAA rating. They cannot fool all the people all the time, and their chickens will come home to roost.

I believe that we are in for a reasonably severe economic downturn late this year. Interest rates will have to rise, the building sector will have to dig deep and those who are running close to the debt line could be in trouble. The level of debt is dangerously high in Australia, particularly in South Australia. The climate will be tough and I am afraid that this budget will cause much pain to many South Australians, who will lose more of our competitive position. So, I predict a mini-budget in November-December 2004 to try to lift the

state's economy and to give it some buoyancy. Mr de Crespigny remains silent. I look forward to his assessment of South Australia's performance since he came aboard and advised the government. I would like to have a detailed assessment of that. I am very concerned, and my final remark is that country South Australia has missed out and that country newspapers are looking after us very well, because I have made page 1 and page 3 of my local paper with full page spreads, and they are very concerned. I certainly would appreciate some reassurance from some independent people, particularly Mr Robert Champion de Crespigny.

Ms RANKINE (Wright): I wish to address the house tonight about an issue in my electorate and one that was reported in the *Leader Messenger* today. It centres around a new development that is proposed, not in my electorate, but adjacent to my electorate on Golden Grove Road between Crouch Road and Strachan Lane and Para Valley Road at Golden Grove, where there is a proposal that has been very strongly supported by the Tea Tree Gully Council for an additional 400-600 housing blocks. The front page of the *Leader* reports about the pressure that it will have on some services, in particular, the policing resources in that area, and the police are quoted in that article as saying:

Their resources will be stretched by this new development expected to bring thousands more people to Golden Grove. . . with all the development out there, we need to increase our presence. They acknowledge that there is public opinion that the Para Hills patrol base should be moved.

This is something—this house should know—that I have argued for ever since the former Liberal Government shifted the Tea Tree Gully patrol base from St Agnes in 1997 to its current location in Para Hills. The *Leader Messenger* went on to state:

Police say they are reviewing how they can better service the expanding Golden Grove area. Acting Assistant Commissioner of the Northern Operations Service, Tom Osborn, said the review would cover whether the Para Hills patrol base should be moved to the Tea Tree Gully area.

I have to say that I very much welcome those comments from the Acting Assistant Commissioner, and that is something that when the member for Mawson was the minister for police—and he is often telling us in here that he was formally the minister for police—

An honourable member interjecting:

Ms RANKINE: Well, he was a junior minister but he is proudly boasting on all the radio outlets as often as he possibly can that he was the police minister. He promised a review of the policing services out there, and I have to say that in the four years that I was here under the Liberal government I never saw anything come to fruition.

I believe that is essential that the patrol base be moved from its current Para Hills location, because I understand that it is the only patrol base in this state that is located outside the area that it services. I have said that this is not good enough, and I will continue to say that this is not good enough. I invited the former minister for police on numerous occasions, both in the house and in writing, to come out and visit the electorate and have a look at what I was talking about. He never came out.

The Hon. M.J. Wright: Never came out?

Ms RANKINE: He never came out. I have to say, however, that I was particularly pleased that our current minister accepted an invitation to visit the area in April. He

came out with the member for Florey and me and had a look around the area, and he met with the Mayor and the Chief Executive Officer of the Tea Tree Gully Council. I have to say, as an aside, that I was less than impressed with the presentation put forward by the council in their arguments that our patrol base should be moved, but that is a debate for another time.

What has really disappointed me about this issue is the way in which the local councillors who represent Golden Grove are not supporting the call for a police presence in Golden Grove. What is really disturbing about this is the way that they have changed their minds on this issue after they were elected. Barry Winter, one of the councillors for Pedare ward, the ward that covers most of Golden Grove, proudly indicated in his pre-election pamphlets that he would be fighting for a local police station, and then in the *Leader Messenger* on 5 November 2003, it was reported that Councillor Barry Winter said that residents in his Pedare ward had told him they wanted a police station. In his very words: 'It was one of the main things that was constantly mentioned to me while I was campaigning.'

The other ward councillor, Andy Frances, has also been very vocal on this issue. In the *Leader Messenger* of 8 October 2003 Councillor Frances is very clear on this matter. The article quotes him as stating:

Actually, I take that back. It is not just a concern, it's a ludicrous situation. There needs to be a patrol base in Golden Grove—it's that simple.

The next edition of the *Leader* of 15 October 2003 reports:

Former police officer and current Tea Tree Gully councillor, Andy Frances, said last week 'Para Hills was ill-equipped and should be relocated to Golden Grove.'

I would think that councillors who have made such firm statements and commitments to their electors would in fact follow through, but in reality this has not happened. In a series of motions at the Tea Tree Gully Council meetings in October, December, and January, these two councillors have either moved, seconded or supported motions directly opposing their earlier statements. I do not have time to detail each of these motions, but if any member is interested, I am more than happy to give them copies. Now we find that, as reported in the *Leader Messenger* on 21 April 2004, Councillors Barry Winter and Andy Frances say, 'Modbury is the best place because it is smack bang in the centre of Tea Tree Gully.'

What explains their change of heart? They have not told me about it, despite my writing to them asking for clarification of their position in mid-February. I have heard absolutely nothing. Maybe they have been duped by some clever manoeuvring by fellow councillors, because it cannot be for the reason they gave that, 'Modbury is smack bang in the centre of the city.'

A look at the map of Tea Tree Gully Council area clearly shows, in fact, that the geographic centre or the demographic centre is not at Modbury; it is about midway between Modbury and Golden Grove. Similarly, the city has no single commercial centre. In fact, it has two hubs: one at Modbury and one at Golden Grove, both with different policing needs.

I now call on the two ward councillors for the area I represent to represent their area in this matter. As they have pointed out, the people of our area want a station, but their council representatives, Councillor Frances and Councillor Winter, do not want to fight for them; they have clearly abandoned them. I invite them again to come and see me and discuss the issue of where the centre of the city actually is.

I suspect that they have not really sat down and looked closely at a map of the city and the way the city's population is distributed. I call on them to honour their earlier statements and fight for a police presence in the Golden Grove area.

Ms CHAPMAN (Bragg): There are now 27 000 people on the waiting list for housing trust accommodation, yet the government has still failed to address the shameful situation in South Australia of inadequate, unaffordable and inaccessible housing to so many of our population. As the shadow minister for population, I wish particularly to raise this issue in the house tonight, because there is a way out for the government apart from spending money, and that is to take a serious look at the property taxes that it now imposes and will continue to impose, offering no relief in the 2004-05 budget as recently published by the Treasurer.

The situation is that we not only have a large number of the population who do not have access to affordable accommodation, but we also have a large number who are currently housed in relatively low rental accommodation and who will now suffer the fate of having to have increased rental payments directly as a result of the government's refusing to provide any relief in relation to land tax. How does this work? In 2002-03 the government expected of the some billion dollars in property tax to receive \$186.6 million in land tax. In fact, it got over \$200 million; next year it expects to get \$267.3 million, and, if their estimates continue in the vein as they have in the past, we can probably expect that to be closer to \$300 million.

Perhaps it is fairly important to appreciate that, certainly, as I have experienced in my electorate, a large number of people last year received an extraordinary increase in land tax applicable to properties. The growth in land values combined with progressive land tax structure, of course, produced a very strong growth in relation to land tax revenue last year and this year. That is not expected to abate, although the Treasurer has said in his budget that he expects that to flatten out in due course. This year the government had an opportunity to do something about it. There is the availability of exemptions for the principal place of residence, for primary production land and for small landowners, that is, through the \$50 000 general exemption. This means that the land tax is levied on a relatively narrow base.

The land ownerships liable for land tax mainly comprise commercial industrial and residential investment, including shacks or holiday homes. Here is the situation: the land value in private ownership has risen by 20 per cent in this current financial year and is expected to rise a further 21 per cent, but because of the system we have in relation to land tax the land tax revenues are expected to rise 29 per cent in this financial year and a staggering 31.7 per cent in the forthcoming financial year.

Why is this such a difficult situation? The simple reason is that for those who need access to accommodation, unquestionably, the cost will be passed on to the tenants. It is all very well for their government to say, 'If you don't want to pay land tax on properties, sell the property'; we have heard that many times in complaints. What actually happens is that you cannot actually give them the land tax bill, but you do not have to be Einstein to realise that if you have an expense associated with the property that you own, and you establish what is a reasonable return for your investment, of course, the land tax that will apply will be built into a rental payment. So now—and we will see this again later this year when the

accounts go out—we do not know exactly what that revenue will be.

We do know that the government has refused to allow us to even know what the valuations have been as assessed earlier this year. Historically, of course, you are able to ring up the Valuer-General's office and ascertain what new assessments have been done on your property, all of which were done in January this year. Inexplicably, for some reason, the government, according to the department, directed that that information should not be available to us; so we cannot even check whether this growth amount presented by the Treasurer is even accurate. Assuming that it is only half the position in relation to the growth of tax, we know that we are in a serious situation. So, the tenants will suffer, and what that means for them—obviously, with an increased rental and a limited income—is that we will simply increase the number of those people who will be added to the Housing Trust list and who will seek support.

I say to the government that it has an opportunity to remedy this situation. In this budget alone they have provided a surplus of some \$52 million; they could address this immediately and provide some relief. But as shadow spokesperson for population, may I say that there is another very concerning outcome in relation to this. While land tax and property taxes remain high, while land values themselves remain high, and while the government takes the view that it will put a hold on development, whether it is in the Hills Face Zone or in a circumstance such as has been done in the Fleurieu Peninsula, where, as I said, a blanket stop is put on development, we reduce the amount of housing that is available for another group in the population for whom we need to provide. They are the young people to whom we want to be able to offer the opportunity to own their own home. But, of course, you must have land and houses available for that to happen. At the moment, the gap is narrowing with respect to accessibility and their ability to do so.

The other group (and, of course, this is in the future) relates to the government's announcement that, by 2050, it wants to increase our population in this state from some 1.5 million to 2 million. Last year our overall population increased by 0.6 per cent in both metropolitan and rural South Australia. That is far below the national level in relation to what is anticipated in other states but, more alarmingly, it is far below the level of economic sustainability. The capacity for the government to be able to deliver on this promise is, of course, ever diminishing. We have to encourage people from other states to come to our state. They are currently pouring out of this state at a high rate. In the last few years we have had a net loss of some 15 000 South Australians to the other states. Queensland, for example, has had a net gain of 93 000. One only has to look at those figures to appreciate that there is a lot of work to be done to encourage people to stay.

Fundamentally, the message I give to the government is that, if it wants people to stay in South Australia or it wants people to come to South Australia, they have to have a house to live in, a school for their children, suitable roads to drive around on, hospitals and health services and a job. If we do not give them any of those facilities and if we do not provide them with the infrastructure they simply will not come. The opportunity for us to support the government to enable us to have a sustainable and sensible population policy will simply evaporate, because it has to provide the mechanisms by which those services and facilities will be available, and it will not happen.

With respect to land tax (apart from other areas of damage), whether it be in tourism, the bed and breakfast problem (which has been highlighted in other contributions) or, of course, small business, the Land Tax Reform Association of South Australia has put forward some sensible recommendations to the government. Obviously, the government has completely ignored them. One recommendation was to immediately increase the threshold from \$50 000 to \$150 000 (which would obviously be a major relief to a number of people) but also, importantly, to have regard to the increase in site values and the appropriate revenue modelling.

Another important initiative would be for land tax receipts to be capped at CPI, or thereabouts, in line with the policy adopted with respect to all other government rates and charges. A cap on individual land tax accounts at, say, 12.5 per cent per annum is an important initiative, as is strengthening a cost-effective land tax compliance regime to ensure that tax avoidance is eliminated. A number of measures have been recommended and, to date, they have been completely ignored. The opportunity is there and the money is there. The Treasurer just has to have the will to say to the government, 'If we are serious about population, do something.'

Time expired.

Dr McFETRIDGE (Morphett): I have one thing to say to this government and that is: learn from the past and look to the future. I am sick to death of coming into this place and having fingers pointed at us from across the chamber, 'You did this,' or, 'Why didn't you do this?' The blame game is becoming a very sad piece of rhetoric in this place. We need a government that will show us leadership. I know that the traditional term is 'opposition' but, if we have good leadership and quality decisions being made by this government, it will not be opposition. It will be scrutiny; it will be a bit of inquisition into why decisions are being made but, certainly, it will not just be opposition for the sake of opposition. But if the government keeps going down the same track, we will certainly be opposing many of the things it does. As a member of this parliament and, certainly, as a representative of the fine people of Morphett, it gives me no pleasure to do that.

I will concentrate on my electorate tonight in the few minutes that I have, because the electorate of Morphett is a very fortunate place in which to live. Not only does it have a very good representative (I will not say any more about that), but also they are a very fine bunch of people. They have some fantastic schools and many clubs—the footy club, the surf club, the netball clubs, the Rotary clubs, Probus; there are too many to mention. I was very happy to see in this year's budget papers, after two and a bit years of lobbying, the Paringa Park Primary School. Those poor kids down there (and I mean 'poor' by way of facilities) finally have the opportunity to see some new buildings being erected.

In this year's budget, \$2.5 million has been allocated for new buildings at Paringa Park. The buildings that are to be replaced were second-hand in 1953. I believe they were used as part of a hospital during the Second World War (I might be wrong, but that is what I have been told), and they were brought out from Bristol in England and placed at Paringa Park. They are falling to bits. The toilets are useable only because of the hard work of the staff, the governing council and the caretakers. The facilities have been around for a long time. It is time for them to be replaced. I am a little disappointed that only \$25 000 is being spent in this year's budget.

The \$2.5 million is out to 2005-06. I was very pleased to read in the capital works statement that the completion date for Paringa Park Primary School is December 2006, and I will be watching that very carefully. It will be after the next election. I will hold this government to its word that the kids at Paringa Park will be getting better facilities than they now have.

On 4 February this year I took a delegation of some of the governing council from Paringa Park—a teacher, the principal and a parent—to see the then minister for education (Hon. Trish White). The then chairman of the governing council, Nina Langley, had worked with me to prepare a presentation to put to the minister. It was a very good PowerPoint presentation that was put to the minister on that day. Nanette Virgo, who is a teacher at Paringa Park, had the distinction of being able to tell the minister that she was a student in these buildings many years ago—not too many years ago; Nanette is not that old. She is a teacher now, and she went to that school as a student. Cathy Lewis is a parent of students at that school. She was the former finance officer with the governing council and did a lot of work putting up scoping budgets for this project to try to get some work on some refurbishment, because that is all we thought we might get.

It was a matter of pleading with the then minister to at least get some refurbishments. We were talking about half a million dollars then to try to get it up. But I am over the moon, as are the parents at Paringa Park Primary School. I spoke to Nina Langley this morning and she is absolutely ecstatic that at last Paringa Park has a future with this \$2.5 million. I look forward to seeing the plans and seeing some site works, and in December 2006 I look forward to being down there helping in a ceremony to open those buildings.

The only downside of the \$2.5 million at Paringa Park is the \$6.14 million that is being spent on Sturt Street Primary School for 19 students, as it is at the moment, although I think there will be 72 in the end. This is where I start to become a member of the opposition, because I need to look at those decisions. Perhaps they are not being explained to me as clearly as they might be, but it is really a concern. But that is Paringa Park Primary School: that is an absolute plus for this Treasurer and this government, to realise that even in a safe seat like Morphett things do need to be done and that money needs to be spent. When it comes to the blame game, certainly, it should have been done much earlier. There were eight years of a Liberal government: why was it not done, someone will say? In my opinion, it should have been done, but it was not, so I am glad it is being done now.

As to the trams, there has been a bit of a budget blowout in the trams by about \$14.9 million on the original costs, but these things happen. I had the opportunity last year to look at some of the tram manufacturers' factories in Europe. I was very impressed. I can see where the money goes. These are fantastic modern machines, and I strongly encourage the government to keep working not only to get the new trams running to the Bay as soon as possible but extending that tram line to North Adelaide, Norwood and Port Adelaide. Light rail is the way to go. I was very pleased to hear the transport minister say that the new trams will be 100 per cent low floor and 30-metre long trams. I was very concerned when I was getting some information that these would be 70 per cent low floor trams and each carriage would be only 20 metres long.

A 70 per cent low floor tram is what it says: there are high sections at each end that cannot be accessed by wheelchairs

for the disabled. The 100 per cent low floor trams you cannot believe unless you have actually seen them. They are so far ahead of what we have now. The old rattlers that we have now are an icon of South Australia, and we are keeping some of those. We love those, but we need to move on. We need new trams for modern commuters. Light rail around the world is the very best way to go. The minister said that we would be getting the new trams in December 2005 and I hope that is the case, but the budget papers say December 2006. I would be disappointed if it is 12 months out, but I would be more than happy to be there. If this government is still in power in 2005, we will cut the ribbon down at the Bay and get those new trams rolling.

The Barcoo Outlet is one subject in this place that gets bagged, belted and beaten—the poor old Barcoo. As I said in my maiden speech in this place, the first discussion of a sea water circulation system down at the Bay was not for Holdfast Shores. It was not for the so-called ritzy people down there: it was in 1954. The first sea water recirculation system was proposed down there in 1954. Why? Because they recognised that the Pat was not working, that the silt was building up in the Pat, the sand bar was building up in the Pat. Sure, there are problems down there, but there have been problems since white people moved there. In 1836 we came here and there have been problems ever since we built on the beach down there, and we are going to have to manage those in a more scientific way.

I heard that the cost of managing sand could be \$4 million, \$5 million or \$6 million. With 1.5 million people in South Australia, those beaches are for all South Australians. I do not mind putting in my four bucks: I will put in \$12. I will put in for a couple of other people on the other side who do not want to pay! I will pay that because these beaches are the most beautiful beaches you can get anywhere in the world. Three million people cannot be wrong when they come down to the Bay every year. But there is some money being spent on the Barcoo on flood mitigation projects. It is nearly 12 months since the floods last June, when the houses at Glenelg North got flooded, yet only yesterday I received an email from a person whose home is being demolished because it was wrecked by the floods and they are still having problems with SA Water.

We sorted out some problems for them with Telstra, and we are trying to get that sorted out. I passed a letter to the Minister for Infrastructure last week from a chap down there who is still having problems getting compensation. There are still people having awful problems down there. Some of the houses still smell from the water that went underneath, and they are still struggling to get compensation. Land tax and stamp duty of over \$1 billion last year: a lot of that came out of the Bay. I cannot get an answer from the Treasurer as to how much land tax and stamp duty has been paid down at the Bay. People down there are not all multimillionaires, although there are some down there. Some are asset rich and many are income poor. They need to be protected.

We need to be able to partition assessments if people are renting out the granny flat at the back. Why should they pay land tax on the whole property? Why penalise them? They can partition for rates, but the Treasurer tells me that they cannot do it for land tax. It is the same Valuer-General: I do not understand that at all. The sewerage rates and water rates down there are just a wealth tax; that is all they are. Not long ago I had a letter from some people inquiring about land tax problems on a deceased estate. We are going to have death duties next; that is what will happen. No more local crime

prevention either. No more money for that. That is a real concern for this state.

Time expired.

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Ensuring the economic future of South Australia has been tough from the first years of our colony, but we have survived and survived well, due to our ingenuity, persistence and grit. We have worked together and shared the pain together. Twice the state has come close to being bankrupt: once under Governor Gawler and again after the collapse of the State Bank.

We pulled through these and other tough times, and we have enjoyed a great lifestyle. The state has been fortunate to have some unique political, industrial and community leaders—people such as Sir Thomas Playford, who did more than anyone else to build new industries and jobs. These people gave great leadership, a strong commitment and a direction for the future. Most importantly of all, they were dynamic risk takers. They did not wait for it to happen: they made it happen.

In recent years I have become concerned about our economic future and about creating worthwhile jobs for our children. I am not suggesting a sudden collapse of jobs. After all, the property boom has given a false sense of security to many, whilst allowing the government to have a windfall gain in taxes. However, the erosion of the key industries that generate our future wellbeing is occurring around us. Our operations are increasingly being owned and controlled beyond our state. Our share of the nation's population is slipping and our share of jobs is sliding.

Of particular concern are two threats. The first is the assumption by government leaders that economic plans, summits, strategies and reports can replace going out and securing new companies and investment in our economy. We are losing the dynamic risk taking and not supporting and encouraging the creation of new companies which bring about jobs and economic growth. The second threat has been the bureaucratic obstacles and delays that the government has allowed to prosper. Nothing destroys the entrepreneurial spirit more than hitting bureaucratic brick walls and expensive, slow approvals. It is in sharp contrast to what people report to me as occurring in other states of Australia.

Elsewhere, there are approvals to be gained and, at the same time, a determination to make it happen. Here, there is a fear of taking risks and the suffocation of initiatives. Why cannot approvals be given expeditiously? The symptom of this cancerous degeneration was the response of the state government leaders to the criticism of Dr John Montgomery, the disillusioned international planner who announced that he was leaving Adelaide. John Montgomery's comments deserve close scrutiny. He said that Adelaide was slow, complacent and lacking in initiative. If the city did not change it would be an aboveground cemetery, because small businesses were not being encouraged and young people had no incentive to stay while new industries were being overlooked. There was a shocking lack of leadership and understanding about city economic growth, and Adelaide needs a new focus on industries. I agree with him on those points.

The shooting of the messenger by the government, as occurred, reflects the very point Mr Montgomery was trying to make. Unfortunately, this important message was not heard. Last week the Centre for Innovation, Business and Manufacturing was closed by the government after many

years of making our manufacturing industry more creative and competitive.

The new contracts to replace the EDS government contract for information technology are designed to be safe, lack inspiration and ignore new opportunities. The original EDS contract created 2 500 new information technology jobs for young people—about the size of Mitsubishi. The Mitsubishi-type crisis will arise and jobs will be lost; that is inevitable. The important issue is whether we are creating new industries to replace any jobs lost. The warning is there. The responsibility to change it lies with us all, but especially the leaders of government, industry, media and the community. This state needs dynamic risk takers, attraction of new industries, a determination to make it happen and creative skills and talents.

The Hon. P.F. CONLON secured the adjournment of the debate.

TRANS-TASMAN MUTUAL RECOGNITION (SOUTH AUSTRALIA) (REMOVAL OF SUNSET CLAUSE) AMENDMENT BILL

The Hon. M.J. ATKINSON (Attorney-General) obtained leave and introduced a bill for an act to amend the Trans-Tasman Mutual Recognition (South Australia) Act 1999. Read a first time.

The Hon. M.J. ATKINSON (Attorney-General): I move:

That this bill be now read a second time.

The bill before us strikes the sunset clause from the act. The Trans-Tasman mutual recognition occurred shortly after there was mutual recognition of vocations, professions and the sale of goods established between the Australian states and territories. A sunset clause was inserted because it was thought that, at some time, a review of mutual recognition with New Zealand might result in South Australia's deciding that it was not a good thing and, therefore, it was in the interests of South Australia that mutual recognition with New Zealand be phased out.

However, a review by the Productivity Commission of the arrangement found that it was of benefit to Australia and the Australian states and territories, and there is now no prospect of South Australia wanting to sunset these provisions. There is a reserve power for the Governor, on the advice of the executive council, to terminate the arrangement if that is thought to be in South Australia's interests. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

The Mutual Recognition Agreement ("MRA") between the Commonwealth and the States and Territories commenced operation in 1993. The Trans-Tasman Mutual Recognition Arrangement ("TTMRA"), which extends mutual recognition to New Zealand, commenced operation in 1998.

The shared objectives of the MRA and TTMRA are to reduce trade-related restrictions on the sale of goods and the recognition of equivalent occupations between jurisdictions, and thereby facilitate trade. Under the agreements a good which can legally be sold in one jurisdiction can legally be sold in another participating jurisdiction. Similarly, a person who is registered to practise an occupation in one jurisdiction is entitled to practise an equivalent occupation in the other participating jurisdiction.

In South Australia, the enabling legislation for the TTMRA is the *Trans-Tasman Mutual Recognition (South Australia) Act 1999*. This Act adopts the *Trans-Tasman Mutual Recognition Act 1997* (of the Commonwealth) as a law of the State. The Act contains a sunset

clause that will cause it to expire in September 2004 if the Act is not extended or the sunset clause removed.

The sunset clause was included in the Act based on an understanding that a review of mutual recognition arrangements would be undertaken and the findings of the review would guide the Government in determining its future approach. A thorough review has occurred through the Productivity Commission Evaluation of the Mutual Recognition Schemes Research Report (October 2003).

The SA Government submission to the Productivity Commission stated that the South Australian Government considered the MRA and TTMRA to be working well and achieving their intended outcomes.

The Productivity Commission's final report reached a similar conclusion. It found that both the MRA and TTMRA have contributed to their objectives to:

- increase trade and workforce mobility across borders
- contribute to the integration of participating economies
- enhance internal and external competitiveness
- increase uniformity of standards
- increase choice and lower prices for consumers
- decrease costs to industry
- increase access to economies of scale.

The findings of the Productivity Commission report are being worked through cooperatively by jurisdictions. There are no major points of disagreement or contention between the ten jurisdictions that would lead the Government to have any concerns about removing the sunset clause from the legislation.

South Australia is the only State with an operative sunset clause in its legislation. Several States have a similar provision as that proposed in the Amendment Bill, which reserves the State's right to opt out of the scheme by proclamation from the Governor. Whilst it is unlikely that this power would ever be used, it is none the less prudent to explicitly include it in the Act.

Given the broad agreement that the TTMRA is working well, I consider the sunset clause to have served its purpose and no longer be necessary. This Bill will remove it from the Act whilst retaining the State's ability to opt out of the arrangement if it ever wish to do so.

I commend this Bill to the House.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Trans-Tasman Mutual Recognition (South Australia) Act 1999*

3—Amendment of section 4—Adoption of Commonwealth Act

This clause amends section 4 of the principal Act by allowing the Governor, by proclamation, to fix a day on which the adoption of the Commonwealth Act will terminate.

The Hon. DEAN BROWN secured the adjournment of the debate.

APPROPRIATION BILL

Adjourned debate on motion to note grievances (resumed on motion).

(Continued from page 2422.)

Mr CAICA (Colton): Last weekend I had a street corner meeting. I hold these meetings quite often, because it is a very good way to meet with people and listen to them to ensure that I am able to hear their views on a variety of issues and ensure there remains, from my perspective, a connection with the views that prevail within my electorate. Indeed, the previous week I had a street corner meeting which the Premier attended which was very well attended. Last weekend, the meeting was held in a park off Sunningdale Road in Fulham Gardens. It was an excellent meeting, and about dozen people attended, and they discussed with me a whole host of issues, such as alternative means of energy production. People out there are thinking about those issues,

and one of the views that prevailed during that meeting was the impediment that exists for companies to look at alternative forms of energy production without there being a commitment by the federal government to promote further clean energy and greenhouse issues—in essence, the Kyoto agreement. It was a very good debate and discussion that we had. Other discussion points included the world's reliance on oil and the lack of sustainability in the longer term, while we remain committed to oil.

Mr Koutsantonis interjecting:

Mr CAICA: For the benefit of the member for West Torrens—and I know it is the case in his electorate—I have very considered constituents in my electorate—

Mr Koutsantonis interjecting:

Mr CAICA: Well, you shouldn't, because I said 'like the member's constituents in West Torrens', I also have very well considered constituents. Also raised at the meeting was the matter of hoon driving and the problems which exist across all electorates. It is a burdensome experience for the people of my electorate to put up with that behaviour.

One of the points of discussion was the budget. Last night I made a very brief contribution on the budget, and I do not intend to be repetitive. However, I did state last night that members opposite are filled with doom and gloom, carping, whingeing and complaining about the budget. I acknowledge the points made by the member for Morphett that people on his side ought to move on from that aspect and start being a little more positive about things. Mr Speaker, I know you would be extremely interested in what my constituents who were at the street corner meeting last weekend think about the budget. They are very pleased with the budget. I have not received a single phone call at my electorate office relating to the budget. That is not quite true: I have received a couple of phone calls, but none has been phone calls of complaint.

Naturally, issues are raised by constituents of a specific interest. As I said last night, there will always be people, no matter what budget is delivered, who are not pleased with aspects of a budget and who focus on the specific interests constituents may have. However, in the main, the budget has been generally well accepted, and why should it not be? As I said in my brief contribution last night, it is a budget for all South Australians and one of which we should all be proud. It sets a foundation upon which this state can go forward in a very positive manner.

In my contribution last night I spoke briefly about Henley High School and the Gulf St Vincent, and I will not elaborate any further on that aspect except to congratulate the Henley High School council on its endeavours over many years and finally succeeding in its wish for the redevelopment at that school. So, the very same classrooms where I sat in 1972 will not necessarily be those where my young son will sit in two years time, which can only be a good thing. I congratulate the council. I know they have been extremely disappointed that, during the nine years of having a Liberal member in the seat of Colton and a Liberal government, they were unable to get approval for the redevelopment, despite having requested approval on many occasions.

I can see the member for Light looking at me now, but I know that the redevelopment was approved in the dying stages of the previous Liberal government when they promised all and sundry but, of course, there was no money for it. It is very similar to the hollow promises made about the Queen Elizabeth Hospital with respect to stages 2 and 3, where the outcome was only ever going to be a community hospital, and the promises were what my mother would term

'on the never never'. There was never going to be any money for it; it was never going to be built. The people of the western suburbs and, indeed, South Australia were never going to see stages 2 and 3 of the Queen Elizabeth Hospital. However, in the budget we have provided for the people of South Australia, we have committed to stages 2 and 3. Indeed, we have put in an extra \$120 million to ensure that it will not remain a community hospital, as was the vision of the previous government. It will be a hospital that will encompass the full range of acute health services, it will remain a tertiary teaching hospital and it will remain a very vibrant hospital underpinned by the research conducted by the hospital's research foundation.

There are many positive aspects to the budget that was delivered last week, and why should the people of South Australia not be pleased? That is the very reason that I am not getting complaints in my office because in the main they are happy indeed. The only people who whinge, carp and complain are the people opposite, which makes me believe—

The Hon. P.F. Conlon: That is their job.

Mr CAICA: I think that is their job, as the minister says, to whinge, carp and complain in opposition, but it just shows that they are out completely of touch with the general views of the population of South Australia. There are many other positive aspects, and I know that the opposition will not complain about the enormous amount of money that has been put by this government into child protection. I know that each and every member applauds it. I heard a couple of members of the opposition applaud that point, and why should they not, because it is an extremely important initiative.

I have spoken about the QEH but it is not just the QEH because a lot of money is going to lots of different hospitals throughout this state, and we are committed to the future health and wellbeing of South Australians. We know that we can do that in part through making sure that everyone has access to excellent health services irrespective of whether or not they feel the need to succumb to the federal government's view that they can only get these services under private health. It is one of our priorities, as is education. I am very pleased with the budget.

We have delivered and we will continue to deliver on our priorities. We have a long-term plan. We are setting a foundation and we are going to make sure those priorities are fulfilled through the leadership that this government will provide. We have a plan and we will fulfil that plan. As for the whingeing, the whining and the carping of the opposition, it is all that but it is more. I believe that there is a little bit of green envy from the opposition because they did not have the capacity to produce such a budget. I remain extremely proud to be a member of this house. It is one of the greatest privileges of my life to be able to represent Colton and, in doing so, also represent South Australia, because that is what this parliament serves, not just the people of Colton. It is a great honour for me to be able to do that. The Colton community is wonderful and it is reflective of the outstanding communities that can be found across South Australia. I know that the privilege I feel is equal to the privilege that each and every member feels about the honour of being in this place.

Mr Speaker, I found one of your comments today particularly interesting. I do not know protocol, but I assume that I am allowed to speak about such things. It was specifically about the Public Works Committee, sir, and the relationship you drew between the crown law opinion that has been provided to the Public Works Committee and the crown law advice that was spoken of today. I find it interesting

because as you know, Mr Speaker, there have been a lot of different opinions as to what public works mean in the context of the act and the crown law advice that has been received in the past.

I know that you would be interested, Mr Speaker, to learn that recently a project was referred to the Public Works Committee for which no state money was being provided but which was being built on state land. Quite rightly it was referred to that committee. There are two reasons for that: one is that another opinion has been provided by crown law that says this is appropriate or, most importantly, the state government is taking the role and responsibility of public works and reporting to parliament much more seriously than did the previous government.

Mrs PENFOLD (Flinders): A letter from the Department of Water, Land and Biodiversity Conservation, dated 30 April 2004, and obtained by the member for Stuart, states:

The government has decided to widen the long-term conservation measures to apply to all of the state's water resources. A regulation will be drafted under the Water Resources Act 1997 to bring into effect conservation measures that will apply to watercourses, lakes, surface water, underground water and effluent as defined in the Water Resources Act 1997. This includes domestic and industrial waste water, rainwater tanks, bores, reclaimed water and direct extraction from rivers such as the Torrens and the Murray.

The regulation is to apply from 1 July this year with penalties applying.

Presumably all these new measures will require compliance officers coming on to our properties and into our homes to check that we are conserving our tank, bore and even our domestic waste water, including effluent. One of my colleagues suggested that the government could call these officers the poo police or the dunny detectives. The mind boggles at the possibilities and it helps to illustrate the sheer stupidity of this new invasion of our personal privacy and waste of money by this Labor government.

This regulation could be disallowed if commonsense prevails but, should it get through, it will be particularly hard to enforce, and a law that is not going to be enforced is worthless, in my view. However, I was amazed when I heard the minister on the ABC today. When asked, 'How do you police bore and rainwater usage when there is no meter?' the minister said, 'Well, you don't need to.'

Why should there be such an acceptance by this Labor government of limited water, anyway. Our oceans cover nearly 71 per cent of the surface of the earth and contain 97 per cent of the world's water. Most of our population and industry are sited close to seawater, yet we are told that we have a critical shortage. For those on the Murray, I quote Professor Cullen, our Thinker in Residence, who said that the Murray-Darling could double production and halve the water use.

It is amazing to me that the substance most plentiful on the surface of the earth is treated as being in critically short supply when the only limiting factor is salt. Salt can be removed for less than \$2 per kilolitre, with the lowest price I have heard recently being \$1.36 per kilolitre. Therefore the only thing lacking is the willingness to invest in the desalination process. The more water that is desalinated, the cheaper the cost will be. The cost increase created by desalinated water being shandied into the existing supply will be small and will stretch the existing supplies. The benefit of locating desalination plants close to users will cut pumping and other costs such as pressure blow-outs.

Instead of desalinating so that we have plentiful water, the Labor government is using taxpayers' money on more expensive filtration systems, pipes and pumping systems and is adding chemicals to ensure that the limited Murray River water is fit to drink, at a cost estimated at \$5 per kilolitre in Whyalla. They are using taxpayers' money to install tanks in government buildings, such as schools, and forcing the people who can least afford it to put in tanks, with all the associated pumps, piping, filters, plumbing and maintenance costs at great personal expense.

The Labor government is also charging a save the River Murray levy, despite the fact that SA Water is making about \$250 million in profits, some of which could be used to provide alternatives to the river water, help solve the problem and increase their revenue. But the Labor government is restricting the use of the existing system and finding alternatives, thus making SA Water less viable. I understand that restrictions on water use cost about \$11 million in profits this year. The restrictions also took away a great deal of pleasure from many people and caused a great deal of anguish, particularly amongst the elderly, who cherish their little bit of garden. They have to decide whether they should have a garden, or get up very early, or stay up very late, to ensure that it is watered.

I ask the Premier: who is covering the insurance risk associated with people drinking tap water that SA Water and United Water have not ensured is safe to drink? Will the poo police also check that we are not using the tank water for drinking, as well as ensuring that it is properly connected and maintained? I understand that the problems associated with maintenance caused the government to get rid of tanks on Housing Trust homes some years ago.

The real cost of our water must be worked out in dollars, social benefit, environmental cost and amenity. By planning for long-term restrictions, in my view the government is doing everything wrong from a community obligation, commonsense and economic point of view. Water has to be recognised as just another commodity. Restrictions on consumption are only justified until additional water can be sourced. If there is no critical shortage, there is no justification for having restrictions, leading to a police state, with neighbours reporting on neighbours and, potentially, water police presumably checking our use of the water from our tanks and even our effluent.

However, controls on bores and dams need to be policed, at least in areas such as the Adelaide Hills, to ensure recharge and an equitable allocation of ground and surface water. In a recent *Flinders Journal*, Dr Simmons from Flinders University stated:

While people and politicians can see the plight of the River Murray with their own eyes, the fate of our underground water resources goes largely ignored.

He goes on to state that groundwater 'comprises about 97 per cent of the fresh water available on the earth'. What a dilemma it is that we ignore the source of most of our fresh water and therefore risk using it beyond its recharge and/or contaminating it. Both these scenarios are occurring in our supply on Eyre Peninsula, where we do not have access to the River Murray and currently have no other source of fresh water.

Except for a community service obligation to supply the basic needs of households, the government's aim should be to supply as much water to the community to use in any way it likes at the cost of supply. To contemplate long-term restrictions on development of businesses and housing, and

therefore jobs for our children and the survival of our small communities, cannot be justified under any circumstances. There is ample water, and many firms are willing to desalinate it. They can sell it to SA Water for distribution if SA Water cannot compete. We rely on private enterprise for food, energy and accommodation, so why not for the supply of water?

Restricting public use of water for amenities such as ovals, parks and gardens should also not be contemplated. We live in a modern community and should not look back to the self-sufficiency of the past. I well remember the dusty country towns before we had water for trees, lawns and flowers. Communities, such as the small town of Cummins, have made their environments more attractive to people and should continue to be encouraged to do so. We live in a competitive world, and people will go to the places they most enjoy. Turning the communities into dry, dusty areas will kill them, and that will occur if individuals and communities are constrained by any method from having gardens.

The supply of all water needed at minimum cost should be the function of the government, yet the opposite appears to be the situation. Currently, the SA Water monopoly is a hidden cash cow producing \$250 million profit for the government from metered taxpayers. In my view, this should be investigated under competition policy requirements. Water is too important to the future of our state to be artificially expensive and in short supply. Water has been treated appropriately in the past as a commodity that is readily available and cheap. Nothing has changed, except that currently the cheapest source of water is fully committed.

On Eyre Peninsula, the Uley Basin water, if used within sustainable quantities, does not have a purchase or environmental dollar cost, but does have a distribution and quality maintenance cost. If, as has already been proposed, the green power is used from the Hydro Tasmania wind turbines (located close to the Uley underground water pumping station), the cost could be dropped even lower than \$1.36 per kilolitre and be even more environmentally friendly. The desalinated water could then be shandied with the low salt Todd Reservoir water. This would stretch the potable quality water further, provide better water for the whole of Eyre Peninsula and enable greater recharge of our underground resource.

Let us stop the nonsense in the proposed regulation and start being sensible by addressing water issues for the long term. We could lead the world if we would only start being innovative—and the opportunity to do so is on Eyre Peninsula. Our mediterranean climate and our beautiful terra rosa soils, combined with water, could turn the region into an oasis, help to triple our state's exports and increase our jobs, as our Premier is asking us to do, but we need large scale desalination now.

The Hon. R.B. SUCH (Fisher): I will touch on a range of issues and, although not necessarily in order of importance, they are all important. I have recently written to the Premier and the Treasurer arguing that the parliament needs a multi-storey building on the north-west corner. I know other people feel the same way, but I have argued to the Treasurer in the past that money ought to be put aside over time so that that can happen. As we all know, the facilities in parliament are very much inadequate for ministers. The situation where ministerial staff have to leave the room when a minister has people to talk to confidentially because there is no other room nearby that belongs to the minister is just ludicrous. We do

not have any facility for school tours where school children can have a properly presented program. So, there is a need for such a building. We have staff outside this parliamentary complex: we have computer people and pay staff across the road and we have parliamentary counsel down the road; and, I believe that, just on the grounds of providing good facilities for staff—which should be the main argument—and providing a better service for the people of South Australia, there is a strong justification for a modest multi-storey building on the north-west corner of this site. That building could also incorporate parking to help alleviate the situation in the Festival Centre car park.

Likewise, I believe that the Blue Room is totally inadequate as a staff facility for meals and as a reasonable area for staff to relax in. People might say that it is not a top priority in South Australia, but I believe it is a priority, because the staff in here should not have facilities which are of a lower standard than you would get in the Public Service, elsewhere in the public or indeed in the private sector. So, I would urge the Premier and the Treasurer to take leadership on this issue, in conjunction with you, sir, and the President of the Legislative Council, to make sure that something happens in the not too distant future in regard to this parliament. To his credit, the Hon. Graham Ingerson many years ago was a prime mover in getting this place upgraded in terms of some basic facilities, and I believe that, if you go about it in the right way and explain it, the public will accept it.

The school situation is of great interest to me and as members know I have been campaigning for a long time to have some specialist technology high schools. That does not mean that you do not have general vocational education and training programs in secondary schools or that you do not link them with industry. What I am saying is that we should have some specialist schools with some top equipment and facilities which those who have an inclination can attend. We have a specialist high school, Urrbrae, and we have specialist music schools. I am not sure what the problem is in the Department of Education and Children's Services that inhibits them in pursuing this type of approach, which the member for Napier and I have been advocating for some time.

The situation in regard to nursing, I believe, needs addressing. I have touched on this before. We should consider the fact that, for midwifery at Flinders University alone, there were 500 applicants and they took 25. There were 1 400 applicants for the Bachelor of Nursing at Flinders and they took 200; and at the Noarlunga TAFE campus there were 200 applicants for 20 positions in the enrolled nursing program, which is now a diploma course. Here we have a tremendous demand among our own young men and women who want to do nursing and who cannot get in, yet we are bringing in people from overseas. I do not find that desirable. I have nothing against the people coming from overseas, but why can we not train our own people in areas such as nursing?

Another aspect relates to education and the State Superannuation Scheme. I know quite a few principals approaching the age of 60 who are being forced to retire, basically, because they are going to be penalised if they stay on. So, what happens is that, without good reason, we lose people who have got great expertise, great experience as school principals and senior teachers. We lose them because they are forced to retire at the age of 60, otherwise they will be penalised financially. How sensible is that? We should be looking at the Japanese model which encourages people to work way beyond the age of 60 or 65, but the demands of

their occupation or situation can be altered so that it is well within their capability.

I turn to public housing. We have a chronic shortage of housing for people on low incomes. We do not have to do it in the same way as the Housing Trust did it years ago—and I know that in recent times they have been much more innovative and creative, moving away from the big areas of similar sorts of housing—but there is a crying shortage of housing for people on low incomes and also for young people to get a start. The commonwealth needs to come to the party on that, because that is the level of government with the finance to assist the state government in providing affordable housing.

I am raising a whole range of issues. It is important that our public transport system be expanded. I have talked before about electrification and so on, but the provision of 'park and ride' facilities similar to what they have in Western Australia, where you can pay a dollar a day at many of their major railway stations and have someone watch your car during the time it is parked there, is a very attractive and innovative provision, which should be provided here at many of our railway stations. On the Belair railway line, which many of my constituents use, at peak hour the trains are often overcrowded because we are getting considerable new housing development in the electorate of Davenport and also in my electorate. I think that it is an issue that needs to be addressed.

For some time I have argued that we need an equestrian centre in the southern area to cater for riding for the disabled and pony clubs. I think it makes sense to provide a centre which caters for a range of those clubs rather than for each one to try and do its own activity. The Riding for the Disabled, a wonderful organisation, is about to lose its home in the Craighburn Farm-Blackwood Park area. It would be great if, through the Department of Recreation and Sport, they could be assisted, along with pony clubs, to establish a southern equestrian centre somewhere south of the Sturt River.

On the issue of speed zones, members will know that I campaigned for a long time to get the 50 km/h residential speed limit, although I was not happy with all aspects of its introduction. But I believe we need to look at what I would call a special shopping centre speed zone where you have crisscrossing by people who have their mind focused on shopping, in areas like Norwood Parade, Jetty Road, King William Road, Blackwood Main Road, and so on. It should be a special speed zone lower than what is often the case, 60 km/h, and which I think should be even lower than 50 km/h. It does not contradict my view on the residential zone because that is a special situation. Likewise, in the lead up to the flashing school crossing lights I think there should be a special school speed zone. The lead up on either side of those lights is often very dangerous, because you have parents loading and unloading children—

Time expired.

The Hon. M.R. BUCKBY (Light): I rise in this grievance debate to make some more comments about the state budget. There are a few areas that I did not cover in my budget speech that I would like to cover now. One is, in particular, that of the Ceduna Area School. Members on the government side probably would not have visited the Ceduna Area School, but it is one that I certainly visited while I was minister. I would have to say that I was appalled at the conditions that those teachers and students were operating

under. I also have to say that it makes my blood boil a bit when we see an overrun on the Sturt Street Primary School of some \$4 million, and yet the Ceduna Area School cannot attract anything out of this budget. I went into classrooms there that did not have a window. These are Demac buildings that were transported there in the 1970s under, I think it was minister Hudson at the time. Those same buildings are still there. In some of the rooms that I went into, the hessian ceilings were torn and draping down into the classroom. There was no sense in repairing them because you would only be putting in good money after bad.

When we were in government we had designed a plan designed for the Ceduna Area School and had committed money to it, yet we find still nothing has happened. If this area school was in any of the metropolitan government member's seats or opposition member's seats they would be screaming from the rooftops for the government to do something about it. Yet we see nothing. All we see is a school in the city centre which is attracting \$4 million more than what was claimed it would cost before the last election, yet Ceduna continues to wallow in what I would call very substandard conditions. I feel sorry for the teachers who have to put up with those conditions, and for the students and parents who have to suffer those conditions, when no metropolitan primary school would tolerate it.

Another issue that I am not happy about is the fact that there is no money in this budget for the rejuvenation of the Peachy Belt area at Smithfield Plains. This is an area that is the fault of both Labor and Liberal governments that has been there for some 30 years. This is housing stock that was built post war. If members toured this area they would find that there are many places that have now been demolished because of disrepair. There are many places that have been boarded up because they have been vandalised. This is an area that needs urgent attention, and yet this is the third budget of this Labor government. I have been calling for money for the rejuvenation of the Peachy Belt area since 2001, and still nothing has happened.

The Playford Council set aside \$800 000. When we were in government we looked at a plan which I said to the then minister for housing I believed was inadequate and needed more money put towards it, yet we are still waiting in the area; the residents of Smithfield Plains are still waiting for some money to come to them. Again, it is a situation that I am sure members in this house would not tolerate were it sitting in their electorate.

Another matter that I am concerned about—and the member for Bragg, shadow minister for education, spoke about it—is the current school bus contracts for private contractors supplying school bus services to our regional country children. In 1999, I think it was, the situation was that those contractors had no certainty of their contract continuing beyond the year they were servicing. When we were in government we gave them some certainty by setting up a five-plus-five-year contract so that they could reinvest in more modern buses to transport our young people from country locations into schools. That, I am pleased to say, has happened. An index was set up which took into account many of the variable costs that those contractors faced and to ensure that they were not going backwards in their daily running costs, and that they were being met through that index.

The feedback that I had from the Bus and Coach Association was one of appreciation that people at last had certainty in their operations and were able to break even and make a small profit. Unfortunately, what is now happening—as has

been reported by a number of contractors and also by the chairman of the Bus and Coach Association—is that this index is not being adhered to. I note in the budget papers this year that there is in fact no additional funding over the next four years for these school bus contracts, which means that these contractors will have to absorb more and more of the increased costs that they are incurring—and I remind the house of the increase in registration fees that will occur this year and the current rise in the price of fuel and insurance that these contractors will have to absorb.

I can assure members that we will be hearing a lot more about this matter in the next 12 months, because the squeeze will be on even tighter. It is a pity that this government is not honouring that index, because the people who provide this service in country South Australia do an exceptional job in making sure that our young people travel safely to and from our schools, and they deserve to be remitted fairly.

I want to cover one other area in the budget that I also think is of concern, and I will then mention some of the good things which have occurred in my electorate and which I am pleased to see. The \$1 billion in property tax (which includes stamp duty, land tax and the emergency services levy) is \$263 million higher than was estimated yet there is no relief for people on whom these taxes are imposed. I think it is estimated in the budget that some \$979 million will be collected in the forthcoming year yet we all know that, come 1 July, the Valuer-General will be revaluing properties around the state. I am sure that that figure of \$979 million will easily be surpassed and that the people of this state will pay even more than they did this year in land and other taxes.

I wish to mention a couple of areas that I am pleased to see in the budget. I have long lobbied for the Gawler flood mitigation program. I am pleased to see that the government has committed funding for that program in the budget, and I know that the federal government also will be committing funding for it.

I am pleased to see that the Gawler Primary School, even after the delay that was forced on it upon this government's coming into office, has finally got under way and is proceeding well. I am sad to see that Roseworthy Primary School, which does not have a solid building on its site, has not scored any money in this budget. I will continue to lobby on behalf of that community for a solid building to be erected on the site. The overway bridge at Gawler is continuing to receive funding.

I am pleased to see that Hewitt Primary School, which is expanding like a mushroom, is also receiving \$1.2 million in funding. It now has over 400 students and the number is still climbing, and it requires that level of money in order to accommodate those students. Approval has been granted for another 350 new houses to be erected in and around the Hewitt Primary School. I am sure that, in time, the school will probably accommodate 700 or 800 students.

I am also pleased to see that the Smithfield Plains Preschool is being relocated to the Smithfield Plains Primary School. One of the best moves that one can make is to locate a preschool on a primary school site, because the transition from preschool to primary school is very smooth for young students, and they are easily assimilated into the primary school.

Time expired.

Mr KOUTSANTONIS (West Torrens): The member for Light is one of the most decent members of parliament whom I have ever met. He is an honest, good man and I have

nothing but high regard for him. But the former education minister criticised this government because of the amount of money that we are committing to a school that his government closed (I know that he was not the education minister when the school was closed, but he criticised us for opening a school that his government closed). We are spending all this extra money on it because it was left derelict and had been closed for so long. I find that a bit difficult to cop.

The member for Light does not try to score cheap political points. He often makes a point because he is passionate about it. I can sense in his speech that he has been to these schools that he thinks are deserving of infrastructure and capital works, and I admire him for it. These are things that we, as backbenchers, members of parliament and ministers, all want, but we have never had the opportunity to be the education minister. The member must have had a very difficult time around his cabinet table with his other friends who did not want to spend the money. I imagine that, as education minister, he might have visited the school at Ceduna and seen a classroom with no windows and thought, 'Gee, whom do I call about fixing this?' and, 'Hang on a second; it is me.' They are the realities of the budget process.

I understand that it is frustrating but I think that, on balance, this government has got its commitments and its priorities right, and I think that most members, in a quiet moment of reflection, would say, 'Gee, this is one of the best budgets this state has ever seen.' The member for Hartley, who cannot say a nice thing about anyone in this place—

An honourable member: That's outrageous.

Mr KOUTSANTONIS: Not once have I heard him congratulate a member of the government on any initiative, including saving Lochiel Park, about which his government lied to him, because it was not going to save it—and we can prove it. The member for Hartley knows that, but he still does not have the courage to get up and say, 'Thank you.' I know that his mother raised him better than that, and I am sure that he can say, 'Thank you.'

I believe that the balancing act with respect to this budget is right. We have sustainable economic growth—growth of over 2 per cent—despite today's quarterly figures showing that the Australian economy, without the farming sector and our primary producers, is zero under the leadership of Peter Costello. Our economy is growing by about 2 per cent, with low inflation.

Mr Scalzi interjecting:

Mr KOUTSANTONIS: The member for Hartley interjects rather than sitting quietly and listening so that he might learn something.

Mr Goldsworthy: Learn something from you?

Mr KOUTSANTONIS: The member for Kavel had better be silent or he might get a serve, too. I know he does not like getting serves, given that the member for Kavel is the only one on the other side of the chamber who was not promoted. He was not touched. He was the only new member of the House of Assembly on the opposition side who was not promoted. I have to say that, if I was the member for Kavel, I would be disappointed too. But that is okay: he has time; he is young.

Mrs Geraghty interjecting:

Mr KOUTSANTONIS: No, he doesn't look that young. The member for Hartley says, 'Compare it to other states.' And I will. Budgeted surplus, \$52 million. Projected surpluses, \$126 million for the year 2005-06. I know they hate hearing it, Mr Speaker. \$137 million for 2006-07 and \$165 million for 2007-08. This is the only state in Australia

that has projected surpluses for the next four years. In fact, our opponents on the other side of the chamber have never once produced a surplus. If they even dreamed about producing surpluses, they had better apologise. I am very proud of this budget. What I am most proud of is the 200 police, more police than South Australia has ever had in its history, thanks to this government. And we are not recruiting them at election time. We are recruiting against attrition and we made the announcement mid-term, something the member for Hartley just cannot contemplate.

How can he put it in his newsletter near the election? We are doing it because we deserve it: because South Australians want larger police forces. We have increased our health budget by over half a billion dollars. Is this done in an election year? No, it is done mid-term. Again, the member for Hartley cannot contemplate it. The member for Hartley has only two years left in this place, given that he is going to lose his seat to the candidate we are going to choose. We probably cannot win the member for Kavel's seat.

Mrs Hall: You said that last time.

Mr KOUTSANTONIS: No, I never said that last time. I had different views. But I think this time he is in major trouble and, if I was him, I would be like the member for Mawson and go out doorknocking every weekend. The member for Morialta will also be in a bit of trouble. I was having a look over her figures, too, just casually looking at the polling booth results, the redistribution, the demographic change and the enrolment changes since the last election, and I have to say that I would also be out doorknocking if I was the member for Morialta. I think the tide will be lapping at her feet. I am not sure it will overtake her, but it will definitely be lapping at her feet. It will definitely sweep away a number of members. I have nothing but sympathy for them but, given that they are all in the old superannuation scheme, I will not be crying too much for them—unlike some of us who have to work until we are 55. Given that I am 32, it is going to be a tough slog.

Opposition members have been crying foul about child protection. I do not doubt their commitment to child protection, because I think every South Australian is concerned about any child who is being abused, no matter which government is in office at the time. The government is doing all it can to try to do what it can for these children. That is not just throwing money at the problem, although we have thrown a great deal of money at the problem. And the opposition has criticised that. I ask members opposite to contemplate this: they want us to spend \$30 million or \$40 million on a royal commission. I can understand why they want a royal commission but the question is: if you were a fiscal conservative as the Liberals claim to be, although they are reckless spenders like drunken sailors—tax and spend Liberals—would you not prefer the \$40 million was spent on child protection?

Would members opposite not rather have that money spent on child protection? If they were serious; if the former premier was serious about child protection, in his 18 months as premier—how long was he premier for? When was John Olsen found to be corrupt and had to resign in disgrace? When was that?

Members interjecting:

Mr KOUTSANTONIS: No, I was more upset than the honourable member. He was worth 5 per cent minimum. I was devastated when he left, because my one piece of campaign material if John Olsen was still Premier was going to be, 'John Olsen as Premier: vote accordingly.' And the

voters would have known exactly what to do. They would have lined up day after day. But, unfortunately, they worked the switch on us and put Rob Kerin in. But we are the government of the day and I am looking forward to the next election to see the tide just wash in. The great thing about a landslide election is that it cleans out dead wood.

Ms Breuer: It left a fair bit, though.

Mr KOUTSANTONIS: No, we have not had our landslide yet: it is coming. There is a reckoning coming for the opposition. It should have come in 2002, but the reckoning is coming. The whirlwind is coming. And they can see it coming. They can see the whirlwind. The member for Hartley—the lion of Hartley, out there at Lochiel Park hugging trees, thanking Pat Conlon for being there to save them when he could not.

An honourable member interjecting:

Mr KOUTSANTONIS: *The Day After Tomorrow*, that's right. The thing I am most proud of is our health spending. Stages 2 and 3 of the QEH are going ahead because there is a Rann Labor government in place. They are going ahead because we are committed to not just making policy announcements and delaying spending: we actually commit the money and the capital works and we do it. If we say we are opening hospital beds, we open them. If we say we will employ more nurses, we employ them. More cops on the beat: we employ them. We do not just make promises, we go out and do it. I understand how the opposition hates this, but the fact is that when the whirlwind comes and they lose their seats and they are sitting quietly at home in the darkness, they will realise why they lost. Making a commitment is one thing, but actions always speak louder than words. This government will always stand on its record, because we are not ashamed of our record. We are very proud of it.

Mr SCALZI (Hartley): The last words of the member for Torrens and the Attorney-General were that they would get me back a teacher's position. With that I would like to teach them a little bit of basic economics now. You do not have to go back to the classroom to be a teacher. I would like to add a little more to what I said yesterday evening about this budget. As I said then, if this was about balancing the budget, or getting a AAA credit rating and nominally balancing the budget, the government would have achieved its purpose. However, as I said previously, a budget is an instrument. It is a tool to get the economy going and to get the best possible outcome. This budget, although it has addressed some of the issues in health (especially the crisis), has failed to do what it needs to do in restructuring to make sure that we do not follow crisis with crisis.

Just to mention child protection, I acknowledge that some money has been put in there, but it is a bit rich when, today, the government talked about the Layton report and asked why the opposition did not do anything when they commissioned that report but did not address the issues or change legislation until they were forced to 18 months later. That is a bit rich.

Today I wish to deal with the areas for which I have been given responsibility by the leader, namely, TAFE, further education and youth. I will just touch on those because we will examine those areas a little closer during estimates. Members opposite rightly say that I am a teacher. I am still a member of the Australian Education Union, and I support the union in many ways. I might not agree with everything it says, but I think it is important to belong to employee organisations. I see that as no different to belonging to the Law Society or the Australian Medical Association. Teaching

is a noble profession. I would like to quote what the President of the state AEU, Andrew Gohl, says about the government's budget, as follows:

... the government has not made education the priority they claim it to be.

This is the peak body representing teachers. He further states:

It is reassuring that the needs of early education are being gradually recognised, and the government's \$35 million investment over four years, while spread thinly—

note that he says it is spread thinly—

will be of importance to the neediest of our children. . . However it delivers disappointingly little for families with children in year 4 or higher.

When it comes to TAFE, these are the key concerns:

No support for TAFE. This is a grave oversight on the part of the government and will do nothing to assist young people making the transition from school to employment. Furthermore, the government intends to sacrifice an asset of major cultural importance for Aboriginal education, its Wakefield Street property for indigenous TAFE students. The \$1.5 million they hope to raise will go into indigenous TAFE programs, but it is a pyrrhic solution to sell a long term asset to fund a short term program.

It further states:

No money has been allocated to implement the career education trials known as Futures Connect, from 2005. It means what has been a successful trial may remain just that—a trial only that may never be implemented in our schools.

The shadow minister for education has clearly said, as has the AEU, that special education has been ignored. The AEU has been ignored. Areas of disability are increasing, and one would have thought that with the total numbers of students decreasing these matters would have been addressed.

Regarding the areas relating to youth, I commend the conservation corps announced by the minister today. It is important that we get young people involved in that and, as a member of Trees for Life and Greening Australia, I support those initiatives. What concerns me is that the department of youth is put with the general health portfolio and, whilst we have to address the small number of those youth at risk, I think it is important to recognise and give a voice to the youth in general. It is important that we recognise that young people are not just our future, but that young people are our present. It is important that we recognise them. My belief is that recognition is a prerequisite to encouraging young people to participate in and contribute to our society. So, I was very pleased to see their involvement in the youth parliament and acknowledge the importance of the young men leaders and young women leaders programs.

It is important to support schools in the education of students representative councils. A very good example in my electorate is the Norwood-Morialta High School, which does excellent work with young people. In fact, students from that school spend a day here in Parliament House every year to recognise the leadership group in that school. At the primary school level, I also recognise the excellent work done by the Marden and East Torrens primary schools with student representative councils. However, in my electorate, I am concerned that I am still waiting for the development of the former Hectorville kindy on the East Torrens Primary School site and would like to know what is going to happen. I am really concerned that we are spending millions of dollars at the Sturt Street School when East Marden Primary School has to provide additional funding for the cost of asbestos and white ant treatment. That is white-anting the hard work of parents for their children—

Time expired.

Mrs MAYWALD (Chaffey): I rise to contribute to this grievance debate on the budget. I will refer to the budget in three different areas. First I congratulate the government on the measures it has introduced in taxation relief, particularly in relation to payroll tax. Payroll tax has had a particularly negative impact on business growth in this state for a very long time. Whilst payroll tax relief is minimal in respect of percentage, it has quite a significant investment back into the business sector. Reducing the payroll tax rate by a mere 0.27 per cent will cost revenue \$94 million over four years, but that is \$94 million which will be returned to the business sector, and I believe this to be a terrific investment in assisting business to move forward into the next years in relation to their economic growth. Payroll tax is still not as low as in other states, and I think we need to continue to put pressure on the government to consider further relief as the years go by. Victoria, for example, has 5.25 per cent, and I believe that we should be looking to ensuring that businesses here in South Australia can compete on a level playing field with other states when it comes to taxation measures.

The stamp duty relief for first home buyers is also very good news. Of course, the lease duty and cheque duty relief is part of the intergovernmental agreement with the GST and is another reduction in the taxation impost on business which will have significant benefits for the business community. It is also good to see that the government is continuing to look at achieving a AAA rating. An enormous amount of emphasis has been put on the AAA rating by the Treasurer, and the AAA rating is important as long as the emphasis is balanced against meeting the needs of the community in relation to the other goods and services provided by the government. Keeping the budget in surplus over the coming years is a very sound budget principle, and I commend the government for its work in that area.

The next area I want to refer to is core spending. Core spending is the fundamental basis on which the government is generally judged in respect of its budget initiatives. I have said time and time again, on budget after budget, health is the key area where this state continues to under-perform. However, we are not alone. I think all states are really struggling with meeting the needs of our communities in relation to health funding. The extra money the government has applied to health has been applied mostly to the metropolitan areas, and I do not believe country health will benefit at all from this budget. We are looking at \$8.7 million as an overall increase for next year, and that will result in about a 2 per cent increase, whilst cost pressures are running at about 6.7 per cent. So, it will be a particularly tough year for country health.

However, I recognise that the real pressures on the health system are manifested in the deficiencies within the metropolitan area. Whilst I appreciate that fact, I would hate to see country health suffer at the expense of metropolitan health. The important thing for this government to recognise is that, over many years, country health has been cutting services to meet and manage the budgets as best they possibly can. We have come to the bottom of the bickie barrel, and there is very little room to move now. It is very difficult for our country hospitals and health services to meet the needs and expectations of their communities, even in the most basic sense, under the current budget pressures. I believe we will see in country health some significant problems over the next 12 months.

Education, of course, is another key area. I commend this government for its effort in reducing class sizes over recent years and putting emphasis on early intervention and literacy learning within our school system. At the last election this was a key area where the community identified they wanted extra funding and support. I am pleased to see that there has been a reaction to that community drive and that we are seeing the government invest in those areas significantly. There are certainly areas where, under the previous government and the transition to the new government, the P21 system has not necessarily manifested in good outcomes for schools, particularly in country areas. I am talking about asset management and schools which are now struggling to understand how their budgets are going to work and how they are going to meet the asset management plans they established during the P21 process. There are also some real issues in relation to core funding for schools. Smaller schools tend to get a significant benefit over and above medium sized schools, and the basic funding formula needs to be addressed. Schools with 200 or 300 children are at a significant disadvantage compared with schools with fewer than 50 students, or thereabouts.

It is really good to see that the government has seen the error of its ways and restored the funding to the FarmBis project. It was very short-sighted, in my view, when two years ago the government cut this very worthwhile program. It resulted in not only cuts from the state government budget but, for every dollar that the state government cut, we lost a dollar from the commonwealth. That was a very short-sighted approach from this government and I am pleased to see that it has restored funding to ensure that we can maximise our return from the commonwealth and invest in future sustainability of our farms and upskilling of our farming and horticulture communities. I believe in this very strongly because, if we are going to move towards sustainability and improving production by maintaining the best possible outcomes for our resources, we need to have farmers who can make money. We will not get investment in environmental outcomes if we do not have people on the land actually making money.

I turn now to the Chaffey Theatre. For a long time we have been looking to get funding to invest in the Chaffey Theatre upgrade. I am pleased to see that there is an investment in our country theatres because they are the hub of the regional communities, in a lot of ways, and our Chaffey Theatre has been looking very tired for a very long time. I am pleased to see that that funding has been allocated to the four regional theatres.

Returning to health, the investment in nursing rosters in country areas is a good initiative. That will assist in helping to ease some of the cost pressures in regional areas but it does not go anywhere near to what is needed to alleviate the cost pressures that they will be experiencing in other areas of their budget. There is an extra \$1.7 million for the patient assistance transport scheme, and that is also a very good initiative. More and more people are having to travel to the city for major surgery and, as our population ages, particularly in country areas, which are seeing a greater increase in the ageing population, that necessitates a significant amount of travel to and from Adelaide for necessary care. The patient assistance transport scheme is a crucial part of their being able to afford and access that medical assistance.

The loan that has been provided to the Renmark hospital is also a welcome part of the budget. That provides the Renmark Paringa District Hospital with the opportunity to

build the 15 extra aged care beds that it is looking to provide. It has funding for them from the commonwealth and, without the support of the government for this loan, it would not be able to go ahead and build the facilities to make use of that commonwealth funding, so I am very pleased to see that.

There is one other matter that I would like to talk about, and I touched upon it during last week's censure motion on the Minister for Health. It concerns our capacity as a state to be able to meet the needs and requirements of our community. Our taxation revenue in this state is about 28 per cent of our actual expenditure. Our grants and capital grants from the commonwealth are about 52 per cent. We have very little margin to increase, and we need to engage in debate with the commonwealth as to what are appropriate services for this state to be managing. Health is one area where we need to be considering the possibility of the commonwealth taking over the running of our public hospitals.

We just do not have the capacity within our taxation base to meet the needs and expectations of our communities. As those expectations grow, as the need for our health services grows with an ageing population, and as the need for newer and more expensive technology increases, our capacity to raise those funds even to mark time let alone go forwards with our health services is extremely limited, if available to us at all. As a parliament and as a state we need to be progressing that debate with great gusto. We need to be engaging with the commonwealth to ensure better outcomes for health in the future.

The Hon. I.F. EVANS (Davenport): I want to use my time to address a matter that I went to Queensland to look at earlier this year, and that is train noise. I want to talk about that trip to Queensland and about the fact that the government has not provided any money in the budget to deal with the noise of train wheel squealing that occurs in my electorate. Earlier in the year I took a trip to Queensland to look at a number of matters, train noise being one, and it was interesting to note that in built-up residential areas of Brisbane with populations of reasonable size not dissimilar to my electorate they had a problem with train noise. The Queensland government's response has been to introduce a code of conduct through the EPA that is binding on the various train operators in that area. That is something that we do not have in South Australia, and the Queensland response was most interesting.

Part of that response to the noise caused by the trains has been to erect timber barriers along the railway line to try to reduce the noise that reaches the residents. While that has had some impact on noise reduction, and while the residents I spoke to were generally appreciative of the fact that the government had at least made an attempt to reduce the noise and generally held the view that it did have some impact on noise reduction, it did create another issue for the residents because the timber barriers, which are three or four metres high, have become graffiti screens. So, even though the train noise has been reduced, these long lines of train noise screens have become graffiti screens for the graffiti artists to write their messages on.

That has had a negative impact in the community, as well, and the general view was that, if the barriers that were erected became graffiti screens, they did not want them. In good faith, the government has attempted to address the train noise, screens being part of the answer, only to find that it has created another problem for the electors or the residents in that area. The reason it is of interest to me is that the main

Adelaide-Melbourne line runs through the electorate of Davenport. It is one of the steepest and most winding railway lines in the Southern Hemisphere. With the increase in freight travelling on the Adelaide-Melbourne line, trains are now heavy and over a kilometre long. Some years ago, the authorities of the day took the decision to replace the timber sleepers with concrete ones. From that moment on, my electorate has complained quite significantly about the level of rail squeal from certain carriages on certain trains. The residents' theory is that the concrete sleepers do not absorb the vibration as well as the timber sleepers and, for some reason, that creates an environment that allows this very loud and ear-piercing squeal to develop.

Residents in my electorate have raised with me (and I have raised this with the government) the concept of putting barriers on their property as a trial to see whether they will reduce the noise. Mrs Wicks from Eden Hills talked about erecting a concrete barrier at the back of her property to see whether that would affect the train noise in her home. Her property and that of her daughter next door are probably the two worst affected, because they are very close to the railway line and are at a slightly lower level than the engines when they pass through. At this stage, the government has not seen fit to come to the party and attempt a trial.

This week I raised this issue by way of a question, and I noted the Minister for Health's response. I now intend to write to her asking that the environmental people in her department make some judgment about whether the train operators are putting the health of the citizens at risk because of the lack of action in relation to the noise. I have visited the sites and listened to the level of noise that some of these carriages and trains generate. The engine noise is not the main problem about which I get complaints: it is the wheel squeal. I accept that this is a very difficult problem to try to address. The carriages of trains are of different lengths and, with different weight and loading configurations, they will sometimes squeal and sometimes not. The problem is that you have to identify which carriage squealed and under which circumstances. I accept the authorities' argument that it is a difficult issue. It needs to be addressed, but I can see nothing in the budget that touches on this issue.

There is a funded program for the residents around Adelaide Airport for the installation of double-glazing and soundproofing, and there is a noise reduction program generally, funded by taxpayers at some level. I understand it might be the federal government, because the airport was federally owned property when the program was announced. I know that this is an issue throughout the seat of Heysen, and I suspect that on occasions it might be an issue in the seat of Kavel. Ultimately, of course, the answer is to pick up the railway line one day in the future and move it out of the Adelaide Hills, leaving the passenger service but taking the freight line and bringing it through the north of Adelaide. If you were designing a train service today, would you run it over the steepest part of the state and through a water catchment, a bushfire prone area and a heavily populated area? The answer is: you would not run your freight line through there.

Ms Ciccarello: And then you can take your trucks off Portrush Road.

The Hon. I.F. EVANS: Well, you could; the member for Norwood is quite right. You could have a transport terminal somewhere near Callington, where many of the trucks could load onto the train and be carried around the north of Adelaide, which would remove some of the traffic from the

city streets. That is an option that would be available. I raise this issue in the context of the grievance debate on the budget, because I can see nothing relating to it in the budget and, during estimates, I will quiz the Treasurer on this issue. I know that the house might be sick of my raising this matter from time to time, but it is very serious for the hundred or so families who have registered on my mailing list. That gives an indication that it is not an insignificant matter for the electorate. I acknowledge that there is no magic wand solution. In the future, there may be an opportunity to look at other countries that have a similar problem of train noise. However, it is disappointing that nothing is highlighted in the government's budget in relation to this matter. Certainly, it is a major problem in my electorate, and we will continue to try to have it addressed. There is no doubt in my mind that people's health and property values are being affected by the operation of the line through the Adelaide Hills. I hope that at some stage in the future we can find a solution for what is a very complicated problem.

Mrs GERAGHTY (Torrens): I want to speak briefly about—

The Hon. I.F. Evans: Train noise?

Mrs GERAGHTY: Well, I do have some information about the various ways in which people have resolved train noise which the member for Davenport might find interesting. I agree that it is a problem. I want to talk about the focus of this budget, and I believe that we have focused on the issues that are of great concern—certainly to Labor governments and to people in the community. It is nice to see that we have a balanced budget, and those in our community who are most in need are well served by it. The balance between community need and sound financial management has clearly been struck. Following on from the remarks by member for Colton, I am honoured to represent the interests of what I believe are some of the hardest working public schools in the state.

I have spoken on many occasions of the achievements of schools within my electorate that cater to the needs of some extremely poor and disadvantaged communities; schools such as Northfield Primary, Gilles Plains Primary, Hampstead Primary, Hillcrest Primary, Dernancourt schools, Klemzig Primary, Ross Smith Secondary, and Windsor Gardens Vocational College produce exceptional results despite the considerable difficulties they may encounter at times. It is fitting then that this government has again increased education spending to better assist our public schools. The increase in education spending for each government student is most welcome. It is unfair to expect students to thrive in the absence of adequate resources. Of course, the gaining of knowledge is only one part of the education equation. The environment in which students learn is just as important. The allocation of \$12 million per annum for school maintenance, in addition to the completion of the \$17 million targeted asset program announced in 2002-2003, will do a great deal to maintain school infrastructure, and is a positive step to ensuring that public school students are learning in a comfortable, safe and well-maintained school environment.

Literacy is an essential life skill. Without it, access to many of life's opportunities and enjoyments are greatly diminished. It is appalling that some young people reach high school without the ability to communicate effectively and to read and write properly. And in a world where the ability to communicate can mean the difference between a doorway and a wall the provision within this budget of an extra \$35 million over four years for Early Years Literacy is

recognition of the importance of laying a solid foundation in literacy.

These measures will result in an extra 125 teachers being employed for the purpose of improving the literacy of junior primary students, and an important aspect of the early literacy program is additional school classroom support with an extra 60 teachers providing one-to-one support for year one students experiencing difficulties with literacy learning. It is so important to get these skills right at an early age and not just develop an ability to read but to develop a love of reading as well. Of course our students need books to read and the \$2.17 million worth of funding will ensure that they do, and I know that all of the government schools within my electorate are really looking forward to making those purchases.

It is pleasing to see that the Gilles Plains TAFE Campus is to benefit from a redevelopment of its veterinary and applied science facilities. The project, with an initial estimated cost of \$10 million, will refurbish existing under-utilised accommodation to provide new and expanded facilities for the VASC. These improved facilities will significantly improve the provision of veterinary and applied science training through the Gilles Plains campus and this boost to vocational education facilities is certainly greatly welcomed.

These measures are yet another aspect of the government's commitment to the provision of quality education and it is wonderful that initiatives such as the Premier's Reading Challenge, which I have enjoyed talking to schools about, attempts to develop a culture of reading and a love of books amongst our young people. Certainly this substantial contribution of resources to provide assistance will benefit those who are most in need. Our government is providing more resources and more teachers. As the Treasurer stated in his second reading speech it ensures that:

South Australian children have the best chances in life and, importantly, that the government is supporting them through the provision of a good quality public education.

And as grandmother I am very proud to be able to participate in that.

Something that is of great community concern is our health system. A good health system is a priority for our government. We have provided additional monies to reduce elective surgery waiting lists and dental waiting lists to relieve the discomfort and pain that many people are suffering. The extra \$48.2 million for the replacement and upgrade of bio medical equipment is an investment in quality of care and will ensure that staff in our public hospitals are working with tools that are not merely adequate but are excellent. The implementation of the Open Architecture Clinical Information systems, allowing our hospitals to share patient information between other hospitals, as well as GPs and community health care providers, will result in greater efficiencies in the provision of medical care. I have seen this work elsewhere and I think it is essential, because the system is designed to improve flows between providers which ensures better and, more importantly, safer care for people.

The extra \$148.1 million being spent on child protection is much needed and shows that our government is serious about the protection of our children. This will also give 183.5 additional full-time equivalent positions in child protection, the provision of \$36.1 million over four years for the reform of FAYS, the allocation of \$1.7 million over four years for the creation of a Guardian for Children and Young People, and \$9.2 million over four years for early intervention support workers for high need families. These are just some of a comprehensive raft of measures which clearly show that

this government is serious about the safety and wellbeing of South Australia's children.

Every community wants to know that it is safe and the provision of funding for an extra 200 police officers in addition to normal recruiting is a welcome measure, taking the overall number of SAPOL officers to nearly 4 000, which is clearly reflecting the community's desire for a greater police presence. These officers will be allocated to a range of different areas throughout SAPOL including metropolitan and country patrols, which will do much to boost and support our police capabilities. We have allocated additional funding to legal services, in addition to the increases that were there in 2002-2003. The extra funding to police and to the DPP will mean a greater rate of offenders being apprehended and successfully prosecuted.

I would like to mention an important issue to me and that is the One Million Trees Program, and the government's financial commitment to ensuring that more than 400 000 new trees will be planted this winter, and a further 300 000 planted in 2005-2006. The benefit to air and water quality as well as the restoration of naturally occurring vegetation and biodiversity is a worthy pursuit. I certainly believe that it is money that will be well spent.

In conclusion, I would like to say that, in my opinion, and I am sure in our community's opinion (I have heard that from constituents who have rung me), this is a good budget. Clearly, it puts the community and our children first and as our main priority, and it is really a budget for all South Australians. I believe it is for both metropolitan and country South Australians. I have been listening to the debate over the past couple of days, and it is a bit of a shame that the opposition continues to talk about a divide between rural and metropolitan South Australia because, whether we live in the metropolitan area or in the country, we all contribute to the well-being of our state. Thankfully, our government recognises that and is governing for everyone who lives in this wonderful state. I would like to hear us talk more about working together as opposed to being divided. Time expired.

Mr GOLDSWORTHY (Kavel): It certainly gives me pleasure to be able to continue my remarks from my second reading contribution of the other night. I started talking about issues regarding Family and Youth Services (FAYS). My electorate office has a considerable amount to do with FAYS. We have a small branch of FAYS in Mount Barker, but our main regional office is in Murray Bridge. Quite a considerable number of constituents contact my electorate office in relation to Family and Youth Services. It appears to me that it is a clear indication of how terribly under-resourced this agency is, and I think it is reflected in the level of discontent of which my constituents certainly advise me and my electorate staff, so much so that on a number of occasions I have had to take up a constituent's concerns with FAYS office, and write directly to the Minister for Families and Communities (I think that is the new title of the new portfolio that is responsible for FAYS), highlighting the constituent's concerns in an effort to see some resolution of the difficulties that my constituents have with the FAYS caseworkers.

I am not necessarily blaming the FAYS caseworkers: I am blaming the government for the lack of resources that it puts into the agency. I guess it is reasonably good news that the government has been dragged kicking and screaming again in this budget and that it has sought to fund and resource (from memory) 168 new social workers into the FAYS

agency. That is obviously not before time because, from talking to the caseworkers, it is a clear indication of the need. Caseworkers in FAYS have privately and confidentially told me—obviously, no names have been mentioned, and I am not going to tell you what office it was; it was not Murray Bridge but another FAYS office around the metropolitan area—that they just do not have the actual physical time—the number of hours in the day—to meet the needs that they have before them.

One lady I spoke to said that on average she had to find a bed to sleep in for 15 adolescents every night. She said, 'Honestly, it takes me all day and half the evening to find a bed for these people.' For whatever reasons, they have taken off from home and so on. I am not defending those adolescent's actions, but I am trying to give examples to the house to illustrate the tremendous pressure that Family and Youth Services is under. It is reasonably encouraging news that the government has looked to improve the resourcing of that agency, but I can tell you, sir, that it is not before time. There is every indication that FAYS was in absolute crisis mode and, again, the government has acted at the very last moment—probably too late to address the problem. As the Deputy Premier acknowledged, it is going to take some time for these people initially to be sourced, to locate them, to hire them, to train them and to get them in those offices, on the ground, helping those people who are in desperate need of assistance through that agency.

I want to raise an issue which I spoke about in the house two or three weeks ago and which relates to the Nairne Primary School crossing on the main road running through Nairne. It is called the Princess Highway; it is the old Adelaide to Melbourne Highway. Anybody who has driven through the Adelaide Hills in that part of the region will certainly know the road I am referring to. This situation has been an issue for a number of years. I know it was an issue which concerned the previous government and about which it was aware. Consultancy work was undertaken; a consultant was engaged to look at the situation and come up with some different options. The school community, the greater Nairne town community, Transport SA, the District Council of Mount Barker and all the stakeholders have agreed on one option.

We find that, again, Transport SA which has the administration of that road and which is responsible for that main road through Nairne, is not willing to apply the required resources and capital works funding to see improvements for that crossing. I was there yesterday morning with journalists from the local Hills newspaper, *The Courier*, and I gave them some information about it. There is quite a good article in *The Courier* today that highlights my concerns about that issue and those of the local community, and several weeks ago *The Courier* ran an article highlighting the school principal's concerns about it. So, it is not just the local member ranting and raving about an issue: it is the school, the principal, the town and the local council all looking for some action from the government.

There are 25 km/h flashing lights on the road and they operate the old hand-held lollipop signs, and Transport SA's response was, 'They have all been trained by the police, and they all know what they are doing.' That is all very well, but there are thousands of east-west vehicular movements on that road every day—there are semitrailers, heavy vehicles; a lot of heavy freight comes through there—and we have young primary schoolchildren of 11 or 12 years of age controlling

that traffic flow. That is a totally unacceptable situation in this day and age.

At the barest minimum, automated stop lights should be erected on that school crossing so that the children do not have to put the sign out on the road; they can press a button. What is needed is a pedestrian crossing. It would not be difficult because the lights, the power source and the cabling are there. Instead of flashing lights with a 25 km/h sign on them, all they have to do is replace them with a set of traffic lights. That is the barest minimum that is required. But I cannot get this government to act on it. However, I can tell members one thing: as long as I am in this place, and as long as that is an issue, I will be hammering away at it for the time it takes to have it fixed.

About 10 metres down the road we have the Woodside main road intersection. Significant residential development is taking place in the Nairne township and, sooner rather than later, we will need a set of traffic lights at that 'T' junction. If that is put in place (I know it will cost money), we can dispense with the school crossing completely. It just takes the will and the commitment of the people from Transport SA to get off their butts and get up there and look at it, and to take notice of the consultant's report and the option which has been put forward and which talks about some compulsory acquisition. I am not even advocating that at the moment. All I want is a decent set of traffic lights at that intersection in order to improve the safety of the schoolchildren and also to manage the traffic a lot better than it is currently managed.

Ms THOMPSON (Reynell): I wish to commend the Treasurer for managing a very difficult balancing job. We know that he has committed himself to making this state financially viable while at the same time paying attention to addressing the needs of the most vulnerable in the community. We know that at times we are not able to meet the needs of all those who voice them, particularly in the health area. The member for Chaffey has alluded to the fact that health can be a bottomless pit, particularly in a community with an ageing population and particularly in the South Australian community, which has become accustomed to having hospital services readily available.

I note that the Generational Health Review pointed out that Sydney has but one hospital for a population the size of the whole of metropolitan Adelaide, which has five hospitals, and that extra expenses are involved in running five hospitals. Many were fearful that the Generational Health Review would lead to a closure of hospitals, because people had become very accustomed to the convenience of their local hospital. But the government has committed to maintaining those hospitals, while at the same time directing more funding to primary health care. I would like us not to have such busy hospitals and for there to be no waiting lists—not because everyone was having the procedures that they needed: I would prefer that we reached the stage where they did not need the procedures to start with.

This week, the Minister for Health announced some further initiatives with respect to smoking, which is the cause of the most preventable health crisis. Some 75 000 hospital beds per year could be saved if we could cut smoking. The budget enables us to address some of those issues. Not everything is able to be addressed this time: we still have massive needs in the area of housing. But at least this government is developing a state housing plan instead of just lurching from crisis to crisis, and we will have a clear direction in relation to housing.

We finally have a clear direction with respect to child protection. It would have been obvious to any member of parliament who had listened to their constituents for some time that FAYS was in a crisis situation. But, again, under the previous government we just lurched from crisis to crisis. Now we have a direction. There are many challenges to overcome in realising that direction, not the least of which (as some members opposite have mentioned) is finding suitable workers to staff the new system.

However, this government is committed to ensuring that its visions are realised. I am confident that we will identify different ways of attracting skilled social workers to work in the system. I know of many who have left, particularly over the last 10 years, because they felt that they were getting absolutely nowhere. Some of them have moved interstate; some of them have moved overseas. When they can see a system that they know to be working, that they know to be providing care for children and support for families, they will return. They are interested in working in jobs where there are clear outcomes and job satisfaction. We are addressing some of the major problems, but there are two issues that I want to focus on particularly in relation to the south. One is the impact of the health budget on the south, with one of the key initiatives being the \$30 million to Flinders Medical Centre's emergency department.

The pressures on the emergency department at Flinders Medical Centre for many years have been extreme. The member for Fisher noted the other day that he has had far fewer complaints from constituents waiting on hospital trolleys over the last couple of years than he had in the previous time. That has also been my experience. However, we are not pretending in any way that the Flinders Medical Centre emergency department has been providing optimal service. The issue is not simply to throw money but also to work out better ways of attending to the needs of patients attending the Flinders Medical Centre. Fortunately, this is being done. The team at FMC emergency department has started identifying different ways of dealing with the high case load that comes through that area, ensuring that people do not wait for hours and hours just because their condition is not critical.

It is still important and needs to be attended to in a systematic way. But the new initiatives of over \$7 million per year for four years will introduce 70 extra staff to the FMC emergency department, which will enable better systems to be put in place to deal with those presenting. This includes security staff as well as doctors and nursing staff, to ensure that matters progress in an orderly manner in that area. The creation of the Acute Assessment Unit, a 20-bed short stay unit, will also be extremely useful in that regard. The extension of the ACIS mental health service to 24 hours and \$13.811 million for that is also of great benefit to people in the south. The area of mental health is one that I do still get many phone calls about, and improvements for ACIS and other avenues of community-based care are really important.

So, too, is the \$4.5 million to reduce dental waiting lists. One of the things that I find least enticing about my work as an MP is when constituents who are desperately waiting for dental care offer to come and show me their teeth so that I can see for myself their urgent need for treatment! I think if I had wanted to look into people's mouths all the time I would have become a dentist. I recognise the pain that these people suffer. I recognise that they also undergo social trauma and humiliation. I have had people in my office where the wife has told me that her husband had become reclusive, had

stopped being an outgoing, socially gregarious person because he was so humiliated by the odour from his mouth, from his decaying teeth, and from the look of his mouth. Fortunately, I was able to get care for that person, but I know that many people who do not come to me have that problem, and \$4.5 million to address dental waiting lists is really important.

Another area that I am really pleased to welcome, as the Treasurer is here, is the \$750 000 for the anti-graffiti blitz in the southern suburbs. The Treasurer, the Minister for the Southern Suburbs, the Premier and others have been made well aware of my concern to redress the damage done by graffiti in the south over many years. Recent efforts instigated by the Office for the Southern Suburbs of bringing together council and various agencies to undertake a coordinated campaign against graffiti have been effective. The public has been more inclined to report graffiti, the clean-ups are quicker and the increase in graffiti is down. But the legacy of years of painting over graffiti makes the place look unattractive.

The south is a beautiful place: it has great natural assets, but at the moment its built environment is clouded by the signs of years of graffiti. I am hopeful that many young people will engage themselves in the Clean Slate blitz and the general initiatives to create a new environment in the south, one that is clearly welcoming, pleasant, harmonious and peaceful: a built environment that reflects the beauty of our natural environment, where all people can feel safe and comfortable and where young people can also feel part of the community and not feel that they have to run around defacing the community to make their point. We want them to be involved: this money gives them the opportunity to do so.

Mrs HALL (Morialta): I am pleased to make a brief contribution to this grievance debate, particularly as it is in the august presence of the Treasurer, who has been so roundly commended by the former speaker the member for Reynell. However, I am not going to be quite so complimentary to the Treasurer, and I know that this will not come as a surprise to him. From my perspective, for a Treasurer who is absolutely awash with money, I find that some of the issues raised during the debate over the last few days are of great concern.

I would like to give one particular example of something that has happened to me as the member for Morialta. I am sure that the Treasurer will be very interested in it and I guess that he would have had a different perspective in the answers that he would have given. I had a discussion with a constituent of mine who made some points when he came to visit me after the budget had been delivered. He actually wanted to know, in the politest of terms, what was in the budget for him or how specifically it was going to affect him, because he said that he had heard on radio and seen on television that it was a budget for everyone.

He said he was absolutely aware that South Australia was in a good financial position; after all, tax revenue was rolling in following a boom time in the property market. He had heard the Treasurer on radio repeating that the state was looking at a AAA credit rating and he had heard all about the GST money that was being received by the states. He said that he was looking forward to seeing what benefits at a personal level there maybe in it for him. This young man is in his late twenties. He is very healthy looking. He is very intelligent and I have to say that he is good-looking. He is also looking to buy his first home. He currently resides in a nice rental property in the local area. He owns a car and likes

to catch the bus to work in the city each day because he figures that is better for him, and he is very conscious of the environment.

So, when this particular constituent asked me what was in the budget for him, I have to say that I was a bit surprised at the answers that I managed to very genuinely put together. Firstly, I was quite saddened and then I got a bit cranky because, for a young South Australian such as my constituent, who should be at the stage in his life where he is taking advantage of many opportunities, it was not a great story to tell. I had to tell him that, in my view, it was not a budget for everyone. I told this young man to try to get out of renting his home as soon as possible, that land tax was crippling landlords because property values were soaring in our local area, and that before long I had no doubt that many landlords would have no option but to increase their rent substantially to keep up with tax payments.

I also told him to consider buying a home of his own. The Treasurer had announced some small stamp duty relief for some first home buyers, but I told him that it was going to be very difficult if he was going to look for a house in the suburbs of Morialta where he would be hard-pressed to find anything in the price range that would be affected by the stamp duty relief announced by the Treasurer. That has been well detailed by many speakers over the last few days. I agreed with him when he said it was a shame that we did not have the same stamp duty rates as other states. I also broke the news to him that if he purchased his own property he could expect water charges that are 4.4 per cent higher than the current charges to affect him pretty soon. The registration on his car waiting in the car park would be 3.8 per cent higher while his licence would be 4.3 per cent more expensive as well.

I then went on to warn him that I thought he had to be careful in that car, because speeding fines had increased by more than 3.6 per cent and, whilst I know that he is a very careful and balanced human being and that he would not be speeding, the reality was that they were going to increase. He would not want to catch a bus on a regular basis because tickets were going to go up by about three per cent. My constituent, as I am sure the Treasurer would understand, was absolutely shocked to hear these figures. He said to me, 'And I thought this was a budget for everyone. I am worse off than when I started.' This is a scenario that faces a great number of South Australians, and South Australians in my view have been misled and shortchanged by a budget that I reckon is a bit off.

I very unkindly described the Treasurer in my budget speech as a bit of a Scrooge. He might see that as a badge of honour, but there are many people in South Australia who believe that with all of the money that is coming in to Treasury, that with all of that money, it should be a more specifically targeted relief to many sections of the South Australian community, as has already been described by this budget. It is a budget of smoke and mirrors. It did promise a great deal but, in my view, it has delivered very little to many parts of the South Australian community. One of the very concerning aspects of the budget, in my view and, again, it comes from the budget papers, is the appalling forecasts of job growth—at .75 per cent, I think and with South Australia now sitting at the lowest rate in the country, that must be of great concern to all South Australians, particularly those with young people.

One aspect of the job forecast which particularly concerns me is how it is going to affect women. We have already seen

a disproportionate number of women who are losing their jobs. The latest figures show that there is more than 11 000 women in the South Australian work force who have lost their full-time jobs, and when you think about the numbers of women who are employed across our state, and those who are involved in the retail sector and specifically in the hospitality sector, I really am extremely concerned at the implications for them into the future.

Another issue which particularly affects my electorate and which I would like to raise again—and I know members have heard me ask questions and talk about this over a number of years—is the future of the Magill Youth Training Centre. It was heralded in last year's budget to be one of those projects that was subject to the PPP environment and there were several million dollars allocated; however, this year in the budget, the whole line has gone. At the moment there are about 26 young people in that facility and, I would have to say that for the staff and young people themselves, I would seriously doubt that the facility passes any occupational health and safety issues and tests that are applied to other government instrumentalities and institutions.

I know that the Secretary of the PSA has been on about this issue for some time, and I genuinely share her concern not only for the staff but also for those young people who have to endure what is supposed to be some form of punishment and, hopefully, some form of rehabilitation. As the local member, I invite the Treasurer to come out with me one day to have a look at this facility. It is very much a 1960s and 1970s institution. I am sure the Treasurer would be as shocked as most people are when they go out there and see the fantastic job that is done by the staff, who are working in absolutely appalling conditions. I genuinely plead with the Treasurer to have a look, at some point, at what is going to happen to that place. The land has been purchased; it is sitting there as an asset. I understand that the purchase price at the time was \$750 000. So, looking at the escalating values, I am sure the Treasurer could sell the land at a profit or, alternatively, he could do something about relocating the Magill Youth Training Centre.

Another issue that concerns my electorate is the future of the Marble Hill ruins. Over many years, the Friends of Marble Hill have done a fabulous job, putting in many hours of voluntary work. I doubt that it would be possible to put a dollar figure on the contribution they have made to that facility. They have been told that the best they can hope for is a maintenance budget, and this really concerns me, because it raises the issues of access, public safety, a full-time manager and all the issues relating to one of our most important built heritage icons. Given that the government is selling Beechwood Garden because the maintenance under government control was allowed to run down, I am absolutely fearful about the future of Marble Hill. Again, I urge the government to look at this issue. This rather magnificent facility has somehow slipped through the cracks in relation to funding. Given that built heritage is so important to our tourism promotion, I ask the Treasurer to look at it in the future.

The DEPUTY SPEAKER: The member for MacKillop.

Mr WILLIAMS (MacKillop): Thank you, Mr Deputy Speaker, and—

The Hon. K.O. Foley interjecting:

Mr WILLIAMS: I will be incredibly nice to the Treasurer, who has told us that two of the most important things to South Australians are health and education. I want to spend

a little of my time this evening—perhaps all of my time—talking about health and education in my electorate, or perhaps putting the case to the Treasurer about the lack of health and education provided by the state in my electorate.

I will come to school buses in a moment, because that issue has been taking up a fair amount of my time in a number of communities over the last few weeks. However, I would first like to talk about Bordertown Primary School, one of the schools in my electorate. Unlike a number of country communities, Bordertown has seen an incredible growth in the number of young people in the town over the past few years. Bordertown has a population of 2 000 or 3 000 people. The local kindergarten regularly has a client population of approximately 80 children. Since I have been the local member—although I have not been responsible for this fact—the population of the primary school has grown to approximately 400 students, and I am told that by the end of this year it will 617. That is quite extraordinary for a small country town.

Mr Goldsworthy interjecting:

Mr WILLIAMS: A 50 per cent growth in the last six years, which is quite extraordinary for a small country town. Eighteen months ago, a large building was transferred from Murray Bridge to Bordertown and placed on the site to try to accommodate the students at that school. When I visited the school recently, I was told that, at the end of last year, when the student population was about 600, the school had 1 250 square metres less than it was entitled to for a school with its student population. To put that in context for members, that would be equivalent to about eight classrooms.

The school does not need eight classrooms, but it would be damn handy to have three, four or five classrooms. It would be incredibly handy to have some increased space in some of the other areas in the school. The school staff have no area, outside of the staff room, to prepare their lessons and their work. There are very limited spaces in the school for small groups, particularly one-on-one activities with individual students or small groups of special students. The resource centre is far too small for a school of this size. In fact, I would argue that a school of that size probably needs two resource centres, as I was told that it is unlikely that every class can have a single lesson in the resource centre each week.

That is the reality for the staff, students and parents at the Bordertown Primary School. It is a school that is seriously under-resourced. However, it is one of the most magnificent primary schools in the state. About three years ago, the University of South Australia conducted a program on the fitness levels of primary school students in our state education system, and Bordertown came out as having the fittest student population in the state—

Mr Goldsworthy interjecting:

Mr WILLIAMS: Primary school—not only was it the fittest student population in the state, but the students were about 30 per cent fitter than those in any other school in the state. That is a credit to the staff, students and the parent community in that school. It is a fantastic school. Not only do the students excel in all types of sport and physical fitness, but also it is a very good school which produces great young people in that community.

A new physical education teacher arrived at that school at the beginning of this term. It was that teacher's first school, so she did not start teaching until the Wednesday. It just so happened to be raining on the Wednesday of term one in Bordertown this year. The teacher arrived at the school, but

there was no classroom for the teacher to take a physical education class. She was told that her classroom was out on the school oval, even though it was raining that day. This is a serious problem at Bordertown.

It is great to see that some money has been allocated in the budget for capital upgrades at a number of schools across the state. However, no money is being spent on capital works in any school in my electorate. There are approximately 28 public schools in my electorate and two or three private schools, but not one cent is being spent on capital works in any school in my electorate. Bordertown Primary School is the most deserving and I can assure the house that there are many other deserving schools, high schools and area schools in my electorate.

Let me talk about school buses. An incident occurred in one school community recently and a number of parents contacted my office saying that their kindergarten children were unable to access the school bus because they were ineligible. There were six ineligible kindergarten students and there were only four seats left on the bus, so all of them were told that they could not go on the bus. The good news about this story is that the situation has been resolved and those students all have a seat on the bus at the moment.

The point I want to make is that the Labor Party's web site and the platform it took to the last election indicates that the Labor Party believes that every kindergarten student in South Australia should have equitable access to a kindergarten. That is not happening in the country, particularly outside the towns, because kindergarten students are deemed to be ineligible to travel on school buses. That means that, in a large number of rural communities, children are unable to get to kindergarten without their parents travelling in and out of the town. In the group who met with me were 16 mothers from a little community at Western Flat, which is about 30 or 40 kilometres south of Bordertown. One mother had to travel 400 or 500 kilometres a week to deliver her two children to and from kindergarten. I wish the Treasurer would read again the policy statements that he and his cabinet colleagues made prior to the last election.

One of the buses to Naracoorte travels in from Lochaber and picks up about 19 students on the run. When it gets close to Naracoorte, a number of students it could collect are deemed ineligible for the bus because they are within five kilometres of the closest school. However, they live outside the town limit and there is no bikeway or path along the Riddoch Highway for them to use to get to school. They are ferried to school by their parents in a motor car. Those students have been deemed ineligible to hop on the school bus because they live within five kilometres of the local school.

The local road safety group, the local council, the local police and the local school communities have all deemed that it would be unsafe for these children, about 20 of them, to be forced to find their own way along that major highway to school. Not only is the highway busy but it lacks a bikeway or footpath so they would have to walk or ride their pushbikes on the highway. It also goes past a plantation forest and some native scrub and a number of parents have told me that they think it unsafe for small children to walk through or adjacent to that forest to and from school, and I share their concerns.

The department decided that, because half the children on the bus are ineligible, the large bus, which has enough seats for all the children, would be taken off the run and the contractor has been given a contract for a small, 22-seat bus, and now these children have no way of getting to school. In

its magnanimity, the government, through the office of public transport, has offered to sort out the problem by getting another bus operator in the community to provide a fee-for-service bus for these students. Parents have contacted me saying that they are going to be charged \$30 and \$40 a week to get their two or three children to and from the local school. By my calculations, they will be paying something like 30 per cent more than if they lived in the city of Adelaide and their children used the public transport system in the metropolitan area. However, the bus service that has been provided by the office of public transport is being subsidised by the taxpayer. The Education Department should take the same dollars—they come from the taxpayer but go through a different agency—and subsidise the existing bus contractor.

The Hon. K.O. FOLEY (Treasurer): What can I say? The member for Reynell summed it up best when she said, and excuse me for misleading the house if I get this totally wrong and slightly embellish it, that this was a great budget by a great Treasurer. If I have somehow misled the house, I am sure that you will cut me some slack on that one. I have welcomed the contribution from all members in this debate, particularly my colleagues who have been so supportive of me throughout my career of Treasurer and so embracing of everything that I have wanted to do for the state economically and financially. I could not have done it without the support of all my colleagues who have given me the courage and motivation to do what I have done.

If I thought that anything I was doing was not to their satisfaction, I would not have done it, but I knew that deep down they endorsed the approach that we were taking. In all seriousness, I suspect that my colleagues are as annoyed with me as members opposite from time to time. I would like to go into a fairly lengthy analysis of the criticisms that I have had to listen to, and I begin by saying that it is understandable that members would think they could do a better job than I have, because that is certainly the view of all my cabinet colleagues. However, ultimately I am the Treasurer.

Members interjecting:

The Hon. K.O. FOLEY: The Minister for Infrastructure says that that is not his view because he is my mate. Seriously, it has been a good debate. These are ultimately judgments by the government as to how we allocate resources. Everyone has a view about how we should allocate them.

The only point I make tonight is that, whilst I have heard a lot of criticism (and that is understandable and expected), I have not heard a lot of alternatives. The opposition has not put forward an alternative blueprint. When you put a budget together, it is the best decision set that the government can come up with. An opposition is entitled to be critical—

An honourable member interjecting:

The Hon. K.O. FOLEY: Yes; exactly. I say that an opposition that purports to be an alternative government must give an alternative budget. I do not think that, in the scheme of things, it is good enough just to be highly critical. The opposition is expected to be and is entitled to be, and that is understandable, but it must give an alternative budget if it is a fair dinkum, alternative government. However, the opposition has not done so. The only thing I have heard from the Leader of the Opposition is that we should spend more, cut taxes and balance the budget. Those three things do not compute. I am not sure how you spend more with less income, yet balance the budget.

If you do not want to balance the budget, you should say so, but you have not. If you want to cut taxes further, you

should nominate those taxes and tell us how you that will be funded and what services you will cut to correspond with the tax cut. If you are going to spend more, you should tell us where you are going to spend more, what you will cut and what taxes you will raise. These are the answers that alternative governments must give. If you are not prepared to give them tonight, tomorrow, or the next day, judgment day will come.

I can assure members that, at some point in the lead-up to the next election (and it may be that we have to wait until the election campaign), they will have to fess up. Whilst the Leader of the Opposition's criticisms of the budget are expected (because that is politics), they have not been able to put together a coherent, alternative budget. That is a great disappointment, as I would have hoped that an alternative budget could be presented. However, it has not.

I will suffer, withstand and deal with the criticisms. However, I think a genuine opposition would have been prepared to put an alternative budget on the table. The shadow minister for finance shakes his head, but I say this for his benefit: if your policy is as your leader has enunciated—that is, that you will spend more, tax less and balance the budget—it is voodoo economics. It is up there with John Spehr's economic analysis of the world. It is, as I say, voodoo economics.

An honourable member interjecting:

The Hon. K.O. FOLEY: No. Ultimately, at some point the opposition will have to sort this out, and I will ensure that the media, whose job it is to probe the opposition, will keep the pressure on. It has been a good and healthy debate and a good budget. I thank the house for its support.

Motion carried.

The Hon. K.O. FOLEY (Deputy Premier): I move:

That the proposed expenditures for the departments and services contained in the Appropriation Bill be referred to Estimates Committees A and B for examination and report by Thursday 24 June 2004, in accordance with the timetables, as follows:

ESTIMATES COMMITTEE A

WEDNESDAY 16 JUNE AT 11 AM

Premier

Minister for Economic Development

Minister for Volunteers

Minister for Arts

Minister for Social Inclusion

Minister Assisting the Minister for the Arts

Department of the Premier and Cabinet

Administered Items for the Department of the Premier and Cabinet

State Governor's Establishment

Arts SA

Auditor-General's Department

Administered Items for the Auditor-General's Department

Department of Trade and Economic Development (part)

Administered Items for the Department of Trade and Economic Development (part)

House of Assembly

Joint Parliamentary Services

Legislative Council

THURSDAY 17 JUNE AT 11 AM

Minister for Police

Minister for Emergency Services

Minister for Correctional Services

Minister for Employment, Training and Further Education

Administered Items for the Attorney-General's Department (part)

South Australia Police

Administered Items for Police and Emergency Services

Department for Correctional Services

Department of Further Education, Employment, Science and Technology (part)

FRIDAY 18 JUNE AT 9.30 AM

Attorney-General

Minister for Justice**Minister for Consumer Affairs****Minister for Multicultural Affairs****Minister for Youth****Minister for Status of Women**

Attorney-General's Department (part)
 Administered Items for the Attorney-General's Department (part)
 Courts Administration Authority
 Administered Items for Courts Administration Authority
 State Electoral Office
 Department of Human Services and Department for Families and Communities (part)
 Administered Items for the Department of Human Services and Administered Items for the Department for Families and Communities (part)

MONDAY 21 JUNE AT 11 AM

Minister for Transport**Minister for Urban Development and Planning****Minister for Science and Information Economy**

Planning SA
 Administered Items for Planning SA
 Transport Services
 Administered Items for Transport Services
 Transport Planning
 Office of Public Transport
 TransAdelaide
 Offices for Sustainable Social, Environmental and Economic Development (part)
 Department of Further Education, Employment, Science and Technology (part)

TUESDAY 22 JUNE AT 11 AM

Minister for Health**Minister for Families and Communities****Minister for Ageing****Minister for Housing****Minister for Disability Services**

Department of Human Services and Department for Families and Communities (part)
 Administered Items for the Department of Human Services and Administered Items for the Department for Families and Communities (part)

WEDNESDAY 23 JUNE AT 11 AM

Minister for Environment and Conservation**Minister for the River Murray****Minister for the Southern Suburbs**

Department for Environment and Heritage
 Administered Items for the Department for Environment and Heritage
 Environment Protection Authority
 Department of Water, Land and Biodiversity Conservation
 Administered Items for the Department of Water, Land and Biodiversity Conservation
 Offices for Sustainable Social, Environmental and Economic Development (part)

ESTIMATES COMMITTEE B

WEDNESDAY 16 JUNE AT 11 AM

Treasurer

Department of Treasury and Finance (part)
 Administered Items for the Department of Treasury and Finance (part)

THURSDAY 17 JUNE AT 11 AM

Minister Assisting the Premier in Economic Development**Minister for Infrastructure****Minister for Energy****Minister for Aboriginal Affairs and Reconciliation**

Office of the Venture Capital Board
 Department for Administrative and Information Services (part)
 Administered Items for the Department for Administrative and Information Services (part)
 Department of Treasury and Finance (part)
 Administered Items for the Department of Treasury and Finance (part)
 Department of Primary Industries and Resources (part)
 Administered Items for the Department of Primary Industries and Resources (part)

FRIDAY 18 JUNE AT 9.30 AM

Minister for Industry, Trade and Regional Development**Minister for Mineral Resources Development****Minister for Small Business**

Department of Primary Industries and Resources (part)
 Administered Items for the Department of Primary Industries and Resources (part)
 Department of Trade and Economic Development (part)
 Administered Items for the Department of Trade and Economic Development (part)

MONDAY 21 JUNE AT 11 AM

Minister for Education and Children's Services**Minister for Tourism**

South Australian Tourism Commission
 Minister for Tourism
 Department of Education and Children's Services
 Administered Items for the Department of Education and Children's Services

TUESDAY 22 JUNE AT 11 AM

Minister for Administrative Services**Minister for Industrial Relations****Minister for Recreation, Sport and Racing****Minister for Gambling**

Department for Administrative and Information Services (part)
 Administered Items for the Department for Administrative and Information Services (part)
 Department of Treasury and Finance (part)
 Administered Items for the Department of Treasury and Finance (part)
 Independent Gambling Authority

WEDNESDAY 23 JUNE AT 11 AM

Minister for Agriculture, Food and Fisheries**Minister for State/Local Government Relations****Minister for Forests**

Department of Primary Industries and Resources (part)
 Administered Items for the Department of Primary Industries and Resources (part)
 Department of Trade and Economic Development (part)
 Administered Items for the Department of Trade and Economic Development (part)
 Department of Treasury and Finance (part)
 Administered Items for the Department of Treasury and Finance (part)

Motion carried.

The Hon. K.O. FOLEY: I move:

That Estimates Committee A be appointed, consisting of Mr Caica, Ms Chapman, Ms Ciccarello, Hon. R.G. Kerin, Mr O'Brien, Mrs Redmond and Hon. R.B. Such.

Motion carried.

The Hon. K.O. FOLEY: I move:

That Estimates Committee B be appointed, consisting of Ms Bedford, Hon. I.F. Evans, Mr Goldsworthy, Mrs Hall, Mr Koutsantonis, Mr Rau and Ms Thompson.

Motion carried.

STATUTES AMENDMENT (BUDGET 2004) BILL

Adjourned debate on second reading.
 (Continued from 27 May. Page 2286.)

The Hon. I.F. EVANS (Davenport): I will not hold the house long, but I want to make some comments in relation to this bill, which deals with the minor taxation changes proposed by the government as part of the budget. A number of minor or modest changes are proposed, the first being payroll tax, the changes to which will take effect from 1 July this year. In the budget, the payroll tax rate has been slightly reduced from 5.67 per cent to 5.5 per cent. Naturally, we support that change. Of course, when in government we reduced the payroll tax rate and, from memory, we also lifted the threshold from \$450 000 to the current level. I note that, on this occasion, the government has not moved to change the threshold—perhaps that is for another day.

As I understand the briefing given to me by the minister's officers (I thank the officers for that briefing), the payroll tax changes affect only 505 000 business in South Australia out of—

The Hon. K.O. Foley: 5 500.

The Hon. I.F. EVANS: Yes; that is right—5 500 business out of the 70 000 businesses in South Australia. So, most of the small businesses receive no gain at all from the payroll tax reduction. According to the briefing we have received, the 5 500 businesses that gain a benefit from the modest payroll tax reduction cover some 56 per cent of private sector employment. So, we do not wish to criticise the payroll tax measures too heavily. It is a modest reduction and we would encourage the government to continue to look at other reductions in the future, to make sure that we are cost-competitive in our employment costs with our near neighbours, Victoria, New South Wales and the like. The way I read the budget papers, the government will still collect \$8 million more in payroll tax this year than it projected last year due to wages growth. So, even though it has attempted to reduce the rate, it will actually collect more. So, the business community out there will still be paying more payroll tax this year than it did last year, and my understanding is that the net effect for government is basically of no effect, because the agencies pay it and then they are reimbursed, so there is really a net effect in relation to government.

The other taxation and stamp duty changes that are mentioned in the bill include, from memory, the repeal of cheque duty, which was part of the inter-governmental agreement signed in 1999. As I understand it, it was always the intention that these duties would be wiped out as part of the GST agreement. The government, of course, is claiming the credit for doing it, but the reality is that the inter-governmental agreement was signed in 1999. The total amount of taxation measures in this bill is about \$360 million. About \$180 million of the reduction is the result of measures signed in the inter-governmental agreement in 1999. The cheque duty happens to be the first one that I am mentioning in this contribution.

Other areas where there are some reductions or the elimination of taxation charges include lease duty. From memory, I think all land and building leases pay a lease duty, and that is essentially being removed. We have a banks debit, which is also being eliminated from 1 July 2005 as part of the inter-governmental agreement. Mortgage duty is being affected; that was also part of the inter-governmental agreement, and again that is for first home owners, as I understand it. The last area I wish to make some comment on is stamp duty or, as those in the profession call it, conveyance

duty, in relation to first home owners. The changes that the government made here are not big and, in actual fact, the South Australian first home owner will still be paying significantly more in stamp duty than in other eastern states jurisdictions—in some examples, up to \$9 000 more in stamp duty for first home owners. When you build that into the loan and pay interest on that \$9 000 amount over the course of the loan, say a 30 year loan, that extra cost to the South Australian first home owner adds up to being tens of thousands of dollars that an interstate first home owner would not pay.

So, while we are supportive of some small, modest relief in this budget for first home owners, we suspect that the government will be making a larger announcement closer to the election that will bring us into line with the eastern states and, of course, the electorate has every right to be cynical about why they would leave that reform to a closer date to the election. So, the opposition will support these taxation measures. We are pleased that at least some of the costs to South Australian families and businesses have been reduced. This is a government with an extra \$750 million over the next four years as a result of the GST. It has not significantly reduced the taxation burden on businesses or families throughout this budget, and we suspect that it might do that at this time next year, when it will be only 10 to 12 months out from the March 2006 election. With those few comments, we support the bill.

The Hon. K.O. FOLEY (Treasurer): I thank the honourable member for his contribution. As I said earlier, it is a judgment issue as to what choices we had available to us. We had a limited amount of money available for tax cuts. We have chosen the cuts that we are putting forward to the house. I wish we could do more; I hope over time we can, but this is all we could afford in this budget. I commend the bill to the house.

Bill read a second time.

The Hon. K.O. FOLEY (Treasurer): I move:

That this bill be now read a third time.

The Hon. I.F. EVANS (Davenport): We have asked the Treasurer's officers to give us details on what the impact of raising the threshold to \$550 000-\$600 000 would be, and the officers have agreed to provide that to the opposition between the houses.

Bill read a third time and passed

ADJOURNMENT

At 11.08 p.m. the house adjourned until Thursday 3 June at 10.30 a.m.