

HOUSE OF ASSEMBLY

Tuesday 8 March 2005

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

WATTLE RANGE COUNCIL

The SPEAKER: Pursuant to section 131 of the Local Government Act 1999, I lay on the table the annual report for 2003-04 of the Wattle Range Council.

PAPERS TABLED

The following papers were laid on the table:

By the Minister for Environment and Conservation (Hon. J.D. Hill)—

Dog and Cat Management Board—Report 2003-04

By the Minister for Administrative Services (Hon. M.J. Wright)—

Occupational Safety, Rehabilitation and Compensation Committee—Minister's response to the Committee's Report on the Occupational Health, Safety and Welfare (SafeWork SA) Amendment Bill

By the Minister for Agriculture, Food and Fisheries (Hon. R.J. McEwen)—

Adelaide Hills Wine Industry Fund—Report 2003-04

Langhorne Creek Wine Industry Fund—Report 2003-04

McLaren Vale Wine Industry Fund—Report 2003-04

Riverland Wine Industry Fund—Report 2003-04

By the Minister for Consumer Affairs (Hon. K.A. Maywald)—

Regulations under the following Act—

Liquor Licensing—Dry Areas—Millicent.

DRUG DRIVING

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

Leave granted.

The Hon. M.D. RANN: Today the government is taking another step to address the serious drug issue in our community with the zero tolerance approach to drugs and driving.

Members interjecting:

The SPEAKER: Order, the member for Bright!

The Hon. M.D. RANN: They were in government for 8½ years and did nothing. It is called the black hole of democracy—8½ years and three premiers.

Members interjecting:

The SPEAKER: Order! The member for Bright, for the second time.

The Hon. M.D. RANN: This has been a long-standing commitment of this government, which began with the first action I took as Premier in consulting with the community by holding the 2002 Drugs Summit. Our community bears the cost of drug use in health care and welfare services and specifically through road accidents. Drug driving is a serious and growing road safety problem. This is the next stage in the government's tough stance on drugs and road safety and complements existing drink driving initiatives. A bill to have a zero—

Members interjecting:

The SPEAKER: Order! The Premier has leave.

The Hon. M.D. RANN: I am very happy to compare our record with yours on law and order any day of the week. You are soft on crime and soft on—

Mr BRINDAL: I rise on a point of order, Mr Speaker. I believe the Premier was given leave to make a ministerial statement, not to enter into debate. I seek your clarification as to whether any member at any time can withdraw leave if the government continues to abuse the privilege of making a ministerial statement.

The SPEAKER: No; only the chair can do that.

Mr BRINDAL: As a point of order, I draw your attention to the fact that the Premier is straying into debate.

The SPEAKER: Notwithstanding the observations of the member for Unley, which are in themselves valid but ought not to be taken out of context or isolation from the fact, the Premier is merely responding to the cacophony of interjections coming from amongst the colleagues of the honourable member.

Mr BRINDAL: Mr Speaker, you have ruled many times that responding to cacophonies is itself disorderly.

The SPEAKER: And I have called for order on many occasions during the course of this statement; and I will entertain no further points of order from the member for Unley for the duration of the statement. The Premier, by the grace of all members, has been given leave to make a statement and will be heard in silence.

The Hon. M.D. RANN: Thank you, sir. A bill to have a zero tolerance attitude to drugs and driving has been released today and is now out for consultation. Drivers who purposely get behind the wheel under the influence of drugs create a danger to both themselves and other road users. The proposed South Australian drugs and driving package is comprehensive, and includes:

- random roadside testing using saliva (taking a zero tolerance approach for the two most prevalent drugs in crash victims, namely, amphetamines and cannabis);
- driver behaviour triggered testing;
- analysis of drugs in the system of fatally and seriously injured drivers to inform future action; and
- a public education campaign regarding the dangers of drugs and driving.

In the proposed random roadside saliva drug testing scheme, SAPOL will perform up to 9 000 tests in the first 12 months. Any changes to the scheme will come as a result of the evaluation of that first 12 months of operation. In 2004, South Australian data showed that 28 per cent of fatally injured drivers or motorbike riders tested had cannabis, amphetamines or both in their system—28 per cent of people killed had drugs in their system.

Under the draft bill, police will be given the powers to conduct random roadside drug tests, using oral fluid and blood. People who use drugs and drive now face detection and penalties. The police drug saliva test will detect recent use of two types of drugs—cannabis and amphetamines. If the roadside test is positive, police will conduct either a further saliva test or a blood test. As I mentioned, last year 28 per cent of drivers and motorcycle riders killed on our roads tested positive for either cannabis or other illicit drugs in their blood at the time of the crash. This compared with the five year average between 2000 and 2004 of 29 per cent of drivers and riders killed on South Australian roads being over the legal blood alcohol concentration limit of .05; in other words, we have almost equal amounts of people killed on the roads—28 per cent with drugs in their blood and 29 per cent with alcohol.

Recent surveys by AAMI and the RAA revealed disturbing statistics in relation to driving under the influence of drugs. The AAMI survey found that as many as one in four South Australian drivers surveyed under the age of 25 admitted to getting behind the wheel after taking drugs. The RAA reported in its survey of 16 to 25 year olds that one-third of young people surveyed in the metropolitan area admitted they or their friends drive while affected by drugs. Our priority is to reduce the road toll, and the message is clear: you cannot drink, speed or take drugs while in charge of a vehicle in South Australia.

PLEWS, Mr J.A.

The Hon. K.O. FOLEY (Deputy Premier): I seek leave to make a ministerial statement.

Leave granted.

The Hon. D.C. Kotz interjecting:

The Hon. K.O. FOLEY: No wonder they want to knock you off your seat, Dorothy. The government has decided to offer a reward of up to \$100 000 for information that leads to the apprehension and conviction of the person or persons responsible for the disappearance and presumed murder of Jason Andrew Plews. The police have advised that Mr Plews (aged 34) was reported missing by police on 17 January 2002. He was last seen at a Para Hills address on 24 November 2001. Mr Plews was suspected by police to be involved in the dealing and use of amphetamines. Police also suspect that Mr Plews had acquired a substantial debt as a result of his drug activity.

The police believe that threats had been made towards Mr Plews in the lead-up to his disappearance. He was assaulted on 21 November 2001 requiring a hospital visit. Despite considerable local media publicity and extensive inquiries by investigators, the circumstances surrounding the disappearance of Mr Plews remain unclear. It is hoped that the reward, to be paid at the discretion of the Commissioner of Police, will encourage anyone with information about the disappearance of Mr Plews to contact police.

QUESTION TIME

ALLEGATIONS, INVESTIGATION

Mrs HALL (Morialta): My question is directed to the Premier. Given the statement by the Minister for Police to parliament on 13 October 2003 that it was a Rann government minister who was the subject of allegations of inappropriate behaviour in the south parklands, has the Premier discussed those claims with the minister in question and, if so, has he satisfied himself that his current ministerial team does not contain any member who does not meet the standards of the Premier's own ministerial code of conduct?

The Hon. K.O. FOLEY (Deputy Premier): As Minister for Police I addressed the issue at the time, a year ago. The police, as I indicated yesterday, are examining any new information provided by you, sir, and I have full confidence that the police will conduct inquiries with appropriate diligence and will advise me and, ultimately, the parliament in due course. As was said a year ago, those claims were found to be unsubstantiated. If there is any more information to be provided, the police will advise the government in due course. Without wanting to unnecessarily prolong my answer, yet again I express my disappointment that members opposite

would choose to play politics in what is clearly, in my mind, as I have said in this place previously, the lowest form of politics one could expect. I would have thought that the member for Morialta was above that type of conduct.

STATE HOUSING PLAN

Ms CICCARELLO (Norwood): My question is to the Minister for Families and Communities. How does the housing plan for South Australia address the needs of people with a disability?

The Hon. J.W. WEATHERILL (Minister for Families and Communities): It was with great pleasure that yesterday I announced the first ever comprehensive State Housing Plan. The plan directly addresses one of the important South Australian Strategic Plan targets, that is, to increase the number of community-based living options for people with disabilities. Members would be aware that one of the centrepieces of the plan was the requirement that for new substantial housing estates we will be trying to achieve the 5 and 10 per cent for high needs and affordable housing components. It is crucial that there is an acknowledgment that every suburb—not just some suburbs—needs to play its part in providing for high needs housing.

We are in an enlightened era where people with disabilities expect to participate in community life. They expect to live in homes so that they can have associations with their families. If they cannot live with their families, it is important that they live in suburbs where their families can access them: not in institutions where their families never visit them but in the community; places where they can have their own space, where they can feel part of and be connected to our community. Our plan centrally is directed at achieving that, and the innovation fund will also drive new places for those people. Importantly, in addition to the sums that were mentioned in the plan, we devote an immediate injection of \$4.7 million to drive new group homes and supported accommodation for people with disabilities.

These plans build on the work already under way in Strathmont, Minda and Julia Farr to provide more community-based accommodation. There is one remark that needs to be clarified. It was suggested that our plan would not allow for clustered housing solutions. That was put by the member for Heysen in a media release. I do not know where she got that from: it is certainly nothing you could glean from the plan. It is precisely the sort of innovation that we would expect to see driven as part of our housing plan.

We are very well aware of the needs of people with disabilities and aware of the demands that people in the disability service sector have for a high number of placements within the community for people with a whole range of disabilities. This plan is about delivering housing in our community that caters for the needs of the whole of our community. It has been very well-received by developers and by Shelter SA. We believe that we can work in collaboration with the whole community to achieve these outcomes.

ALLEGATIONS, INVESTIGATION

Mrs REDMOND (Heysen): My question is to the Premier. In the light of yesterday's announcement that police have reopened their 2003 investigations, what guidelines does the Premier apply in relation to ministers who are the subject of police investigations?

The Hon. K.O. FOLEY (Minister for Police): As I indicated in my previous answer, the Premier has a code of conduct that upholds the highest standards of ministerial accountability. Claims made against an MP were found to be unsubstantiated. But this Premier conducts, expects and demands the highest accountability, unlike members opposite, whose cabinet ministers leaked to the opposition regularly. I can see some smiling faces on the front bench as I give this answer.

WOMEN'S SAFETY STRATEGY

Ms BEDFORD (Florey): My question is to the Minister for the Status of Women. What is the government doing to address women's safety issues in our community?

The Hon. S.W. KEY (Minister for the Status of Women): I wish you, Mr Speaker, and members of the chamber, a happy International Women's Day. Today, the government released its strategy, Our Commitment to Women's Safety, following public consultations held across the state. Over 100 submissions were received as part of the process. Despite some progress, women still continue to suffer domestic violence and sexual assault. The Institute of Criminology tells us that as many as 57 per cent of Australian women experience physical or sexual violence at least once in their lifetime, and one in three has experienced sexual violence by the time they are 16.

The government believes, as, I am sure, do members of the opposition, that women have the right to be safe from violence and to live free from fear. Our Commitment to Women's Safety sets out a five-year strategy for tackling violence against women in this state and includes initiatives that will be taken up over the next six months. The first initiative is a \$100 000 community education fund. Local community groups are invited to apply for grants of up to \$10 000 each to develop strategies relevant to their local communities. I particularly impress upon members to encourage their electorates to think about education strategies they can use that are appropriate for our own electorate. Other initiatives being introduced this year include:

- working with women's services to identify ways of strengthening the effectiveness of domestic violence restraining orders;
- developing better methods of assessing the risk of violence against women and identifying ways of reducing violence in the workplace;
- distributing information about domestic violence, indigenous family violence and sexual assault; and
- working with the media, with a view to improving community attitudes about violence against women, including community service announcements promoting respect for women.

The women's safety strategy builds on other government policies, including:

- the establishment of a South Australia Police Sexual Crime Investigation Branch. The branch has already introduced electronic recording of statements to minimise the trauma experienced by victims who report sexual assault and is developing a project to prevent rape and sexual assault for people with a mental illness;
- funding new accommodation facilities in the south and north-eastern suburbs for women and children fleeing domestic violence;

- the provision of 10 or more houses to provide accommodation for families who are homeless or fleeing domestic violence;
- violence intervention programs, operating from Elizabeth and Adelaide magistrates courts; and
- boosting the availability of vulnerable witness facilities and court companions to the courts.

I am also delighted to announce the recent appointment of Robyn Layton QC and Anne Vanstone as judiciary to the Supreme Court and also recognise the recent appointment of women to the District Court. I commend the women's safety strategy to the house and look forward to the cooperation of members to ensure that we have a local initiative education program that suits our own area.

Mr HANNA (Mitchell): I have a supplementary question. In the women's safety document, to which the minister has just referred, it states:

The Rann Labor government will focus its work over the next five years in the following areas. . .

Is the truth of that statement conditional on any event?

The Hon. S.W. KEY: I am not sure whether I understand the drift or the comment of the member for Mitchell, but a lot would depend on the government being re-elected, of course. I think that this is yet another good reason to re-elect a Rann Labor government.

PATIENT ASSISTED TRANSPORT SCHEME

The Hon. DEAN BROWN (Deputy Leader of the Opposition): Will the Minister for Health revise the guidelines of the Patient Assisted Transport Scheme (PATS) for reimbursement of travel from country areas to see a doctor so that, if the travel occurs but the doctor cancels the appointment, the reimbursement of travel and accommodation costs will still occur? Ms Sara Sorensen of Lucindale has twice travelled to Adelaide for appointments at the Royal Adelaide Hospital, which were cancelled then at very short notice, but after she had arrived in Adelaide. Twice Ms Sorensen has been refused PATS payments because she was not able to see the doctor, and therefore get the form signed.

The Hon. L. STEVENS (Minister for Health): The Patient Assisted Transport Scheme is a very important scheme which enables country residents who need to travel to have doctor's appointments to get some reimbursement for those costs, and sometimes it also provides compensation for overnight stays. The government increased the amount of money going into this very important scheme in the last budget for country health services. In relation to the matter that the deputy leader raises, I think he has an important point. I am very happy to look into it, and I will follow up the particular case that he mentioned and, also, whether this is occurring more widely. I will bring an answer back to the house.

ENCOUNTER BAY MARINE PROTECTED AREA

Mr CAICA (Colton): My question is directed to the Minister for Environment and Conservation. What action is being taken to protect the rich biodiversity of the marine environment between Fleurieu Peninsula and Kangaroo Island?

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for Colton for this important question, and I acknowledge his great interest in coastal issues. This area of water and coastline, including the

turbulent waters of Backstairs Passage, is amazingly rich in biodiversity. This area is home to an Australian sea lion breeding colony which contributes to the largest breeding colony of Australian sea lions in the world; it is also home to iconic and protected fish species such as the western blue groper and the leafy sea dragon; and to 100 species of marine and coastal water birds, some of which are listed on international bird treaties and are considered rare or vulnerable in South Australia. The area is also a significant gathering point for southern right whales.

Given the rich biodiversity, it is an area that deserves careful management. That is why I announced today that the 2 400 square kilometre stretch of water will become South Australia's first marine park under the state's new system of marine protected areas. Areas within the marine park will be zoned for use, including sanctuary zones where fishing is prohibited, and special purpose areas dedicated to activities such as aquaculture. Under South Australia's strategic plan, a total of 19 protected areas, otherwise known as marine parks, will be established across the state. The system will deliver greater protection to our very important marine areas whilst offering certainty for groups including fishers and tourism operators. The government is actually delivering on this.

The Hon. I.F. Evans interjecting:

The Hon. J.D. HILL: The member for Davenport interjects. He was part of a government which was in power for 8½ years which did none of this. This is a government which is actually delivering on this commitment. Most activities such as recreational and commercial fishing, tourism operations and diving, to name but a few, will still be allowed within the marine park. However, in order to protect significant habitat species and ecological or cultural features, there will be particular zones or periods of time where some activities will not be permitted. There will be extensive community consultation over the zoning of the Encounter Marine Park. I would like to thank local members of the Encounter MPA Consultative Committee who helped develop the draft zoning plan. Future marine parks will also include significant public input. I table a copy of the draft zoning plan.

CHILDREN IN STATE CARE

Mrs REDMOND (Heysen): My question is to the Minister for Families and Communities. How many nights in motels or caravan parks were paid for to accommodate children in state care in the past 12 months? What has been the financial cost? I have been contacted by a former foster carer advising that the department regularly lacks sufficient carers and has to resort to accommodating children in motels and caravan parks.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I am very pleased to get this question, because the answer is a considerable number less than occurred prior to our recent injection in the last budget of \$3 million to purchase 10 new houses around the whole state and an additional \$5 million to employ workers in those houses to ensure that children coming into alternative care have places to go where they can be stabilised prior to moving into foster care. This is one of the key requests that came to us from those who are working with children in the alternative care sector. They said that there was an immediate need to deal with crisis accommodation for children who were moving from their families, but where placements had

not yet occurred, or where the children were in such a state that they needed urgent therapeutic intervention before they were placed with families.

The importance of that lies in making sure that we do not have multiple placements. It means that children who have been taken from their homes where they have been abused can be taken to a place where they are stabilised, so that when they do go to a placement it has some hope of succeeding. We know that multiple placements are incredibly damaging for children who have already been through the experience of abuse. We were very pleased to announce in the last budget 10 extra homes and \$5 million extra, so the number of stays for children in hotel and motel rooms with their carers—which is regrettable—has been reduced considerably.

REDESIGNING HEALTH CARE INITIATIVE

Ms THOMPSON (Reynell): Can the Minister for Health inform the house about the Redesigning Care Initiative and outline the impact it is having on the delivery of health services at Flinders Medical Centre?

The Hon. L. STEVENS (Minister for Health): I am delighted to answer this question. I was very pleased this morning to give the opening address at the first Australasian Redesigning Health Care Summit, which is being held in Adelaide. Redesigning Care aims to address two major service delivery issues in hospital care. They are meeting the demand for emergency services and, secondly, meeting the demand for elective surgery. The patient journey through hospital from admission to discharge has been systematically mapped, reviewed and redesigned. The aim is to eliminate duplication and delays, to redesign the patient flow to ensure that every step adds real value and improve outcomes for patients and also for staff.

The fascinating thing about this initiative is that it applies principles from the car manufacturing industry to improve the delivery of health care. At the core of this approach is refining the delivery of care and putting patients at the centre of the health care process. This is about simplifying the processes, identifying which part of a process adds value to patient care, coordinating the different parts of patient care so that it flows more smoothly and eliminating unnecessary duplication. I am pleased to inform the house that the results so far, particularly at Flinders Medical Centre, have been impressive.

Since the start of the Redesigning Care process in late 2003, Flinders has made remarkable improvements in outcomes while at the same time coping with increasing demands. For example, elective surgery cancellations due to problems with bed availability are down 83 per cent. The number of patients who wait more than 12 hours in the emergency department before getting a bed in a ward has been reduced by 32 per cent. The number of patients who desire to leave the emergency department without seeing a doctor has decreased by 41 per cent. The average time spent in the emergency department by patients who do not need to be admitted to hospital has fallen by 30 minutes from four hours to three and a half hours.

The hospital has treated 9 per cent more adult overnight elective patients. The number of unplanned readmissions to hospital is down 11 per cent. More recently, there have been significant achievements related to medical admissions including a dramatic decrease in the number of patients who are not accommodated in the ward designated for their specialty. All this has occurred over the same period when

Flinders Medical Centre saw presentations to the emergency department increase by 2.6 per cent and overnight adult emergency admissions increase by 2.9 per cent. I have been advised that the Royal Adelaide Hospital has also been applying these principles in its emergency department with similarly good results which, in due course, I will bring to the house in more detail.

The Redesigning Care initiative has already begun delivering some very good outcomes, but we acknowledge that we are only just at the beginning of being able to really explore these improvements, and there is still much more work to do. The government will continue to work hard to improve access to health services for the people of this state as part of its stated commitment of rebuilding health services in South Australia.

CHILD ABUSE

Mrs REDMOND (Heysen): My question is to the Minister for Families and Communities. Will the minister apologise for referring to young people who were in the care and guardianship of the state as 'human wreckage'. The minister used this description in answer to a question from me on 8 December 2004. An organisation called Foster Proud has been formed by young people currently or formerly in state care to lobby the government over timely and practical changes to the state care system. That organisation has placed an advertisement in the South Australian print media asking the minister to publicly apologise for his comments.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I take members back to the context, because it will not reflect well on those asking these questions. The context was criticism of the Special Investigations Unit, an initiative of this government that has been investigating allegations of paedophilia against foster carers. That Special Investigations Unit has been dragging people up before it and some of those people are before the courts. Not surprisingly, we now hear criticism of the Special Investigations Unit. Most alarming of all, we hear the echoes of those criticisms in this chamber coming from that side of the house. This government stands resolute about destroying this evil in our community. I repeat—it stands resolute—and those opposite with ridiculous questions like this simply lend their voice to the cause of those who seek to undermine us.

ATTORNEY-GENERAL'S DEPARTMENT

Mrs GERAGHTY (Torrens): Will the Attorney-General inform the house whether he is aware of any excessive expenditures on artworks within his department?

The Hon. M.J. ATKINSON (Attorney-General): A question was asked last week by the member for Bragg about a request made of the former chief executive of the Justice—

Mr BRINDAL: I rise on a point of order. Mr Speaker, have you not previously ruled that it is a discourtesy to get a Dorothy Dixier asked in what is clearly a response to a question previously asked in this house?

The SPEAKER: Does the honourable member for Unley refer to a particular instance? If so, on what day and in which context was the question formally put?

Mr BRINDAL: Sir, I think my colleague, the member for Bragg, asked the question so she will speak about it, I am sure.

Ms CHAPMAN: I am happy to rise on a point of order, sir. The basis of the complaint is that the minister is using

question time to respond to a question asked by the opposition on a prior date, and you have previously expressed a ruling that question time ought not be wasted in responding to a question asked by another member of the parliament.

The SPEAKER: Can the member for Bragg state the day and the context in which the inquiry was first made by herself?

Ms CHAPMAN: I cannot, but it was certainly in the last two weeks.

The SPEAKER: Can the honourable member for Bragg state the context? Was it during the course of question time or in debate on a bill?

Ms CHAPMAN: In the course of question time I inquired about a \$30 000 purchase by the government in relation to artwork, and the minister was attempting to answer his question by commencing with, 'On inquiry by the member for Bragg', or, 'On a question from the member for Bragg'. So, he has clearly identified the question I asked.

The SPEAKER: Whilst the member for Bragg's inquiry, by her own remark, was about a particular purchase for \$30 000 and that such a question as sought information about purchases plural, in general, makes a substantive difference, I nonetheless believe that the Attorney-General may, therefore, answer the question put to him by the member for Torrens in this instance. I remind the house, of course, that if such information is sought, when it is obtained by the minister it ought to be provided to the honourable member forthwith and not become the subject of an additional inquiry by another member—whether of the same political persuasion as the minister or the same political persuasion as the member who first asked the question.

The Hon. M.J. ATKINSON: Mr Speaker, the matter was also canvassed in another place and became a matter of public conjecture. It was suggested that the request was made by me, of all people.

Members interjecting:

The Hon. M.J. ATKINSON: As the Minister for Infrastructure says, I am a Philistine; what would I know about art?

Members interjecting:

The SPEAKER: Order! All tribes have their own art forms.

Members interjecting:

The Hon. M.J. ATKINSON: It is not the only thing the Hon. Diana Laidlaw used to call the member for Bright. The Minister for Aboriginal Affairs and Reconciliation indicated that he had spoken to Ms Lennon soon after the Labor Party got into government in 2002 and asked her to consider purchasing some South Australian Aboriginal art for his department. The Minister for Aboriginal Affairs and Reconciliation did this to support local indigenous communities, four of which had joined together to form a cooperative to market their art. The minister indicated, on 28 February, that he did not believe that anything had come of the request.

I have since received advice from my department that states:

It appears this bid was only raised verbally as part of the 2003-04 internal budget discussion. No funding was provided from the Crown Solicitor's Trust Account for this issue.

The Hon. J.D. Hill: It should be orally.

The Hon. M.J. ATKINSON: There is a serious error in there: it should, of course, be (as the Minister for Environment and Conservation interjects) 'orally', not 'verbally'.

Members interjecting:

The SPEAKER: Order! Verballing is strictly out of order.

The Hon. M.J. ATKINSON: We all know the difference between oral hygiene and verbal diarrhoea. The assertion in the press release put out by the Leader of the Opposition on 28 February, where he claimed that it was a fact that \$30 000 was transferred from one government department to another to purchase artwork, is not a fact and, like so many other facts uttered by those opposite over the course of the Crown Solicitor's Trust Account investigations, is nothing more than a falsehood. I refer the house to Mr Michael Jacob's article in the latest edition of the *Adelaide Review*. Well might the member for Davenport look downcast.

I have nevertheless discovered what I consider to be one odd arrangement for artwork within my department. On 1 June 2002 an agreement was entered into between my department and an artist, whom I will not name, for the hire of an artwork to adorn the office of the chief executive, Ms Kate Lennon. At a cost of just \$1 200 a year, not including the cost of insurance and lawyers fees to execute the contractual document, the department hired a \$6 000 artwork for Ms Lennon's executive office. Even more interesting is what happened to that artwork on Ms Lennon's departure.

An honourable member: Tell us.

The Hon. M.J. ATKINSON: Well, I shall tell you, then; the member has persuaded me. There is a document dated 3 March 2004 (we have heard that date before, haven't we?) that encloses a contractual agreement for a further 12-month hire of the artwork. But, wait, there is more. The document states:

Before her departure, Kate Lennon indicated her requirement to continue the hire of this artwork.

Despite Ms Lennon's leaving my department to head up Families and Communities, she was so impressed by this particular artwork that she signed an agreement to pay another \$1 200 to keep it in my department after her departure. So, there you have the great artwork saga. The Leader of the Opposition was quite right—

The Hon. DEAN BROWN: I rise on a point of order, Mr Speaker. The minister is now clearly trying to debate the issue. Therefore, I raise a point of order under standing order 98.

The SPEAKER: The deputy leader needs to reflect upon the precise nature of the inquiry that was made by the member for Torrens in asking the question, which has been interpreted by the minister rather more quaintly perhaps than in most instances, but it is not outside the ambit of the inquiry. However, I again suggest that the way in which to deal with these matters is not through question time but rather through a far greater allocation of time after question time is over to debate issues of importance of the day.

The Hon. M.J. ATKINSON: They do not like it, Mr Speaker, but they are going to get it, anyway. The Leader of the Opposition was absolutely right in his press release of 28 February 2005 that there was some sort of Alladin's cave in my department. If I might continue—

Members interjecting:

The SPEAKER: Order!

The Hon. DEAN BROWN: I rise on a point of order, Mr Speaker. That is clearly absolute debate in terms of talking about the Leader of the Opposition. Therefore, I again raise my point of order under standing order 98.

The SPEAKER: I uphold the point of order.

GUARDIANSHIP

Mrs REDMOND (Heysen): Will the Minister for Families and Communities consider increasing the age to which the government will provide care and support for young adults who are currently under his guardianship until the age of 18? I have been contacted by a constituent expressing grave concerns about a 17-year old formerly under her care as a foster carer and under the minister's guardianship who clearly lacks the capacity and skills to survive unassisted if simply released from guardianship when he turns 18. In New South Wales, I understand leaving care support continues until the young person is 25.

The SPEAKER: Notwithstanding the interest, the last point made by the member for Heysen is also debate.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): This at the very least is an intelligent question. The Layton review considered this whole question and recommended that the relevant legislation be amended to consider the extension of the requirements for the care of children to age 25 in keeping with some of the activities in other states. Certainly, at the moment, we do take our responsibilities to children leaving care seriously. The Minister for Youth has a particular trust fund, the Dame Roma Mitchell Trust Fund (which I think she established and which our government has certainly supported with additional resources), which is about ensuring that kids leaving the care of the minister do have appropriate support to make that transition to independent living.

However, there is no doubt that more could be done. We have unashamedly concentrated on children from birth until 18 as our first responsibility—and there is much to be done there. Our first priority was to look at ensuring that we got that right. Of course, there is much to be done for those children leaving care. We do provide support to them in the form of accommodation, and we are continuing to think of ways in which we can provide additional support. Many children leaving care do retain relationships with departmental workers and, indeed, their former foster carers and remain part of that extended family, but, in some cases, that is not necessarily the case. I acknowledge that is an area to which we need to pay attention, and we will be giving it our attention.

GAMBLING, PROBLEM

Ms RANKINE (Wright): Will the Minister for Gambling update the house on the ways in which the government is tackling problem gambling?

The Hon. M.J. WRIGHT (Minister for Gambling): The government is committed to providing positive assistance to the community to tackle problem gambling. As members would be aware, this government introduced historic legislation to reduce gaming machines in this state by 3 000. I am able to advise the house that we are on track to achieve the reduction in machine numbers. The regulations have been the subject of consultation with industry and key stakeholder groups and should be finalised by the end of March. Once the regulations are proclaimed, a trading round will be held to enable venues wishing to adjust the number of gaming entitlements they hold to do so before the cut takes effect. The way will then be clear for the immediate reduction of approximately 2 200 gaming machines, with the remainder to be given up in the course of subsequent trading rounds.

Gaming machine cuts are not the only way the government is working to reduce problem gambling. The government has provided funding of \$100 000 to the Independent Gambling Authority to produce a gaming machine information booklet. The booklet (titled 'The pokies: Before you press the button know the facts') will be distributed in *The Advertiser* on Wednesday of this week, the lead-up to Gambling Awareness Week starting next Monday 14 March. A follow-up distribution will occur via the *Sunday Mail* on 3 April to coincide with a further round of the 'Think of what you are really gambling with' media campaign timed to coincide with Gamblers Rehabilitation Week starting on Monday 4 April.

Additional copies of the publication will be available through the Department for Families and Communities and at Break Even counselling agencies. I can also advise the house that I am looking forward to launching a Break Even initiative in Whyalla on 15 March during Gambling Awareness Week.

RAIL, NOARLUNGA EXTENSION

Mr BROKENSHIRE (Mawson): Will the Minister for Transport advise the house whether a feasibility study into the extension of the railway line from Noarlunga to Seaford and/or beyond to Sellicks has been undertaken and, if so, did the study show that the extension would be viable?

The Hon. P.L. WHITE (Minister for Transport): I am not sure what feasibility study the honourable member refers to and I am not sure where he gets his information but, obviously, as a state, the government looks at all our rail network, its efficiency and its state, on a continuing basis. So, if he is talking about a particular feasibility study it is possible, but I am not aware of it.

NATIONAL AWARDS FOR QUALITY SCHOOLING

Mr KOUTSANTONIS (West Torrens): My question is to the Minister for Education and Children's Services. Did any South Australian schools, teachers or principals achieve recognition in the 2004 National Awards for Quality Schooling?

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for West Torrens for his question and his support for the teaching profession in South Australia, because he knows the difference it makes to many young people's lives. I am very pleased to inform the house that we did extremely well in the recent awards. As members know, there has been a long history of innovation and leadership from our school principals as well as our kindergarten directors but, in any case, other teachers show leadership and innovation within our schools, often developing new programs and methods to teach some children who otherwise might have been at risk or struggling.

I am particularly pleased to see that in the 2004 National Awards for Quality Schooling we have had some stand-out achievements, with recognition of very innovative and original activities as well as leadership within our public school sector. Ms Wendy Teasdale-Smith won the Best National Achievement by a Principal Award for her innovative work as principal of Parafield Gardens High School. Wendy, as many people know, has now moved to Aberfoyle Park and she maintains a strong voice for public education and shows leadership throughout the sector. In addition, Ms

Karen Cornelius of Reynella East CPC-7 school was highly commended for national achievement by a principal for her work to improve learning and relationships between students and teachers. Urrbrae Agricultural High School received a high commendation for Mr Dean Cresswell's work in the National Achievement by a Teacher category, particularly for promoting rural occupational health and safety education in schools.

South Australia has a commitment to improving educational outcomes but recognises that, to do this, we have to support teachers in their endeavours and commend them and encourage them, and we have worked towards this by having our historic leaders convention in Adelaide this year where we brought together all leaders from primary and secondary schools and preschools to look at issues of relevance to the community and schools. I am very happy to say that those schools that were particularly noted for outstanding whole-school achievements were Berri Primary School, Davoren Park Primary School and Lockleys North Primary School. We also congratulate Munno Para Primary School, Croydon High School, Banksia Park International High School and Callington Kindergarten which were highly commended for their achievements. I congratulate and applaud all these outstanding achievements, these great schools and these fabulous teachers.

CORELLAS

The Hon. G.M. GUNN (Stuart): My question is directed to the Minister for Environment and Conservation.

Members interjecting:

The Hon. G.M. GUNN: Yes, and the question concerns corellas. I ask the minister: what action is the government—

The Hon. P.F. Conlon: Would you like them shot, trapped or clubbed?

The Hon. G.M. GUNN: Both.

Members interjecting:

The Hon. G.M. GUNN: The lot—three. If I may continue, Mr Speaker, I realise there is a great deal of interest in this subject, so I ask the minister: what action is the government taking to reduce the number of corellas which are currently in plague proportions in the Quorn, Hawker, Wilmington and Melrose area, and will he assure the house that adequate resources will be provided so a solution can be found to deal with this difficult problem? The minister may not be aware, and I am sure the Deputy Premier is not aware—

The Hon. M.J. Atkinson: Feel free; don't be brief.

The SPEAKER: Order! The honourable member's question is about corellas, not galahs.

The Hon. G.M. GUNN: And I will allow you, Mr Speaker, to interpret where they are. I ask the minister, by way of explanation, to take into account the considerable damage that these birds are causing to the gum trees in the creeks and surrounding areas, making it very difficult for people who wish to reside in the caravan parks.

The SPEAKER: Order! The honourable member ought not to engage in debate.

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for Stuart for his question; he is well known as an animal welfarist and a great advocate for native species in South Australia. The reality is that, in the time that Europeans have been in South Australia, we have cleared something like 90 per cent of the vegetated areas of the agricultural parts of our state. That has quite

dramatically changed the balance of nature. One of the things that happens, of course, is that we lose lots of species of animals and birds, and many species of birds are threatened or vulnerable or rare in South Australia as a result of that loss of habitat.

On the other side of the coin, of course, there are some species that do very well as a result of land clearance, and the corella is one of those species. The corella has become quite dominant in parts of the state as a result of the land clearance that has occurred and the farming practices in those areas. The scourge of the farming district is, in fact, a result of farming occurring on such a large scale. So, the issue is who should be responsible for dealing with the problem: should it be the people responsible for creating the problem or should it be the taxpayers? In fact, it is a balance between those two.

At the moment, as I understand it, farmers have a right to kill those birds if they are causing pest problems on particular farms, and I know that some farmers go out and shoot and do other things to remove them. My department, the department of environment, works with local councils and other community groups to try to come up with strategies to deal with these issues—and, as the member for Mawson knows, in the Old Noarlunga area there have been particular problems, and the department has worked with the council to come up with local solutions. But there is no quick remedy.

There are thousands of these birds, and they breed very readily because of the circumstances that have been created by good farming conditions. So, we just have to manage as best we can. Through the natural resource management process that is being rolled out at the moment, there may well be the capacity to do more at a local level. I encourage the member to talk to local officers about this issue. If there are any other things that can be done to reasonably deal with the issue, I am happy to take them up on the member's behalf.

CHILDREN IN ALTERNATIVE CARE

Mr SNELLING (Playford): My question is to the Minister for Families and Communities. How is the government improving services to children in alternative care?

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I thank the member for his question. Of course, children in alternative care are amongst the most vulnerable children in our society. They have often been let down by their families and their communities—

An honourable member: And governments.

The Hon. J.W. WEATHERILL:—and governments, but not by this government. This government, in fact, has devoted substantial additional resources. I spoke earlier, in answer to a question, about our commitment to the 10 new alternative care houses and the therapeutic support for them. However, we have also done a number of other things. We have increased the number of annual reviews that are now completed within a 12-month period. It had fallen to an appallingly low state under the previous government. We are now on track to complete 100 per cent of those annual reviews, which are crucial to ensuring that we are carefully monitoring the welfare of these most vulnerable children.

We have also made a real commitment to innovative practice in various agencies. The development of a guardianship officer role that is being trialled in one agency is an example. We are also running inter-agency forums, such as the Shared Learning and Development Forum, which is about opportunities for shared knowledge from different sectors involved in the care and protection of these children. We also

have established a priority access to government services framework for guardianship children.

I recently met with facilitators of the CREATE Foundation, an organisation which provides opportunities for children and young people in care. I must say that these young people, many of whom have had personal experience with the system, are very impressive. They provide an excellent service and role model for children in care. I was gratified to receive confirmation from these facilitators that the improvements in this system of alternative care are already being noticed.

These changes represent real changes and improvements in the lives of children and families in alternative care. We have a long way to go to restore confidence in this system. The alternative care system has been through some very rough years. People still speak about the disastrous alternative care tender arrangements that were presided over by the member for Flinders—it has become folklore within the alternative care sector—but we are gradually rebuilding this system, which is under real pressure. We believe our reforms are working.

METROPOLITAN FIRE SERVICE

The Hon. W.A. MATTHEW (Bright): My question is to the Minister for Emergency Services. What has the minister done in response to the WorkCover audit's criticism of a fire evacuation exercise conducted at the headquarters of the South Australian Metropolitan Fire Service? Information provided to the opposition under a freedom of information request reveals that the audit showed that a fire alarm evacuation procedure conducted at the fire brigade headquarters on 11 November 2003 did not conform with the service's own standard operating procedure No. 38.

The Hon. P.F. CONLON (Minister for Emergency Services): I do not have anything on that with me. I will get an answer and bring it back for the honourable member, as I am sure he is interested in this.

MAGILL YOUTH TRAINING CENTRE

Mrs HALL (Morialta): Will the Minister for Families and Communities advise the house when the government will relocate the Magill Youth Training Centre? When asked this question following the 2004-05 budget the then minister advised the house that the matter of the centre's relocation was being evaluated. Neither I nor the house have received further advice regarding this relocation.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I have had an opportunity to inspect the Magill campus, and I must say there are some very fine views of Adelaide from up there. Sadly, I saw a news clipping on the wall which indicated that I think the first time this redevelopment was spoken about was in 1971. That was the first time that this redevelopment was mooted, so plans have been around for a long time. Like all matters of this sort, this issue will be dealt with in the context of budget deliberations, and I am not at liberty to disclose that process. As soon as a firm decision is made by this government on this matter, we will communicate that to the house, and we will make sure that the member for Morialta is given a special briefing, as she is the local member.

Mrs HALL: Has the state government either put the land up for sale or sold the land at Montague Road, Cavan, which

was specifically purchased for the construction of a youth detention centre as a replacement for the Magill centre?

The Hon. J.W. WEATHERILL: I do not know the answer to that question off the top of my head. I certainly have not seen any transaction of that sort in the time that I have been minister. I would be very surprised if that were the case, but I will check for the honourable member and bring back a reply.

GAMBLERS REHABILITATION FUND

Mr BROKENSHIRE (Mawson): Will the Minister for Gambling explain why an additional payment of \$2 million to the Gamblers Rehabilitation Fund, as implemented in legislation in the parliament recently, has been delayed for over a month? The Premier stated in a press release of 1 February 2005:

From today, the state government's extra \$2 million payment to the Gamblers Rehabilitation Fund kicks in.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I take the question as the Minister for Families and Communities. The Gamblers Rehabilitation Fund falls within my area of responsibility. This was a bit of semantics that the Hon. Nick Xenophon was working on in another place. He appeared outside my office with a big cheque, and the day after the commitment of the money he was there saying, 'Where's the money?' There was one small problem. In the course of the debate the Liberal Party suggested that it was not confident about the way in which the GRF funds were being spent, so it required and insisted upon the Independent Gambling Authority undertaking a review of the spending of those resources.

The Liberal Party upstairs seems to have trouble communicating with the Liberal Party in this place. We would have thought that before we started committing moneys we would at least pause to reflect upon the concerns raised by the other place and on the resolution before the house asking us to consider the future deployment of funds. These are substantial additional funds that this government has put into problem gambling.

Members interjecting:

The Hon. J.W. WEATHERILL: I am not so sure it is the parliament. I think it is the government that procures the funds to put into the Gamblers Rehabilitation Fund. If I remember my constitutional history, I am almost certain that there is a need for executive government to be involved in the devotion of funds to administrative purposes. This government has put more money into the Gamblers Rehabilitation Fund than those opposite could ever have imagined. We will deploy it with some intelligence.

I can tell the house about a provider who came into my office in the weeks leading up to this debate—one who I understand members opposite have endorsed from time to time—and said that he would be alarmed to think that we would be spending the additional funds set aside for gamblers' rehabilitation until there had been a serious look at the current system. He had some serious criticisms of the current system and he had a view that the way we were spending the money was not necessarily achieving outcomes. I make no comment on his observations. I directed him to the Independent Gambling Authority and invited him to make his submissions, and no doubt he will. We will be guided by the recommendations of the Independent Gambling Authority.

When midnight ticks over, I do not think tripping into the office and starting to write cheques is a sensible way of

dealing with the expenditure of public money. We will reflect upon the criticisms of the fund and make devotion of those resources. The money is there. It has been voted by the parliament, it is committed and will be devoted to the alleviation of problem gambling.

ADELAIDE FESTIVAL CENTRE

Mr HAMILTON-SMITH (Waite): Why has the budget deficit at the Adelaide Festival Centre blown out by 46 per cent in the past 12 months to more than \$3.6 million, and why have attendances dropped by tens of thousands over the past three years?

The Hon. M.D. RANN (Premier): The honourable member would be aware of the considerable correspondence going around *The Advertiser* on this issue. I will give him a detailed report so that he does not embarrass himself.

Mr HAMILTON-SMITH: While the Premier is on the job, why does the Adelaide Festival Centre now require \$8.2 million of taxpayer grants from the arts budget and why are there seven employees—an increase of one—earning over \$100 000 when the Premier claimed that he was going to slash the number of fat cats on the government payroll?

The Hon. M.D. RANN: The honourable member is usually calling on us to provide bucketloads of extra cash to various projects, parties and everything else he has in mind, but I will certainly pass on to people in the arts community his feelings towards them, and I am sure it will be reciprocated.

WOMEN'S HEALTH WORKER, KANGAROO ISLAND

The Hon. L. STEVENS (Minister for Health): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L. STEVENS: Yesterday in the house the member for Finnis asked me a question about the position of a women's health worker on Kangaroo Island. I undertook to get back to the house with information on this issue. I have since been informed by my department that the women's health worker position to which the member for Finnis refers was a one-day per week position. This position has since been redefined and is now linked to a domestic violence worker position. It will now be a two-day a week position, allowing for better resources and community accessibility to the worker. This position has been to the Women's Health Advisory Group and is due before the classification panel next Tuesday.

GRIEVANCE DEBATE

WATER CONSERVATION

The Hon. D.C. KOTZ (Newland): When we live in the driest state on the driest continent in the world we need to be serious about water conservation. We need a government which is serious about the principles and long-term advantages of responsible water usage; a government which encourages and promotes water conservation from government

agencies, business and the community. Water is a finite resource and, as populations grow and pressure on water reserves are increased, water conservation and long-term planning strategies will become the most serious issue facing future generations. Meeting that challenge will depend on escalating environmental risks facing our rivers and catchments, as well as Adelaide's increasing thirst for water.

Unfortunately, the Labor government is sending mixed messages about its commitment on water conservation, which causes me to question whether anything the government says can be viewed as reliable. In December a draft strategy entitled *Waterproofing Adelaide* was released. It has been vaunted as a government initiative that seeks to establish a blueprint for the management, conservation and development of Adelaide's precious water resources to 2025. It is an admirable aim but it is too bad that the rest of the cabinet colleagues of the Minister for Housing forgot to inform him on the direction the government was taking. On 8 November 2004 the minister was not even remotely interested in the issue of saving water at Housing Trust properties.

New Housing Trust units at Hectorville have effectively doubled the water collecting capacity of existing units, but when asked why the rainwater tanks of this property could not be fitted with taps, in order to allow residents to recycle rainwater, the minister instead resorted to kindergarten antics, which demeaned him, this government and this house. The minister seemed to display disdain for a policy of recycling that rainwater, yet just five months earlier, in reply to a question from the member for Unley, the minister said:

The Premier has made a commitment to the introduction of a range of sustainability initiatives, including mandatory plumbed rainwater tanks on all new homes.

Further, on 27 May 2004 the Minister for Housing stated:

In the Housing Trust we are always looking at the design of our houses to make sure they are water sensitive and to ensure that we capture whatever stormwater and rainwater we can.

Well, that is a contradiction of amazing proportions. The Premier wants plumbed rainwater tanks yet the minister is quite happy for rainwater to flow straight into the stormwater system. It seems that when the Premier makes a decision, he should either inform the Minister for Housing about sustainability issues or forbid the minister from making statements from a position of ignorance. Even the Minister for Environment and Conservation disagrees with the Minister for Housing. On 2 March he said:

The value of rainwater tanks depends not so much on the presence of the tank itself but how that tank is used.

The fact that the Premier—

The Hon. J.D. Hill interjecting:

The Hon. D.C. KOTZ: Absolutely! The fact that the Premier and the Minister for Housing differ over the importance of water conservation shows the stark reality that this government will say and do anything as long as it can get a positive response from the media. The formation of a long-term water sustainability proposal should be one of the most important initiatives ever undertaken by any government.

The draft strategy proposes reducing annual mains water demand so that by the year 2025 consumption could be about 35 000 megalitres less than it would otherwise have been. Maybe the next time the Labor government discusses water conservation someone should inform the Minister for Housing that the best way to reduce demand on mains water is to increase the use of stored rainwater; and adding taps or plumbing to existing rainwater tanks on South Australian

Housing Trust properties allows residents to access water that is currently just being flushed through the stormwater system.

I am just thankful that the Minister for Housing was not involved in the process of *Waterproofing Adelaide*, otherwise the 48 page draft strategy would have ended up as a pamphlet. In this instance, we have Bib and Bub the cabinet men: Bib says, 'Install tanks and save water'; Bub builds houses, installs tanks and does not save water. It is extremely important that any draft strategy is implemented as a result of serious consideration and the response of ministers of this government. The Minister for Housing (who has the charge and responsibility for Housing Trust units) builds units at the current time and takes absolutely no notice at all about the sustainability of water practices within those units.

SKILLS SHORTAGE

Ms THOMPSON (Reynell): Like the member for Colton yesterday, I was stunned to read in both *The Advertiser* and *The Australian* the comments of the Prime Minister in relation to Australia's current skills shortage. In an article appearing in *The Advertiser*, the Prime Minister, John Howard, states:

Parents who pressure their children to study at university rather than to go and learn a trade are to blame for the national shortage of skilled workers.

An article appearing in *The Australian* states:

John Howard has urged young people to consider quitting school in year 10 to pursue careers in traditional trades in response to the nation's growing shortage of skilled workers.

The Prime Minister, together with the Hon. Brendan Nelson, is involved in the most disgusting attempt to blame parents and children for his failure to address a training policy over the past eight years. I have heard many times the Prime Minister boast about the increase in traineeships under his government. What he has failed to acknowledge—and, from this week's comments, he seems simply not to understand—is that the increase in traineeships was very much at the expense of traditional apprenticeships and the arrangements that have long been in place to support traditional apprenticeships.

Also, he seems not to have learnt that today's traditional apprentice often—in fact, almost always—needs more than year 10 in order to qualify for an apprenticeship. Apprenticeships in electronics require, to the best of my recollection (and, I am sure, the minister can confirm), year 12. If it is not required as a precondition, it is required for success. I have had many discussions with TAFE lecturers who have told me that their biggest problem is that the young apprentices come to them with insufficient grounding in maths, physics and often chemistry in order to undertake the required courses.

Many registered trade workers are no longer working because the qualification they achieved many years ago (like my father who did his plumbing certificate) no longer equips them to deal with the complexity of trades in today's atmosphere. Often we think only of the plumber who comes to fix our sinks and drains when they are blocked. We do not think of the plumber who is involved in work on multistorey buildings, which requires the interpretation of very complex plans and a wide set of understanding about how the plumbing structure of that building relates to other structures.

I get so angry with people who talk about children being forced to go to university and how they should not have to do this when I look at the figures pertaining to my own area. In Morphett Vale, 18.8 per cent of the work force has a trade

qualification. This compares with 15.7 per cent of the Adelaide Statistical Division. What we do not know is how many of those people are currently able to use that trade qualification and whether those who are not have been given the support to upgrade their skills. Evidence recently to the Economic and Finance Committee indicated anecdotally that only about half the people who hold trade qualifications are currently using them. We have 18.8 per cent with a trade qualification undertaking, as we all acknowledge, extremely important work in our community.

We have 8.3 per cent of the work force in Morphett Vale with a university qualification, compared with 18 per cent for the Adelaide Statistical Division. Do the Prime Minister and the federal Minister for Education really think that parents in Morphett Vale should be discouraging their children from going to university?

Mr Brokenshire interjecting:

Ms THOMPSON: The member for Mawson says that he has been taken out of context. That is simply not true. Neither Brendan Nelson nor the Prime Minister has ever said that parents in wealthy eastern suburbs should not send their children to university but send them to trade school instead. Never have they said that.

Time expired.

ASBESTOS, REMOVAL

Mr SCALZI (Hartley): Today I wish to talk about asbestos removal. It is timely, given the increasing responsibility going to local government and the Premier's commitment to dealing with victims of asbestos. Lately, there has been considerable discussion regarding increasing responsibilities of councils and cost shifting to local government. Today I wish to highlight an instance where local government has been obliged to become involved and incur costs in a matter in which local councils neither have the requisite expertise nor are provided with additional funding for such work from the state government. This situation arose as a result of a tragic shooting in November last year and a subsequent arson attack at a property in my electorate.

In December, an elderly neighbour contacted my office with concerns that burnt asbestos sheeting dislodged from eaves of the home had not been appropriately dealt with but were still lying in the open. He also contacted Burnside council and was advised that the council had inspected the site and barricaded it off but that it was not qualified to identify such materials. He had contacted the EPA but felt that it had wiped its hands of the matter. I am advised that the EPA is unwilling to take responsibility in such matters due to cases in the past where costs have been incurred without recovery. Therefore, it referred the matter back to council to deal with the issue of trying to recover costs from the owner.

Had it been a business site, Workplace Services could have acted, but it was a private home and, as such, it is the home owner's responsibility to deal with materials posing potential public risk. However, this case was from the outset clearly not usual and the owner unlikely to promptly address such obligations. In February, the neighbour advised my office that, although there had been some cleanup, a pile of asbestos material was still visible adjacent to his fence. He was very anxious and very angry at the apparent lack of procedures in place for such cases.

Whilst I understand that we cannot absolve private owners from their responsibilities, there clearly should be provision to identify risk, to inform immediate neighbours and to

arrange professional removal of hazardous materials where the owner is clearly unable to do this in a timely manner, being either deceased, overseas, incapable through a mental health issue or with criminal proceedings pending, etc. Clearly, there should be prompt advice and education for those affected, to allay unwarranted fear. Ultimately, the matter was addressed by the efforts of Burnside council and the goodwill of the insurer. Had this been a house, rather than part of a strata group, the property may not have been insured at all.

Clearly, the EPA should be provided with dedicated funds for such unusual cases. Given the Premier's ministerial statement on 22 September last year on the government's 100 per cent support for asbestos victims, one would not expect to see the cost and responsibility shifting that has occurred in this case. As it stands, the government's tough talk on asbestos has not translated into EPA funding but has left an elderly neighbour traumatised for months and the local council addressing a situation without appropriate expertise or support. Surely, if the government were serious about dealing with the problem of hazardous asbestos in the community, it should put its money where its mouth is. The Premier should do more than stick to rhetoric, as has occurred in this and other cases in my electorate, where, due to infill, asbestos housing has been demolished and concerns have been raised. Proper procedures need to be put in place to ensure that the community is at least educated in the dangers and informed when it is at risk of such buildings being demolished.

VACCINATIONS, CHICKENPOX AND POLIO

Ms RANKINE (Wright): As it is International Women's Day, the topic I want to address today is very appropriate, because I think that there is nothing more important to women, no matter where they come from, than the health of their children. Today, South Australian women, families, and those wonderful people who work in our children's services, can celebrate the success of our campaign to force the federal government to provide chickenpox and inactivated polio vaccines for our children. The campaign started 18 months ago here in South Australia, when the federal government refused to provide pneumococcal, chickenpox and inactivated polio vaccines as recommended by its own technical advisory group and the National Health and Medical Research Council. There is little doubt that the federal government hoped that no-one would notice—a great miscalculation and an indication of how little it really knows about families and what is important to them.

The member for Mawson has said that the Prime Minister is his hero, but the Prime Minister does nothing for families unless he is forced into it. Make no mistake, the federal government is not as family friendly as it likes to make out—a point I made last week when I spoke about the child-care rebate system it has implemented. The federal government is a fake, and families know it. They know that it will not act to support them or care for their children until it is found out and shamed and forced into action. It was the support of South Australian parents for our local campaign that forced the federal government to fund pneumococcal vaccine for newborn babies.

We can again claim credit for this latest about-face by the federal government in relation to the chickenpox and inactivated polio vaccines. I first wrote to Tony Abbott about his lack of action in relation to these vaccines in July last

year. I also wrote to the member for Mawson's hero, the Prime Minister. I will not have to take up any of the precious time available to discuss this issue in detailing those responses, because there were none. While they did not bother to reply, that did not deter us from our cause—that is, to ensure the health and wellbeing of our children.

In May last year, the federal Labor Party announced funding for all recommended vaccines for newborn children. Instead of following suit, in June 2004 the federal Liberals thought they could get away with funding just pneumococcal vaccine. Again, it hoped no-one would notice but, again, it got it wrong. Again, I wrote to federal and state MPs and children's services here in South Australia. Again, I received strong support from even Mr Howard and Mr Abbott's colleagues but, most importantly, from South Australian parents. Once again they rallied around, and once again we have seen that persistence and determination pays off.

There are, on average, 240 000 cases of chickenpox in Australia each year, which result in 1 500 hospitalisations, and seven deaths; preventable deaths from a preventable disease. The federal government sat on its hands for 18 months. I am delighted, however, that it has finally come to its senses and is now going to fund the vaccine; it is certainly about time. For far too long the federal government has simply disregarded the health and wellbeing of our babies.

I have always been passionate about issues concerning the wellbeing, health, and development of our children. I was passionate as a young mum and confess to being quite protective of my little brood. My children are now adults, but I now declare a vested interest. As *The Advertiser* reported today, just under a week and a half ago, I became a grandmother for the first time with the birth of a beautiful little girl, Olivia Lynn. I apologise to my colleagues for last week floating around this place on cloud nine, totally obsessed with this tiny being. I managed to turn every conversation within five minutes into my grand-daughter, even when discussing a building design for industrial premises. So, this week I will try to contain my enthusiasm just a little, but there is no getting away from the fact that I want the best for her. I want the best for all our children and I am committed to ensuring that that happens. It would be really nice to have a federal government that was also genuinely family friendly, not simply forced into action when it is found out.

PORT AUGUSTA, RIOTS

The Hon. G.M. GUNN (Stuart): I want to respond to some of the ill-informed criticisms that have been made against the City of Port Augusta, its City Manager, and the police in relation to their bringing about a set of circumstances which allow ordinary citizens to go about their business without having their privacy or their property vandalised, and other antisocial activities. All this criticism has failed to recognise one very important factor: what about the victims of this antisocial behaviour? What about the people who have had their motor cars stolen, their homes broken into, their property vandalised, and the general community wellbeing in the street disrupted at all hours of the night with this sort of behaviour? Do these people who are criticising the police, the City Manager and the council recognise that other people have rights? Do they recognise that, in a decent society, ordinary law-abiding people going about their business are entitled to the protection of the law?

They are entitled to expect that their properties are not going to be vandalised, and that they can live in their homes and not have people breaking into them in the middle of the night, stealing their motor cars, and intimidating or threatening them. This sort of behaviour is unacceptable. The action taken by the police is a result of grave concerns expressed by the community. Where are the people who talk about this on radio and others who have attacked this particular course of action coming from? I wonder what they really think the police should do. Do they think that ordinary citizens should sit idly by and not complain? I wonder where these people are, where they are living, and what they think is right, proper and just.

A long letter was written to *The Transcontinental*, and it was signed by one of the representatives of the Aboriginal community. In this three-column letter little or no thought was given to the victims. At the end of the day, I do not care who it is. If your fences are smashed down, your letterboxes are pulled out, and people are on the roof at 2 o'clock in the morning, do you not think that people are going to get upset, particularly where elderly people are concerned for their safety? The police are doing their sworn duty to protect those people, and if it is necessary to bring in specialist police then so be it. That is why we pay the police, and that is why we have a professional police force. So, I am quite happy to go on the public record. I support the action taken by the Commissioner, by the Regional Superintendent, and by all other people involved, as I believe the majority of people at Port Augusta would also, because they are sick and tired of this behaviour.

The city has other great opportunities, and the city wants to get on with its life. The place is going ahead. We should be encouraging people to go there; it is a very nice place to live. These few people who are intent on making life difficult for the rest should not be allowed to get away with it. I do not care what Mr Gillespie and other people have to say; if he wants to have these people alongside him, let him have them. Let him put up with what some of these people had to put up with. People who have worked hard, paid their taxes and are living in their homes are entitled to have their privacy and property protected. They should be able to enjoy their homes in the later years of their lives. They should not be terrified, and there should not be all sorts of disgraceful behaviour.

I am very disappointed that there is one group of people who appears to complain about the actions of the police and talk about underprivileged people. There is a need to take some positive action, but we need to have another debate about the Pitjantjatjara lands. Of course, we have to take steps up there to encourage people to go and live there, but we have to create opportunities. While you have the closed-shop arrangements that we have currently, where people cannot go there, you are not going to create opportunities. I put it to you, Mr Deputy Speaker, that, if people in the South Australian community were aware of the conditions in the AP lands, they would be upset and concerned, and they would want to know why we have spent so much money and got so few results.

Time expired.

VICTIMS OF CRIME

Mr HANNA (Mitchell): I bring forward a matter of public importance for those who care about the treatment of victims of crime in our society. I wrote to the police minister after information was brought my attention about the way

South Australia Police were providing resources for victims of crime. I wrote to the minister last October, and he was good enough to write back to me in February this year in relation to the matter. He advised me as follows:

As a result of a review to improve service delivery to victims, the roles and functions of the victim strategy section were devolved to the existing crime reduction section and the newly created specialist sexual crime investigation branch.

That is a nice way of saying that the victim strategy section of SAPOL has been extinguished. It is true that resources have been provided, to a limited extent, in other areas, but let us look more closely at what has happened.

The former victim strategy section, I understand, was staffed with an inspector, a senior sergeant, two sergeants as well as victim contact officers. There was a central approach to victim strategy that involved policy formulation and consideration, and also the training of victim contact officers. It was a central point for any police officer to go to, to receive ideas and information about how to deal with victims. What has happened is that the victim contact officers have been farmed out to local service areas where they report directly to the commander of that area, so the victim strategy approach has been utterly fragmented.

As I understand it, there remains a sergeant in the crime reduction section who deals with all matters concerning victims of crime, but for one person to deal with all of the policy considerations and training actually means a diminution of resources in relation to this important issue. It is also important to note that, as a result of the headlines we have seen over the past couple of years, there have been more resources dedicated to dealing with victims of sexual crimes. This in itself is praiseworthy, but I suggest that it is happening at the expense of victims of other crimes.

So, if you are bashed and you are not the victim of sexual crime, it will actually be harder to get the resources that would previously have been provided through the Victim Strategy Section of SAPOL. Therefore, victim contact officers are in each local service area. They will be involved if there is a sexual offence, but these matters take priority, as I understand it, over other kinds of victims of crime. For country areas, I venture to say that resources are less available than they were when a central unit dealt with victims of crime matters. I place that on the record, and I hope that it is a matter that will be addressed in the budget which we will see in a couple of months' time.

One other matter I will mention briefly is in relation to Cornelia Rau, the woman who was detained for months in the Baxter Detention Centre. I report that yesterday the Senate voted against a Senate inquiry into her detention and other matters relating to our immigration detention system. That is quite shameful, and I am particularly shocked to see that the Democrats voted against that motion, which was put forward by Greens Senator Kerry Nettle. I cannot understand how out of touch the Democrat leadership is with the members of its own party, because I know a good many Democrat members and they feel exactly the same way as I do about the issue of Cornelia Rau and about the detention of refugees generally in this country. It is a disgraceful situation and, regrettably, we do not have confidence in the inquiry initiated by the minister, Senator Amanda Vanstone.

ROAD TRAFFIC (EXCESSIVE SPEED) AMENDMENT BILL

The Hon. P.L. WHITE (Minister for Transport) obtained leave and introduced a bill for an act to amend the Road Traffic Act 1961; and to make related amendments to the Summary Offences Act 1953. Read a first time.

The Hon. P.L. WHITE: 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.

Mr Speaker, I rise today to put before the House a Bill that seeks to address a significant road safety issue – excessive speeding on our roads.

This Bill addresses an issue of great concern to the Rann Government, to Police and to the community. It relates to drivers and riders who show scant regard for themselves and other road users and choose to drive at speeds that can only be described as irresponsible and frightening. These people represent a small percentage of the population but they do not deserve the right to be on our roads threatening the lives and safety of the whole community. This Bill withdraws the privilege of driving from those who the Police detect driving 45 km or more over the applicable speed limit.

Excessive speed is a factor in road crashes. Crash data attributes excessive speed as a contributor in around 19 fatalities each year on South Australian roads. Each year just over 60 serious injuries can be directly and incontrovertibly attributed to excessive speed.

The total annual cost to the community of these deaths and serious injuries is estimated to be close to \$100 million with health costs alone in the order of \$25 million.

Data collected by SA Police shows that some drivers travel in excess of 200km/h on country and metropolitan roads.

Over 2003 and 2004, SAPOL issued 931 traffic infringement notices to drivers exceeding the applicable speed limit by 45km/h or more. This is a significant 40 per cent increase over the 2002/2003 figures where 664 traffic infringement notices were issued for this offence. The numbers are rising because a small group of drivers continue to ignore the facts regarding the dangers of speeding.

However, Mr Speaker, the problem is far worse than these figures suggest. Excessive speeding creates a number of road safety problems. The faster a driver is travelling:

- the less time they have to react to danger or emergencies;
- the longer it takes to stop; and
- the greater the risk of serious damage to the speeding vehicle and other vehicles in a crash.

Most importantly, excessive speeding results in serious injury and fatality crashes. This behaviour shows little regard for the safety of other road users. We can no longer allow our community to continue to be endangered by this reckless behaviour.

Research shows that on a road zoned with a speed limit of 60 km/h, for every 5 km/h over 60km/h the crash risk doubles. Each 5 km/h increment causes the risk to double again. Therefore the casualty crash risk for a person travelling 45km/h above the speed limit on an arterial road which is rated at 60km/h is approximately 500 times greater than that for a person travelling at the speed limit.

It is the travelling speed of the vehicle that will determine the likelihood of the driver, passengers or other road users being killed in the event of a crash. Should they survive, the resulting injuries or disabilities are more likely to be extremely serious.

Currently the legislation does not recognise or address the issue of excessive speed or the severity of the trauma caused by this behaviour. Unlike other Australian states, South Australian law does not currently differentiate between offences of speeding at 30 km/h or more from 45km/h. For both these offences the expiation fee is currently the same. The only difference in penalty being that speeding at 45km/h incurs 6 rather than 4 demerit points.

At present, drivers travelling at 45 km/h or more above the applicable speed limit are issued with an expiation notice for speeding unless the officer determines that the circumstances of the offence would sustain a charge of reckless and dangerous driving pursuant to section 46 of the *Road Traffic Act 1961*.

Where it is determined that the evidence would support a

prosecution the driver is summoned to appear in the Magistrates Court. Alternatively, if it is determined that the evidence would not support a prosecution, an expiation notice for speeding is issued to the driver.

Speeds of 45 km/h or more above an applicable speed limit are extreme speeds. To put this into perspective, 45km/h in excess of the speed limit means 105kms/h along roads such as Milne, Grange, Unley and Goodwood roads or 70km/h through a school crossing with yellow flashing lights or 155km/h or more on the Dukes Highway.

Drivers who commit such an offence should be subject to a period of licence disqualification. The immediacy of licence disqualification ensures that these drivers are removed from the road swiftly and not allowed to continue to behave on our roads in a manner that poses a serious risk to not only themselves but to all other road users.

Mr Speaker this Bill:

- defines excessive speeding as exceeding the applicable speed limit by 45 km/h or more and will be applied to all speed limits, including temporarily reduced speed zones, but with respect to the latter, only when one or more workers are present. The threshold point has been set at 45 km/h or above after consideration of the approach in other Australian jurisdictions, and it is consistent with the nationally agreed demerit point schedule which provides 6 demerit points for exceeding the speed limit by 45km/h or more and retains the existing increments within the *Australian Road Rules* for speeding offences which are set in multiples of 15 km/h;
- creates an expiable offence of excessive speeding attracting an expiation fee of \$500, 6 demerit points and an immediate 6 month loss of licence, commencing 24 hours from the time of the offence being detected and the person being issued a notice of disqualification roadside by a police officer using a hand held radar or laser detection or mobile radar device or following and timing the constant speed of the vehicle.

By enabling police officers to personally issue the notice of licence disqualification offenders will be prevented from continuing to drive whilst disqualified and having the defence that the disqualification notice was not received.

In those cases where the offence is detected by a photographic detection device (fixed or mobile speed camera), the disqualification will take effect 28 days after service of the notice on the registered owner or operator.

If the person detected roadside or by a photographic detection device elects to be prosecuted or the Commissioner of Police withdraws the expiation notice, the disqualification ceases until the outcome of the matter is determined by a court.

Where the registered owner or operator nominates by statutory declaration that another person was driving the vehicle at the time of the offence and the subsequent police investigation confirms this, the nominated person will be served with an expiation notice. In these cases disqualification will commence 24 hours after the service of the notice on the nominated driver.

This Bill also:

- creates court imposed penalties for the offence of excessive speeding. This approach to excessive speed is consistent with the measures taken in New South Wales, Tasmania, Queensland and Victoria where a form of automatic licence disqualification for excessive speeding is triggered by the payment of a Traffic Infringement Notice (TIN) or expiation notice;
- increases the court imposed penalties for the offence of reckless and dangerous driving in order to maintain parity between the new proposed offence of excessive speeding; and
- excludes the drivers of police vehicles and emergency services vehicles from the offences of excessive speeding and misuse of motor vehicles when:
 - they are engaged on official duties; and
 - driving with care; and
 - it is reasonable that the provision should not apply;
- and
- the vehicle is displaying flashing lights or sounding an alarm (unless the vehicle is a police vehicle and in the circumstances, it is reasonable for a light not to be displayed or an alarm not to be sounded).

In closing Mr Speaker, we must remember that motorists who choose to travel at 45 km/h or more above the speed limit put other road users at significant risk. The measures contained in this Bill are

designed to safeguard the public by removing from the road, as soon as possible, drivers who pose a serious threat to all road users.

I commend the Bill to Members.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Road Traffic Act 1961*

4—Insertion of sections 45A and 45B

This clause inserts new sections into Part 3 Division 4 of the *Road Traffic Act 1961* as follows:

45A—Excessive speed

This provision creates a new offence of driving a vehicle at a speed exceeding, by 45 kilometres an hour or more, any applicable speed limit under the *Road Traffic Act 1961* or the *Motor Vehicles Act 1959*. The offence has an expiation fee of \$500 (and service of an expiation notice will attract a disqualification notice under proposed section 45B, discussed below) or, if a court convicts a person of the offence, the penalty is—

- for a first offence, a fine of not less than \$600 and not more than \$1 000 and disqualification for a minimum of 6 months; or

- for a second or subsequent offence is a fine of not less than \$700 and not more than \$1 200 and disqualification for a minimum of 2 years.

However, speed limit signs placed on a road in relation to a work area or work site in accordance with section 20 of the *Road Traffic Act 1961* will not be of any effect for the purposes of this provision unless one or more workers are present in the work area or work site. This means that, if the usual speed limit applying to a length of road is 50 km/h but signs are placed near road works on the length of road indicating a speed limit of 40 km/h past the road works, a person travelling at 90 km/h on that length of road will not be guilty of the offence of excessive speed unless workers are present at the work area or work site. If no workers are present, the person will, however, still be guilty of the normal speeding offence against the Australian Road Rules (and, for the purposes of that offence, will have been driving at more than 45 km/h over the applicable speed limit, because the road work speed limit signs are only of no effect for the purposes of section 45A). In contrast, if the person was driving at 100 km/h, the person would be guilty of excessive speed whether or not workers are present at the work area or work site (because at that speed the person is more than 45 km/h over both the special 40 km/h road works speed limit and the usual 50 km/h speed limit).

For the purposes of determining whether an offence is a first or subsequent offence, a previous conviction for, or expiation of, an offence against section 45A or section 46 (reckless and dangerous driving) will be counted as a previous offence if committed, or allegedly committed, within 5 years of the commission of the offence in question.

45B—Power of police to impose licence disqualification or suspension

This provision allows a member of the police force to give a notice of licence disqualification or suspension to a person who has been given an expiation notice for an offence against section 45A or for an offence against section 79B constituted of being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of an offence against section 45A.

This notice would have the effect of suspending the person's driver's licence (which, in the *Road Traffic Act 1961*, is defined to include a learner's permit) or, if the person does not hold a driver's licence, disqualifying the person from holding or obtaining a driver's licence. The suspension or disqualification operates for a period of 6 months commencing—

- if the notice is given to a person who has been given an expiation notice for an offence against section 45A—24 hours after the person is given the notice or, if the person is already suspended or disqualified at that time, at the end of that period of suspension or disqualification; or

- if the notice is given to a person who has been given an expiation notice for an offence against section

79B—28 days after the person is given the notice or, if the person is already suspended or disqualified at that time, at the end of that period of suspension or disqualification.

If the expiation notice given to the person is withdrawn or the person elects to be prosecuted, the notice of licence disqualification or suspension is cancelled (and if the period of suspension or disqualification imposed by the notice has commenced, the person's licence is taken to be reinstated) and the Commissioner must notify the Registrar of Motor Vehicles of the cancellation of the notice.

The Commissioner of Police is required to notify the Registrar of Motor Vehicles of a notice given under the provision, and the Registrar is then required to send, by post, a notice to the person of the name and address provided by the Commissioner containing particulars of the notice of immediate licence disqualification or suspension.

The provision also provides that a period of suspension or disqualification under a notice will be counted as part of any period of disqualification imposed by a court in sentencing the person for the offence and provides that no compensation is payable in respect of a notice other than one issued in bad faith.

5—Amendment of section 46—Reckless and dangerous driving

This provision amends the penalties applicable to the offence of reckless and dangerous driving. Currently the penalty for a first offence is a fine of not less than \$300 and not more than \$600 and licence disqualification for not less than 6 months. Under the proposed amendments, this would be increased to a fine of not less than \$700 and not more than \$1 200 and disqualification for not less than 12 months. For a second or subsequent offence, the penalty is currently a fine of not less than \$300 and not more than \$600 or imprisonment for not more than 3 months with a minimum licence disqualification period of 3 years. Under the proposed amendments, the fine for a second or subsequent offence would be increased to not less than \$800 and not more than \$1 200, with the imprisonment option and the licence disqualification period remaining unchanged.

6—Amendment of section 79B—Provisions applying where certain offences are detected by photographic detection devices

This clause amends section 79B to include an offence against proposed section 45A as a *prescribed offence* for the purposes of section 79B. In addition, if a natural person is convicted of an offence against section 79B constituted of being the owner of a vehicle that appears from evidence obtained through the operation of a photographic detection device to have been involved in the commission of an offence against section 45A, the court must impose on the person a licence disqualification of at least 6 months (which matches the disqualification that would apply to a person expiating such an offence under a notice of licence disqualification or suspension given under section 45B).

7—Insertion of section 110AAAA

This clause inserts a new section 110AAAA which provides an exemption, in specified circumstances, for drivers of emergency vehicles for offences against sections 44B (Misuse of a motor vehicle), 45A (Excessive speed), 82 (Speed limit while passing a school bus), 83 (Speed while passing emergency vehicle with flashing lights) and 110 (Driving on sealed surface).

Schedule 1—Related amendment to Summary Offences Act 1953

1—Amendment of section 66—Interpretation

This clause makes a related amendment to the *Summary Offences Act 1953* to make an offence against proposed new section 45A of the *Road Traffic Act 1961* (ie. the new "excessive speed" offence) a *prescribed offence* for the purposes of Part 14A of the *Summary Offences Act 1953*. This Part was enacted last year and deals with impounding and forfeiture of motor vehicles where an *impounding offence* has been committed. The definition of *impounding offence* includes a "prescribed offence involving the misuse of a motor vehicle". Therefore, the commission of an excessive speed offence will, if it involves the misuse of a

motor vehicle (as defined in Part 14A), attract the powers in that Part.

Mr BROKENSHIRE secured the adjournment of the debate.

FIRE AND EMERGENCY SERVICES BILL

In committee.

(Continued from 21 July. Page 2854.)

Clause 2.

The Hon. W.A. MATTHEW: In the 15-plus years I have been in this parliament, I have always been an advocate—as indeed have other members—of the parliament working through a spirit of cooperation both inside and outside this chamber. As members would be aware, the bill before us now has a substantial number of amendments, some of them made by the opposition and some made by the government. Because there are a substantial number of amendments, debate on this bill was adjourned in the last session of the parliament, at the committee stage, so that we could again continue debate after negotiations occurred outside the parliament to arrive at either a difference of opinion or, alternatively, move things forward.

I want it to be put very firmly on the record that there has been no spirit of cooperation in relation to this bill. In fact, the opposition specifically requested that debate on this bill did not occur today. On Monday of last week, I received a telephone call from the minister's office offering a briefing in relation to amendments the government wished to put forward. That is a courtesy that has been extended for a long time, and I indicated that we would very much like such a briefing.

I was advised that the debate would occur today, and I requested that the briefing be held last week. I was advised that that was not possible, because the briefing was to be given by Mr Vince Monterola. It was explained that he had done a fine job on the West Coast, and I take the opportunity to put on the record that the opposition very much supports the work done by Mr Vince Monterola on the West Coast after the bushfire. Indeed, he should be commended for the way in which he undertook his duties there, and we certainly would not at any time have wished to deny him the opportunity of recuperating from that hard work. We simply indicated that, if we could not be briefed until Monday afternoon (in other words, yesterday afternoon), it was not appropriate for this bill to be debated today because amendments need to be discussed with Country Fire Service and SES volunteers at the grassroots level. We simply requested that courtesy, and I expected that that was what was going to occur.

So, I was quite surprised when on Friday I received a telephone call at my electorate office from a member of the minister's staff (the same one who had contacted me on the Monday) asking what time Monday afternoon the Liberal Party wanted its briefing. I pointed out that the house was sitting on Monday afternoon, so it would be a bit difficult to fit it in on Monday afternoon and that it was not appropriate that the bill be debated in full until we had that briefing and had the opportunity to go out and consult with volunteers. It is fair to say that the minister's staff member was fairly insistent in more than I believe is usual polite fashion. I indicated that to him, and I was not happy with the conversation.

Basically, the opposition was told, 'Well, you have to be prepared for the bill, because it's going to be debated whether

you like it or not.' I pointed out to the minister's staff member that it is the parliament that determines the way in which bills are debated and when they are debated and that that is where this matter would, in fact, be determined. I asked to speak to the minister about the matter, and the response I gained was the hanging up of the telephone in my ear. I object to that type of behaviour, particularly in relation to this matter. The spirit of cooperation has not been present in relation to this bill. It is for that reason that I will move that progress be reported in order that we can have the time to have a briefing on these amendments and to go out and consult. I move:

That progress be reported.

The Hon. P.F. CONLON: I am opposed to that, sir, and I will explain why. First, on its merits, the bulk of these amendments have been sitting on the paper, with very minor changes from the position we have outlined to the member for Bright. Let me say something about the spirit of cooperation to which he refers. I have never seen more dishonesty about a bill than I have seen on this one. The honourable member spoke about his 15 years in this place, but I have never seen more dishonesty from the opposition than this. Let me go to this telephone call, because it is the second time he has tried to verbal one of my staff. He has done it before—

The Hon. W.A. MATTHEW: Mr Chairman, I rise on a point of order.

The Hon. P.F. CONLON: No, sir, he put it on the record—

The CHAIRMAN: Order! The chair was very tolerant in allowing that discourse because we are supposed to be talking to clause 2. The member for Bright did make some points about the staff of the minister, so, in fairness, the minister has the right of reply. However, we need to deal with the bill shortly. The member has moved that progress be reported but, in fairness, the minister should be able to respond and then we will deal with the matter of progress being reported.

The Hon. W.A. MATTHEW: Mr Chairman, I rise on a point of order. First, when progress is moved to be reported, that is usually voted on forthwith. Secondly, my point of order is that the minister has accused all members of the opposition of dishonesty and improper motives, and I ask that he withdraw. Thirdly, he is putting information on the record which is just wrong. He is accusing me of verballing his staff. He knows full well that that is not what occurred. He runs this parliament like a thug and believes he can stand over everyone—that is not how democracy works.

The CHAIRMAN: Order! The member for Bright can make a personal explanation at the appropriate time, if he wishes, but the chair has made the point that the chair gave fair opportunity to the member for Bright to talk about matters relating to the bill when we should be focused on the clause. In fairness, I am allowing the minister to respond on those points before we deal with the reporting of progress.

The Hon. P.F. CONLON: The member for Bright has told a story to this committee and he wants to report progress on the basis of that story. I am going to answer that story, because what—

The Hon. W.A. Matthew interjecting:

The Hon. P.F. CONLON: And I am going to present the facts, because what happened on this occasion which did not happen before was that, after he verballing my chief of staff—this conversation actually took place in the same motor vehicle in which I was travelling and I heard it—the member for Bright launched into a tirade of abuse. My staffer was

holding the phone away from his ear because the abuse was so consistent, persistent, unsustainable—

The Hon. W.A. MATTHEW: Mr Chairman, I rise on a point of order. I will not sit here and have untruths pedalled in this parliament in this way.

The Hon. P.F. CONLON: Then take a matter of privilege, you grub.

The CHAIRMAN: Order! The committee is becoming disorderly. The member for Bright can take a point of order or make a personal explanation, if he wishes.

The Hon. P.F. CONLON: Or he can take a matter of privilege. I am very happy to defend it because there were several people in the car. He said that, if the staff member worked for him, he would sack him. I can say that I think I should give him a promotion after the tirade he endured. When my staff member tried to explain to him that these amendments were supported by stakeholders, he went on in loud abusive language to describe those stakeholders as Labor stooges. I heard of all this, and if he does not think it is true—

The Hon. W.A. Matthew: That is untrue.

The Hon. P.F. CONLON: —he can take a matter of privilege—

The Hon. W.A. Matthew: That is untrue, sir. Parliament should not be abused in this way.

The CHAIRMAN: The member for Bright and the minister will come to order.

The Hon. P.F. CONLON: —because I and three other people heard it.

The CHAIRMAN: Order! The member for Bright should not make an allegation about untruthfulness unless he is prepared to move in the appropriate way.

The Hon. W.A. MATTHEW: Mr Chairman, the minister should not accuse me of improper motives unless he is prepared to also move in the appropriate way.

The CHAIRMAN: Order!

The Hon. P.F. CONLON: Sir, I am reporting a conversation.

The CHAIRMAN: Order! I suggest the committee moves on to deal with the matter.

The Hon. P.F. CONLON: I want to get on the record that I am not having my staffer verballing this time. I heard the conversation. Other people heard the conversation and they know what occurred—and the member did refer to the stakeholder groups as Labor stooges.

The Hon. W.A. MATTHEW: Mr Chairman, that is totally untrue—

The Hon. P.F. Conlon: Take a matter of privilege.

The Hon. W.A. MATTHEW: —and I ask the minister to withdraw that false accusation.

The CHAIRMAN: Order!

The Hon. P.F. CONLON: I will not, sir; and, if he wants to, he can take a matter of privilege. I am happy to have all those people who were verballing inquired into.

The CHAIRMAN: The question is that progress be reported. Those of that opinion say 'Aye'.

The Hon. W.A. Matthew: Well, do something about it.

The Hon. P.F. Conlon: You know what you said, Wayne.

The CHAIRMAN: All those against?

The Hon. P.F. Conlon: Well, take a matter of privilege, coward.

The CHAIRMAN: The noes have it.

The Hon. W.A. Matthew: Divide!

The CHAIRMAN: Division required, ring the bells. Order! It is unparliamentary to call another member a coward.

I did not hear it but, if the minister said it, he should withdraw.

The Hon. P.F. CONLON: I withdraw it because he is no more a coward than I am a thug, I guess.

The CHAIRMAN: The committee should come back to dealing with the matter before it.

The committee divided on the motion:

AYES (18)

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

NOES (23)

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

PAIR(S)

Kerin, R. G.	Ciccarello, V.
McFetridge, D.	Breuer, L. R.

Majority of 5 for the noes.

Motion thus negatived.

Clause passed.

Clause 3.

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

Page 9, lines 3 and 4—

Delete 'by the Governor under section 11(1)(e)' and substitute:
under section 11(1)(e) or (f)

The Hon. W.A. MATTHEW: Will the minister explain to the committee what he expects will be the consequences of his amendment?

The Hon. P.F. CONLON: This amendment gives effect to the agreement of those stakeholders—and I refer to the Volunteer Firefighters Association, the State Emergency Service association, the officers, and the United Fire Fighters Union, groups that have not agreed on a great deal historically—after consultation with their various members (and, I have to say, mostly to allay the fearmongering of the Liberal Opposition on this bill), to have added to the commission one member of the advisory board.

The Hon. W.A. MATTHEW: As I understand it, this amendment was put to volunteer representative bodies during the intervening period between the time of the last debate and today by way of compromise. The amendments related to this that I have within the batches before us include two positions: a preferred position and a fall-back position. The preferred position of the opposition is that the volunteer representatives be on the board managing the South Australian Fire and Emergency Services Commission. That is our preferred option. Our second preferred option is that the CFS board be

retained and that a board to manage the State Emergency Service be created. But that is our second preferred option. What the minister has put before us now is another option again, that is, to take a representative from a body under this act created to advise the minister and advisory board and to place that individual on to the board managing the South Australian Fire and Emergency Services Commission.

It is my understanding from a reading of the act that this person will have no vote, will not be regarded in a quorum of that board and cannot chair a meeting of that board. In other words, for all intents and purposes, this person from the advisory board to the minister is put on to the board that manages the commission, but purely in an observation role, without any powers to vote, without any inclusion as part of the quorum of a meeting and without any ability to chair such a meeting.

As I understand it, that means that it is entirely possible for a meeting of the board which manages the commission to take place without this volunteer representative being present at all. This has been included to appease volunteer angst by effectively delivering them an observer posting. Compare that with the situation that exists today prior to the passage of this bill where the board which manages the CFS is comprised of a majority of volunteers, and it has a very big say in the running of the CFS. It empowers and protects the volunteers. We saw that protection put into effect during the time of the last Labor government when it tried to do over the CFS. There is no better way of putting it. The CFS board was instrumental in protecting the CFS volunteers, and that was hot on the heels of the volunteers being done over by the then Bannon Labor government.

I am not trying to make the minister over-sensitive about this, and I am not accusing him of wanting to do that; all I am saying is that this bill will empower a minister to, at will, make a whole range of changes to volunteer services. I would not be undertaking my job properly as an elected representative or, in particular, as the shadow spokesperson for emergency services if I sat idly by and allowed the government to make changes which I believe have the potential for abuse and which could affect the future of volunteering in our state. This clause (one of a number of facilitating clauses) which seeks to add a volunteer representative from the advisory board to the board managing the Fire and Emergency Services Commission as an observer—I emphasise again: as an observer only—is better than what the minister originally proposed. At least there will be someone in there watching, but only when meetings occur when the volunteer observer or a delegate is present. That is the important thing.

I believe the volunteers are being conned. The reason the Liberal Party wanted to go out and consult is that we wanted volunteers around the state to understand what these amendments will do. We wanted to see the whole bill and have our briefing on the bill before we did that, but that was not provided. I cannot do anything about this government, again, riding roughshod over the democratic traditions that have been observed in this parliament since its inception, but what I can do is put on the record our concerns about this. We know how the numbers work and that inevitably the bill will get through. Whether the minister will accept any of our amendments we do not know because there has been no communication about that. Volunteer representatives have told us that the minister has indicated—

The Hon. P.F. Conlon: Well, take a briefing.

The Hon. W.A. MATTHEW: We want a briefing—

Hon. P.F. Conlon: But only when it suits you.

The Hon. W.A. MATTHEW: The minister says that we want a briefing but only when it suits us. We want a briefing when members of the Liberal Party can be present. We were happy to have a briefing on Monday afternoon.

The Hon. P.F. Conlon: Well, you weren't here yesterday. Where were you?

The Hon. W.A. MATTHEW: The minister's whole point is that that is when we could have had a briefing.

The Hon. P.F. Conlon: You should have been here.

The Hon. W.A. MATTHEW: We would have liked to be here, but, in view of the fact that the minister's staff member terminated the conversation, that made it a bit difficult to take the arrangements further. Be that as it may, we are prepared to accept this amendment at this time, but only on the basis that it may be made redundant by further amendments down the track, if the government agrees to those amendments. We consider this to be a better fallback position than not having a representative on the board at all. The bill will have to go to the other place where the numbers will be very different. That will give us time to explain to the volunteers that they will be sacrificing the CFS board which has volunteer managerial control; that, instead, they will get an observer who may be from their organisation, or from the SES or elsewhere; and that that observer will have no voting rights during meetings of the board that manages the Fire and Emergency Services Commission.

It is important that I mention the SES in this process. The SES, I would agree, effectively has been the poor cousin to the CFS for a long time. It is important that I put on the record that the Liberal Party believes that changes are needed: we have said this continually throughout this debate. The spirit is there on both sides of politics for change to occur. If I was the emergency services minister today I would not be satisfied with the ESAU organisation either. I put that on the record before, and I am happy to put it clearly on the record today. We support the need for change.

However, the change that occurs has to be fair, reasonable and empowering to volunteers and not threatening to them, particularly in relation to the amendments we have seen tabled over the past few days (and I will go into more detail when we get to them). A lot of the amendments have been driven by the United Firefighters Union. It is obvious that that is the body driving them as they are the only additions to the amendments. We will cover that as we get to those clauses. Only because this amendment makes the bill better than it would otherwise be in any other unamended form, we are prepared to agree to the first of the minister's amendments, but there are a series of others that may result in deletion.

Amendment carried.

The Hon. W.A. MATTHEW: This is one of the complexities of the bill that needed to be worked out outside the parliament.

The Hon. P.F. Conlon: You are confused.

The Hon. W.A. MATTHEW: I am not confused at all. The dilemma is the order of sequence. We could find ourselves today accepting a range of amendments that may then need to be amended or deleted, depending on the consequence of what occurs. The amendments put forward by the opposition fall, in the case of my amendments, into three broad categories. The first is to put volunteers on to the Fire and Emergency Services Commission board. That is the first grouping and is our preferred position. The fallback position is that a second group of amendments retain the CFS board and implement along with it an SES board.

The third group of amendments relate to things like the

processes for closing a volunteer fire station or unit. As we work through this it will be necessary that we are careful in relation to a number of these amendments. My first amendment talks about an appointed member of the board. That is contingent upon other amendments that I will move later, and that is the issue. It may be easier to bulk up clauses. I am looking to parliamentary counsel for advice on the easiest process to determine test clauses where we can dispense with some of these things more easily or, if parliamentary counsel feels that it may be easier to test the clauses early and reinstate, we can do that also. If we can take advice on where it is best to occur, it may simplify the debate.

The CHAIRMAN: It is a confusing arrangement. The member for Bright could put his first amendment as a test amendment and then we will deal with the minister's amendment. The honourable member will then know whether it is likely to get up subsequently.

The Hon. W.A. MATTHEW: That is the most expedient way to do it. I move:

Page 9, lines 3 and 4—

Delete the definition of associate member and substitute:

appointed member of the board means a member of the board appointed by the Governor under section 11(1)(e);

This amendment starts to facilitate the process of adding volunteers to the emergency services commission so that those volunteers can effectively have a more direct role in ensuring that they are able to be part of the management of emergency services. In spirit, the intent of this amendment is to take the existing system that applies to the management of the Country Fire Service (through a CFS board) and apply it to the board that manages the Fire and Emergency Services Commission. Through later amendments, it would add two persons to the board managing the commission from the Volunteer Fire Brigades Association; it would add two persons to the board managing the commission from the South Australian State Emergency Services Volunteers Association Incorporated; it would also add another person to the board, who is a nomination of the Local Government Association. It would leave those other positions under the minister's existing bill, namely, the heads of each the services—the State Emergency Service, the Country Fire Service and the Metropolitan Fire Service—and also the Commissioner.

The reason for suggesting this amendment in this way is to give volunteer majority voting input. In reality how would this work? I believe that, largely, the business of the board would be dominated by the paid personnel. I would expect the majority of the board business would come from the chief executives of those three agencies, but I believe that the inclusion of the volunteer representatives on the board ensures there is voice from both the SES and CFS. I believe that they would be fairly silent board members in their participation, but they would bring a good grassroots delivery back to the board. In all boards of management that is often an important thing. When one looks at the constitution of many government boards for a variety of things, regular community representatives are included. It does not matter which political party is in power. Both Labor and Liberal have routinely included such membership on boards. Similarly, the inclusion of the Local Government Association involves an integral part of government in our society—that important third tier—where so many others have input.

That is the intent behind these amendments. Effectively, in moving this amendment in relation to an appointed member of the board, it is being done to facilitate all those

later things. Essentially, in voting on this amendment, if members wish to have volunteer managerial input to our state emergency services—just as occurs today with the Country Fire Service—then I would argue this is an amendment worth supporting. On the other hand, if members of this parliament wish to have no volunteer management input—and I mean management input through a voting decision; let us be absolutely clear about that—if they wish the volunteer voting input into the Country Fire Service to vanish, if they do not wish to give volunteer voting input to the state emergency services, and if they want the volunteer voting input of the Local Government Association (which presently exists within the CFS board), this is their chance to throw out that volunteer input.

I would argue strongly against that. I argue that support of my amendment would facilitate strong volunteer input. A government that is truly encompassing and respectful of volunteer work in our community, I argue, would accept this. It disappoints me that there was no discussion about this between the government and the opposition in the break. It may have been that we could have facilitated a much more sensible outcome and, indeed, a far shorter sitting of this committee to put forward changes. I repeat that the Liberal opposition believes that changes are necessary to the state emergency services. The current managerial model has had its problems, and it needs to be rectified.

The Hon. G.M. GUNN: It is very important that, whatever this committee does now, we do not create a situation where, within a very limited time, other changes will be forced. It is only a matter of time before the very modest amendments put forward by the opposition are accepted. They will be put into the act, so why not stop the hassle and hindrance? They are not nation-rocking: they are fair and reasonable. As someone who has had some limited experience dealing with volunteers and who believes in democracy, I believe there is a disturbing trend to take away from ordinary citizens the ability to sit and make judgments.

Look what they are trying to do with hospital boards. You have bureaucrats racing around giving one-sided, quite biased assessments and reasons to abolish and amalgamate country hospital boards. We have a situation now where we intend to scrap the board of the Country Fire Service and deny those volunteers and their representatives some sort of effective management. At the end of the day what is the purpose, because the organisation cannot operate without volunteers? If the volunteers do not feel comfortable, you will not have them. I am very concerned that this advisory board will be set up with not one person from the Farmers Federation on it.

Who are the first people to a fire when it starts in a rural area? Who are the first people there in most cases? The Farmers Federation needs to be included. That is not unreasonable or unfair. It is like the emergency services. Who comprise the emergency services in the Far North? The pastoralists. It is important. We are going to have a fight. Let me say to the minister that I would sooner not be here and have this fight because I always believe in commonsense. However, when commonsense does not apply these amendments will eventually be put in.

No matter what anyone says or thinks, these amendments about which we are arguing will eventually be put in. You will have a real fight upstairs, let me tell the minister. You will have a real fight, and some of them will be put in. Let me make it clear. So, why not accept it here and now. I am saying to the minister that it is necessary to include on that advisory board someone from the Farmers Federation.

The Hon. P.F. CONLON: I have much more sympathy for the position of the member for Stuart, who refers to the advisory board when the opposition spokesperson refers to the commission itself. They are two very different structures. I must say that it has never been put to me before that the Farmers Federation should be involved on the advisory board. I am not sure of the merit of it, but I would say that I recognise—and I spoke about this at a conference very recently—the need to make sure that farmers, the people who live on the land, are more closely integrated in terms of what we do with respect to planning for bushfires.

There will be a lesson from the Eyre Peninsula bushfires. There are always lessons after major fires, and there will be lessons there. Let us put on the record that the reason that this bill was adjourned for so long was so that the opposition had time to agitate with the volunteers and their associations for their amendments. What I am proposing is not the cunning plan of the Labor government, even though I think it is a very good bill: this is what those stakeholders, those closest to the volunteers, have decided is the best system of management.

I can tell members that, having all that time to go out (and I invited the opposition to do it) and agitate their amendments, I have not had a single communication—not a single one—from a CFS person. No doubt the opposition will go out and get one now, but I have not had a single one. I will check my office file. If I had one I will be surprised, but I do not believe that I had a single one from a volunteer saying, 'Please give us the opposition's amendments on the commission's structure and the board's structure.'

I am happy to talk further to the member for Stuart and to the stakeholders about the Farmers Federation. I point out that it is a departure from longstanding practice, but that does not concern me. I am sure that Vince Monterola would be more than happy to talk to them. I am sure that Vince shares my views that we do need to find ways to better incorporate the work of farmers, particularly in pre-planning, than we have at present. But I am going to defend this structure because, despite the fact that the member for Bright plainly does not, I do trust the Volunteer Firefighters Association, the Country Fire Service board and the State Emergency Service Volunteers Association. I know it is terrible to the honourable member but I also listen to the United Firefighters Union, and they talked to each other and agreed this structure.

I am quite happy and confident that those people are not Labor stooges but do their job properly and well. I am confident that they have consulted. I have complete confidence in Vince Monterola, who has done an outstanding job whenever he has been asked to do a job for the government. If this is defeated in the upper house and the honourable member gets his way there (and as I said to the member for Stuart, I am happy to talk more to him about that), he will have defeated not me but all those groups that have worked hard to put this together. If that is what the honourable member wants to achieve, this is a democratic process and I am not going to attempt to stop him.

What I will do is keep faith with those people I set out to do a job more than 12 months ago to bring their own experiences and views to this. They have done that, and I will keep faith with them and support the structure that they have supported with me. I place on the record that, although the opposition has no faith in them, we have complete faith in those organisations and we do not believe that they are inadequate to talk to their members. I certainly do not believe that somehow Liberal MPs, particularly those living—well, we do not actually know where he lives because he is the MP

with the post office box—but assuming that he is somewhere vaguely near his electorate, I do not believe that this person knows more about the feelings of volunteers than do the volunteer associations.

We simply do not accept that. I support the proposition that we have put because it is supported by those people. I heard the tirade, when we were in the car listening to him, when the honourable member threatened to knock this off upstairs, and he may be able to do that. But he will not defeat me: he will defeat all those stakeholders whom he has disparaged.

The Hon. W.A. MATTHEW: The minister accuses me of disparaging volunteers, of having no faith in the Volunteer Fire Brigades Association, and no faith in SES volunteers. Those things he put on the record. Nowhere on the record are those things recorded as coming from me. This is evidence of the type of debacle that has been occurring around this bill.

The Hon. P.F. Conlon interjecting:

The CHAIRMAN: Order! We need to come back to the amendment.

The Hon. W.A. MATTHEW: I have been sitting here listening to a tirade of misinformation peddled about me by the minister. Just as you previously ruled, sir, that the minister ought to have the opportunity to respond, I believe that I deserve the opportunity in debating this clause to put very firmly on the record how this and other clauses came about. I did liaise with people from the South Australian Volunteer Fire Brigades Association, including the chief executive, the former president.

I have spoken today with the new president and I have spoken with many volunteer firefighters, both holding positions at executive level and not holding positions at any level other than good, hard-working volunteers dedicating their time and service to the community. I have consulted in the same way members of the South Australian State Emergency Service Volunteer Association Incorporated and many SES members.

What they have said to the opposition is quite simple: all the amendments tabled by the opposition are supported by those organisations, either totally or in principle. Let me put this very firmly on the record: through their official representatives, at those meetings those organisations told me that they supported, totally or in principle, every amendment tabled by the opposition.

Secondly, why was I meeting with those people? Because they are the representatives of volunteers and because I respect their opinion. So, for the minister to stand here today and accuse me of having an attitude towards them that is simply not the case is unfounded, malicious and, frankly, dirty pool at best.

The Hon. P.F. Conlon: Raise it as a privileges matter. We all heard the conversation, Wayne.

The Hon. W.A. MATTHEW: Minister, I would not waste my time with you. The other issue is that the volunteers indicated to me further that those amendments accepted in totality included all but those that retain the CFS board or put volunteers directly on the Essential Services Commission board, without full exploration of those options. So, they explored those options and advised me of the advisory committee observer position on the board as an alternative. I indicated the concern that, if that is what the opposition proposed (and the representative bodies advised me of that, not the government; I had plenty of contact from the representative bodies but not from the government), namely, that

we give them only an observer role, they would sacrifice the volunteer voting role—the protection for volunteers with the CFS—and, at the very least, that should be emulated for the SES.

At subsequent meetings, it was also put to me by the volunteer representative bodies that the government told them that it would accept the amendments tabled by the opposition in relation to the protection of brigades and units from closure at will and the consultation process. If they were not accepted in their entirety, other amendments would be tabled. The government has never communicated to us that it would accept those amendments. I believe what the volunteer bodies have told us about what the government told them, but I will believe the government only if I see it occur on the floor of this committee. Certainly, I have not seen any amendments that in any way reflect the protection mechanism we have advocated in our amendments.

The reason we wanted extra time to consult was not that I believed that, as a metropolitan member, I had a better way of consulting with volunteers (as the minister tried to imply) but so that my colleagues in those areas with CFS brigades and SES units would have the opportunity to consult. My colleague the member for Stuart, in particular, has a close interest in this bill and has a number of amendments on file. He has a large number of volunteer brigades and units in his electorate, and he wishes to have the opportunity to consult directly with them. He has done so in part but has been unable to do so fully because we have not been afforded the courtesy of a briefing or of seeing the amendments from the government in time to be able to do so. On the other hand, our amendments have been on the record for many months, albeit they have been renumbered today.

Similarly, my colleague who represents the West Coast, the member for Flinders, wanted the opportunity to be able to consult. A number of my colleagues, such as the members for Morialta, Heysen, Mawson and Kavel, represent peri-urban areas with brigades and have a very strong interest in this issue, and we sought time to be able to discuss it with those brigades and units. In the spirit of a democratic society, would it not have been better for members to undertake that consultation and be able to say to the parliament, 'We've consulted our representatives, and they agree with what the minister said'? I do not want the minister to put forward information that is malicious and wrong, or, at the very least—and giving him the benefit of the doubt—naïve.

The Hon. P.F. CONLON: I have a point of order. The member must withdraw the word 'malicious'. It is unparliamentary.

The CHAIRMAN: It is unparliamentary. The member for Bright should not make such an accusation.

The Hon. W.A. Matthew: That is what the minister has been doing all the time.

The CHAIRMAN: Order! To use the term 'malicious' has a particular meaning that is unacceptable in parliamentary practice. The member should withdraw.

The Hon. W.A. MATTHEW: I withdraw the word 'malicious' and replace it with 'nasty'.

The Hon. G.M. GUNN: I have nothing but the highest regard for the people involved in the administration of these organisations and the volunteers. The people of South Australia could not afford to pick up the bill if we did not have volunteers—it is beyond our financial capacity—so we have to have them whether we like it not, and most people like it. Most people have the highest regard for the Country Fire Service, the SES, St John Ambulance, Red Cross and the

Flying Doctor Service, and I want to make sure that the government maintains that enthusiasm and gives them the ability to have a small amount of influence. If people have some influence they feel ownership, and they will participate and help, as we have seen on Eyre Peninsula in recent days and as, unfortunately, we will see in the future. I want to make sure that particular interest and involvement is taken to the highest level and that we do everything possible to ensure that people participate.

The Hon. P.F. CONLON: I indicate to the member for Stuart, whom I consider a fine member of parliament and to be absolutely genuine in his approach on this bill, that I understand what he is saying. I indicate again that not only do I think this is the best structure but it is also supported by those volunteer organisations. I put on the record that, were there a groundswell of concern and opposition to this from volunteers, I would be the first to abandon it, because I have enormous regard for the volunteers. The CFS volunteers do a marvellous job, and they are getting the lion's share of the debate, but they are not the only ones; there are also the SES and all those other volunteers. Throughout many stages of this process I have urged caution at the speed at which those volunteer associations should proceed because of their enthusiasm for a better change—and if you know ESAU, you can understand that that enthusiasm is very great.

However, I can give you an absolute iron-clad guarantee, were there a groundswell. We got up for a very long time after a lot of scare-mongering on the part of the opposition spokesperson, and I would have thought that the opposition might have gone out and created that groundswell, and then I would have had to think about it, but that has not occurred. I do not encourage any further activity of that sort, but it has not occurred. Therefore, I persist in trusting those volunteer organisations who represent the volunteers. I do not apologise for that for a moment.

I indicate to the member for Stuart, who is genuine on this, that after a quick talk with people I would like to look at his suggested amendments on pastoralists and farmers federation representatives. I would need to talk to the stakeholders about that, and we can do that between the houses. I do not know if it is the right structure, but there is certainly merit in trying to bring farmers closer, particularly in matters such as pre-planning. We share some views on a range of matters that are not necessarily held by all our colleagues, and I think that there is a lot of common ground on this. I am more than happy to explore your suggestions with the stakeholders between the houses, because I think you do a good job on these matters. I do not know whether I can support your amendments about the scorched earth fire breaks and such, but we will come to that in due course.

The committee divided on the amendment:

AYES (18)

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

NOES (23)

Atkinson, M. J.	Bedford, F. E.
Caica, P.	Ciccarello, V.
Conlon, P. F. (teller)	Foley, K. O.

Geraghty, R. K.	Hanna, K.
Hill, J. D.	Key, S. W.
NOES (cont.)	
Lomax-Smith, J. D.	Maywald, K. A.
McEwen, R. J.	O'Brien, M. F.
Rankine, J. M.	Rann, M. D.
Rau, J. R.	Snelling, J. J.
Stevens, L.	Thompson, M. G.
Weatherill, J. W.	White, P. L.
Wright, M. J.	

PAIR(S)

Kerin, R. G.	Koutsantonis, T.
McFetridge, D.	Breuer, L. R.

Majority of 5 for the noes.

Amendment thus negated.

The Hon. W.A. MATTHEW: I move:

Page 11—

After line 15—Insert:

SACFS Board means the SACFS Board under Part 4 Division 2A;

After line 21—Insert:

SASES Board means the SASES Board under Part 5 Division 2A;

Effectively, these amendments amount to further test clauses. Sir, you recall that earlier during this debate I indicated that the opposition had a preferred option of volunteers being placed on the board that manages the Fire and Emergency Services Commission. As a consequence of the loss of that division, that now leaves us to fall back to our second preferred option, which is essentially the retention of the CFS board and to ensure that the SES has similar recognition in the creation of an SES board. Effectively, these amendments include within the bill the definitions of the South Australian CFS board and the South Australian State Emergency Services board.

Clearly, if this amendment is lost, it will have consequential effects on some of the other amendments. The logic for this is as explained before: to ensure that volunteers can preserve their voting rights over their brigades and units. I hear what the minister says about what he believes to be the good spirit in the way this bill has been put forward, but ministers come and go, as do governments, and this bill will outlast the current minister and perhaps many others. The point is that, if volunteers sacrifice the protection that they presently have, the possibility for a minister in the future to abuse power is there. Let us be absolutely crystal clear about this. This bill provides any emergency services minister, current or future, with more powers over volunteers in the emergency services area than has ever occurred before in this state to my knowledge.

The member for Stuart has been in parliament for a lot longer than I have and he has made a similar comment. This bill provides the minister with powers not seen before in South Australia. Effectively, this means that, if these and subsequent amendments are not approved by the parliament, the minister can direct the board managing the commission to undertake particular activities within the agencies. For example, the minister could direct the abolition of brigades and units if he so desired. Now, there is a minor process in the bill associated with that, but he could do that. At the moment the minister cannot direct that with the CFS—arguably he may be able to in relation to the SES, but he cannot currently do that with the CFS.

I do not believe that we, as members of parliament, would be properly representing volunteers if we allowed that

situation to occur. So, this clause is about guaranteeing the protection of volunteers. It was not that long ago, Mr Chairman—and you were a member of parliament when it happened—that we saw St John volunteers go, and then we saw an attack on CFS volunteers. We saw attempts to amalgamate them into paid services, amalgamate their administrations; the then Department of Housing and Construction drew up plans for the new headquarters. Sir, you know as well as I do that volunteers were put under a lot of stress on that occasion.

This minister stood up in this place and said that he supports volunteers—and I am pleased to hear him say that—but he may not be Minister for Emergency Services in the near future. It may be that he picks up another portfolio and another person comes to take his place. There is going to be an election in 12 months and there will potentially be another government here—governments come and go. I want to ensure that no emergency services minister in the future, regardless of political colour, has the amount of control that this bill will provide over our volunteers. That is why we put this forward as a test clause.

In view of the vote on the previous test clause it is, perhaps, almost a foregone conclusion as to which way the vote will go. Nevertheless, in this place the Liberal opposition puts these amendments forward and if they are, as I suspect, unsuccessful there is another place that I am sure will give them closer consideration.

The Hon. P.F. CONLON: I want to put on record that the first time the abolition of the CFS board was proposed by a government was in a cabinet submission of the previous government as phase 2 of the introduction of ESAU. I believe—just as stakeholders and the CFS board itself believe—that the CFS board would be inconsistent with the new structure. I would like to place this on record regarding the notion that we are somehow going to use this to control volunteers: the one thing about volunteers is that you cannot actually tell them what to do, because there is a certain voluntariness about what they do for you. And any future minister who attempts to ride roughshod over volunteers will not be taken care of by the volunteers: he or she will be taken care of by their own Treasurer, because there is no way in this great, big, wonderful state of ours that we could provide a service any other way than through those volunteers. I understand the member's proposals and what he is suggesting but I cannot agree, and I point out, again, that the government's position is supported by not only the volunteer stakeholders but also the CFS board itself.

The Hon. W.A. MATTHEW: Mr Chairman, you yourself represent an area that perhaps initially, when you were elected, was peri-urban but is now perhaps more urban. Your constituents have the privilege of either participating within or being served by the Happy Valley CFS brigade—a brigade I have had the privilege of being associated with over many years. I have been pleased to occasionally go to some of their various functions and talk with volunteers and I have seen the good work they undertake.

Similarly, sir, there are some fine SES units in your electorate, which also serve my electorate. Many years ago, I had the good fortune that, through the actions of the SES, considerable damage to my home was averted, when my home at Hallett Cove was badly damaged by a storm. I was not a member of parliament at that time. I have never forgotten the actions of the SES officers at that time, and to this day I am very grateful for their intervention and for the incredible number of hours they spent restoring the damage

to my property, and, I might add, at considerable risk of physical injury to themselves. My initial introduction to emergency services was at a time of crisis for my family because of the damage done to our home, and it left us with immense gratitude toward that volunteer service.

During the time I have been in parliament, I have had the privilege to meet with a great many volunteers, and I respect them for the incredible work they undertake in our community. During the time I was emergency services minister (from 1993 through to the end of 1996) I obviously met not only with volunteers but also with other representative bodies, such as the United Firefighters Union. There is no doubt that back then and to the present day that union harbours a desire to at least put Metropolitan Fire Service stations into some of those peri-urban areas. The minister will stand up and say that that is something to which his Treasurer would be opposed, and I hear the minister when he says that. That is what his Treasurer today would be opposed to, but treasurers come and go, and ministers come and go. However, once the powers are there in legislation, those powers can be utilised for wrong things in the future.

We have a firefighters union that would dearly love to see a Metropolitan Fire Service unit in your electorate, sir. I believe the closest one to your electorate, sir, is the one at O'Halloran Hill, which also services my electorate. I do not decry the good work done by the Metropolitan Fire Service; it is a fine station and they are fine officers. However, that does not change the fact that good work is being done in many peri-urban areas—many Hills areas—where some of these brigades could be under threat, such as the member for Mawson's electorate, where brigades that are run by the CFS, or work that is undertaken by the SES, may be attractive to a trade union wanting to increase its membership. Similarly, as I have indicated, your area, sir; similarly, the member for Heysen, whose electorate includes the Adelaide Hills; the member for Kavel, whose electorate includes the Adelaide Hills and northern Hills area; and the members for Morialta and Bragg, who largely have metropolitan electorates but still have within those electorates Country Fire Service brigades. Again, brigades in those electorates would become potential targets of a union wanting to increase its membership. That is the very concern: to ensure that, if that process occurs, it occurs properly with the proper protection in place.

I am not going to stand before this parliament and say that nothing should ever change, and I am not going to stand before this parliament and say that some areas might not be better served with full-time paid staff if the work load is so great that they become totally prohibitive to gaining sufficient volunteers. I am not going to decry that for one minute. I recognise fully that that may be necessary from time to time. All I am saying is that the process should be appropriate, above board and should pass the closest scrutiny; that is not too much for any organisation to expect. I put it to the committee that, if protections are not left in place to ensure that our volunteer services in particularly peri-urban areas, as well as in country towns, are not retained, they are at risk.

Many members in this place represent larger country towns. The member for Mount Gambier, of course, has a town by the same name in his electorate; the township of Port Lincoln is within the member for Flinders' electorate; and the town of Millicent is within the electorate of another one of my colleagues, the member for MacKillop.

In some cases, those towns already have Metropolitan Fire Service brigades. Certainly there is one in Port Lincoln and one in Mount Gambier. Firefighters are retained there; they

do a good job. But how far should the boundary go? Should that be expanded further? Should the retained firefighters be permanent? Certainly, a union may wish that to occur. We wish this process to occur properly, and we recognise there may be a need for some change, but it has to be appropriate change and it has to be protected. If this bill goes through in the form that the minister suggests, this minister or a future minister (and I suspect that, as we are probably 11 months away from the issuing of the writs for a poll, it certainly would not be the current minister but perhaps a future minister) would be in a position to make wholesale change to our volunteer services without too much to stop that person from doing so. Our resolve is to ensure that that is not possible without having strong volunteer voting support on boards which protect and manage our volunteers.

The committee divided on the amendments:

AYES (17)

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

NOES (22)

Atkinson, M. J.	Bedford, F. E.
Caica, P.	Ciccarello, V.
Conlon, P. F. (teller)	Foley, K. O.
Geraghty, R. K.	Hill, J. D.
Key, S. W.	Lomax-Smith, J. D.
Maywald, K. A.	McEwen, R. J.
O'Brien, M. F.	Rankine, J. M.
Rann, M. D.	Rau, J. R.
Snelling, J. J.	Stevens, L.
Thompson, M. G.	Weatherill, J. W.
White, P. L.	Wright, M. J.

PAIR(S)

Kerin, R. G.	Koutsantonis, T.
McFetridge, D.	Breuer, L. R.
Brown, D. C.	Hanna, K.

Majority of 5 for the noes.

Amendments thus negated.

The Hon. W.A. MATTHEW: I move:

Page 12, after line 20—Insert:

- (5) To avoid doubt, a person cannot, at any particular time, be the Chief Officer of more than 1 emergency services organisation.

This is simply an amendment to ensure that there is no doubt. While I expect, on reading the bill, it is not the intention, certainly of the current minister, that at any particular time one person can be the chief executive officer of more than one emergency services organisation, I cannot be sure that that will be the case for the future. This is designed to prevent the amalgamation of organisations administratively by leaving them separate in name. So it could be possible, for example, to have the same chief officer of both the CFS and MFS. I do not believe that is likely, but the intent of this amendment is simply to remove any doubt.

The Hon. P.F. CONLON: While I have some issue with my parliamentary counsel colleague, for whom I normally have the highest regard for his work and the felicity of his expression, I accept the amendment. We do not believe there

is a doubt but accept it if it assists in making people comfortable. I do not see how anyone could run more than one service, but I am happy to accept that amendment so the member for Bright can get something out of the evening.

Amendment carried; clause as amended passed.

Clause 4.

The Hon. W.A. MATTHEW: This clause relates to the establishment of areas for fire and emergency services and provides that the commission may, by notice in the *Gazette*, establish a fire district or fire districts for the purposes of the operation of the South Australian Metropolitan Fire Service. Similarly, it delineates the Country Fire Service and it provides that the South Australian State Emergency Service may act in any part of the state subject to any other provision made by the bill. Essentially, it delineates the territory between the CFS and the MFS.

At first glance, this is a very sensible clause and it provides for very necessary things for the operation of our emergency services. However, as I indicated before, the minister has the power to arbitrarily direct the board and, accordingly, the commission would then be required to implement the minister's direction. Will the minister explain what protection he believes is in the bill not just today but for another minister in the future to ensure that that minister does not, at will, make wholesale changes to the fire districts operated by the CFS and the MFS, so that for no reason (other than those which the minister may volunteer) the CFS brigades have their area dramatically changed or eliminated and the MFS has its area changed or expanded? What is there to protect the interests of volunteers if this bill goes through?

The Hon. P.F. CONLON: I am not sure the question is properly addressed to this clause, as all it does is extract what is in the two current acts and put that in this bill.

The Hon. W.A. Matthew interjecting:

The Hon. P.F. CONLON: The direction is not contained in this clause; it is elsewhere. What is the protection? I think the protection is that we would ordinarily expect a minister of the Crown to act rationally, not arbitrarily. I know we cannot always be assured of that when it comes to Liberal governments, but we would ordinarily expect ministers to act rationally. We would ordinarily expect a minister not to change a boundary arbitrarily. I can only speak for this government, which is the point the honourable member makes, I guess. If I were to change a boundary and that cost us more money and got rid of volunteers, that would have to be because I was compelled to do so by obviously manifest circumstances.

I have no intention ever of exercising directions about boundaries, because I expect that is one of the reasons why the commission serves a good purpose. This sort of thing was discussed in the previous government's cabinet submission about setting up ESAU in phase 2: the ability to do these things in a rational manner. The only protection I can offer in terms of directions is that, first, we would expect any minister (even a Liberal minister) to act rationally when issuing directions; and, secondly, the voluntariness of the volunteer services is the fundamental protection.

Last Friday at a ministerial council of emergency services ministers we talked about how to preserve the spirit of volunteering: what we need to do; how we give those people more recognition and support; and how we continue to exist in a world where we are seeing lots of people move away from the regions to bigger centres where we have an ageing population. All of those issues are very difficult in terms of maintaining volunteers. So, I suggest that any minister who

decided to act arbitrarily would threaten those things, would be acting irrationally and would not be fit to be a minister. However, I certainly cannot guarantee that future governments (especially future Liberal governments, if such a misfortune should befall the state again) will not appoint an irrational minister. We hope that it does not happen.

The Hon. W.A. MATTHEW: If one takes out the minister's political barbs, he makes the very point that I have continued to make throughout the consideration of this bill. This bill does provide powers to a minister for emergency services beyond those which have previously existed in this state. The member for Stuart has been a member of this parliament for the best part of 34 years. In his discussions with me he has indicated that in all those years he has not seen a bill that provides a minister for emergency services with such powers.

The minister indicates that he hopes that ministers will behave responsibly, because, if they do not, they do not deserve to be in the job. On that point, I agree with the minister, but the reality is that there is no way of ensuring that a minister will not use the directional authority that he has over the board to make wholesale changes. The minister has told us that the ministerial council recently looked at ways of increasing the involvement of volunteers in service delivery. That is commendable, and I wish the ministerial council well in that resolve; I sincerely hope they are able to further involve more volunteers. However, that does not change the fact that here in South Australia, outside of the powers of that ministerial council, we have a bill that is before this parliament that will hand to this emergency services minister and any minister who follows him unfettered powers.

In his response to this question and a previous one the minister referred to a cabinet submission that created the ESAU unit and has also indicated in his answers to this committee that in the past consideration was given to the management structure of the CFS and examination of the board. Of course there was.

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: The minister claims that there was a recommendation to abolish the board. The minister is volunteering that he has been trawling through cabinet submissions of past governments and has offered to produce them. If the minister has been trawling through cabinet submissions of past governments and is offering to produce them, again that breaches long-held protocols.

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: Again the minister throws in irrelevant and wrong information. The simple fact is that a Liberal government did not abolish the CFS board. Liberal governments had no intention of abolishing the CFS board. No cabinet submission passed a Liberal government that put that into motion and no legislation was therefore drafted accordingly, but what we have today in this parliament is the consequence of a Labor government cabinet submission. The consequence of that Labor government cabinet submission is that a bill has been drafted to hand powers to this or a future emergency services minister that will allow that minister, at will, by simple placement of a notice in the *Gazette* and a telephone call from a staff member to the head of a volunteer brigade or unit, declare that their unit will be abolished; read about it in the next state government *Gazette* and it is gone.

The minister has the powers to change fire district boundaries at will. As I see it, this clause is very similar to the one in the existing legislation. But it is the extra powers

combined with it that make it a problem. We are not about to oppose this clause by itself, because it is the other powers that make it a problem, and we will focus on those other powers later in this debate. My intent at this time is simply to highlight the fact that these powers exist under this clause and that this minister has confirmed that those powers exist and has placed his faith in ministers now and in the future behaving rationally. I do not share this minister's faith, because I have seen the way previous Labor governments, namely, the Bannon Labor government, abused the power they had in relation to volunteers. Let us make no mistake about it: the only reason we have the Country Fire Service in the fine state it is today is that the previous Bannon Labor government was thwarted in what it wanted to do, because there was a CFS board protecting the CFS volunteers. That is the only reason they enjoy that protection today.

The Hon. P.F. CONLON: If the member for Bright could address himself to the proper paragraph, when we got to the one about ministerial direction he would find that I was prepared to accept his amendment about tabling the instruction before the house, which I would have thought was exactly the protection he has asked for.

The Hon. W.A. Matthew interjecting:

The Hon. P.F. CONLON: If you actually talk about the right clause at the right time you would find that out. What you are talking about is a completely unremarkable reproduction of the existing law.

The Hon. W.A. Matthew interjecting:

The Hon. P.F. CONLON: I heard the abuse. The other thing I want to put on the record is that the member for Bright keeps saying that I am wrong about cabinet submissions and that I am wrong about the big pile he left in his office. If he wants me to I will swear on an affidavit that we discovered a big pile of cabinet submissions with his handwriting all over them. I have to say, Graham, that some of it was a bit embarrassing for him. You want to see what he thought about the appointment of the Police Commissioner—he did not like that much at all. If he really wants to explore that he can raise a matter of privilege. Of course he will not do that, because I am not wrong. I do not know why he had that big pile of cabinet submissions, and I suspect a few of his colleagues have a suspicion about why he was hanging on to them, but I will leave it there. It is an unremarkable clause. We are prepared to accept the amendment at clause 7, and that is probably where we should be dealing with this.

The Hon. W.A. MATTHEW: The minister is now seeking to use this debate to peddle mischief in this parliament. For the record, he has now tried to introduce into this debate some sort of concern I allegedly had; that is what he is attributing to me about the Police Commissioner. The cabinet records will show that I was not present at cabinet for that discussion that day. I recall that distinctly. If this debate is going to focus sensibly on the bill, it is vital that misinformation or mischievous information for political purposes being peddled by this minister is not allowed to continue in this debate. I implore you, sir, through the protection that can be afforded through the chair to try to keep the minister focused on the debate; otherwise, we will be here for a very long time. The time could have been a lot shorter if some of the discussion had occurred outside this place. I formally put on the record my apology to Mr Vince Monterola. I am sure he would have liked to brief the opposition outside here, so that he did not have to be here for so long during this debate. We, too, would have liked to be afforded that opportunity equally.

The ACTING CHAIRMAN (Mr Snelling): The debate has ranged fairly widely on both sides.

Clause passed.

Clauses 5 and 6 passed.

Clause 7.

Mr GOLDSWORTHY: I do not know whether this is the clause to ask this question. A few minutes ago, when the committee was talking about boundary changes and things such as that, I presume it was looking to change the boundary where the MFS operates compared with that of CFS. Minister, is that right?

The Hon. P.F. CONLON: No; this clause is about the power of direction by a minister. In order to assist, I give the honourable member a guarantee that I have absolutely no intention of ever being involved in a personal decision about boundaries. The structure before us is one which the parties who deliver emergency services got together and put forward. It is something with which they are comfortable. The opposition has raised concerns about the power of ministerial direction. I think it is unremarkable in terms of structures of this nature. The opposition has an amendment—which I am prepared to accept—that any direction by a minister must be tabled within six days, from memory. I assume that makes the opposition happy about this clause.

Mr GOLDSWORTHY: If the government or the board was looking to establish an MFS presence in a township that had an existing CFS brigade, what form would the consultation process take with that local community in terms of the MFS taking over the role of the CFS?

The ACTING CHAIRMAN: I point out that neither of these questions is relevant to the clause, but in order to expedite things I will allow the minister to respond.

The Hon. P.F. CONLON: There is a provision later for the disbanding of brigades on which the opposition has amendments that we intend accepting. What I really want to do is allay fears. Wherever fears are created I want to allay them. Where it is possible to get a decent structure we intend to have it. I have to say that, under this bill (if we accept the opposition's amendment, which is my intention), it will be easier to do away with a local council than it will be a CFS or SES brigade. I would say that the general approach would be that, certainly from my perspective, one would find that establishing an MFS presence where there was not one before would have to be as a result of a great deal of clamour for it, because they cost a lot of money. It would occur only where there has been a very substantial change in the circumstances in the future, I would say.

The truth is that we do have a State Strategic Plan, which seeks population growth. We would like the population to grow in South Australia. As much as I love this place it cannot stand still, and it may well be that some towns do change. However, I can tell members that it would be my view and the view of the Hon. Kevin Foley that we would want to get as much out of the volunteers for as long as we could, because we think that they do a marvellous job. By crikey, the price is right, isn't it? They are marvellous people and they do a marvellous job.

I would say that there would have to be very compelling reasons before the MFS took over from the CFS. When the members come to those clauses later they will find that the protections for closing down a CFS or SES brigade are very substantial. We are quite happy with that, because we believe that anything that makes volunteers feel good and secure is worth doing while attempting to keep a sensible structure for the Fire and Emergency Services Commission.

The Hon. W.A. MATTHEW: I thank the minister for his indication that he is prepared to accept some of the opposition's amendments. We believe that that will assist the spirit and sensible intent of this bill. This clause is that to which I was alluding earlier, in that, when you take existing provisions from either the existing Country Fire Service Act or the State Emergency Service Act and put them into this bill over which you have ministerial control, it changes the intent of the way in which those clauses currently read.

The minister has repeatedly assured this committee that it would be a very unwise and foolish minister—one not worthy of serving in their post—were they to use their power unwisely, and that is true of any ministerial power. That does not change the fact that the commission will be subject to the control and direction of the minister. The minister will be able to direct that commission. I move:

Page 13, after line 25—

Insert:

- (2a) The minister must, within six sitting days after giving a direction to the Commission under this section, have copies of the direction laid before both houses of parliament.

The minister has graciously said that he is prepared to accept this amendment. This provision is similar to that which exists in other pieces of legislation that have previously been passed by this chamber. I believe that it at least puts the logic of the argument forward if a minister is using directive powers. Certainly, it is my view and the view of my colleagues on this side of the committee that it would be a very rare occasion that a commission would be directed by the minister. We argue that the rarity of a commission's being directed by the minister would equate with the rarity of a police commissioner being directed by a minister.

We know that, if a police commissioner were to be placed in that position, such a direction would have to come before the floor of this parliament. We would see that a commission, properly functioning, would be doing so without external intrusion and would be doing so for emergency service reasons. That is the whole thrust of the opposition's argument in relation to this bill and the whole thrust of any amendments that we put forward. Emergency services require specialist expertise. Certainly during my three years as a minister, and while I gained extensive knowledge of the operation of our emergency services, never at any stage would I have claimed to have a greater knowledge than any of my fire chiefs or head of the SES.

It would have been inappropriate of me to believe so or to have advocated so. That is why we employ professionals to undertake those roles, and it is important that the minister does not impose his or her will upon them. We are concerned that the Emergency Services Commission is subject to the control and direction of the minister but, having said that, we recognise that there may be rare occasions on which a minister may need to exercise that power. We believe that those rare occasions would occur only in situations of breakdown in operation of the commission to the extent that the minister has no choice but to intervene.

Under the Local Government Act, for example, a government has the power to place an administrator over a council if that council becomes dysfunctional. I expect that that is the way such direction would be used by the minister. I ask the minister to advise the committee if, outside of a dysfunctional commission, he can think of any other instance where he believes it would be necessary for him as minister or a

minister in the future actually to issue a direction to the commission.

The Hon. P.F. CONLON: Speaking for myself, something would need to have gone dramatically wrong with the governance of the commission. That is not an impossibility and that is why the power is there. That is the only thing I can contemplate. I put on the record that I as a minister have taken the approach that I do not do anything to interfere operationally with any of the emergency services. I have always attempted to make sure that I trust the judgment of the people who are there. If you cannot trust the judgment of the people who are there, the remedy is not to become the operational person yourself but to change the people who are there. You get your appointments right and you trust people.

We do have to take into account that governance could go seriously awry and there has to be the ability for the government to fix it. One of the things we should remember now is the very different funding system for emergency services introduced by the previous government, which means that so much money now comes from the state government for all those services—much more than under the old system. Because this government has not increased the emergency services levy since coming to government, even though there have been significant increases in funding for the services, a great deal of money now comes out of consolidated revenue.

Probably half the emergency services funding comes out of consolidated revenue. Given that level of public spending on services, I imagine that there has to be a safeguard to ensure that the governance does not go awry. I think it is entirely appropriate and I am happy to accept the amendment.

The Hon. W.A. MATTHEW: I thank the minister for accepting our amendment and am pleased that the record will now show that it is the government's intent that clause 7, 'Ministerial control', is there for use effectively if something goes badly awry with the management of the Emergency Services Commission, and we accept the clause being there on that basis. It would disappoint us and, clearly, from the minister's comment, would disappointment him if a minister in the future endeavoured to use that clause inappropriately for anything other than the intent that has been stated on the record by this parliament today.

As the minister indicated, we do have a different system today of funding our emergency services. The emergency services levy that was introduced by the Liberal government, supported in its introduction by the Labor opposition and continued under the Labor government, has proved to be an effective way of funding emergency services. In examining this and previous clauses there has been a bit of a focus on the emergency services levy. I know this from personal experience, because I live in an area that is covered by the Country Fire Service, and I for one know that the emergency services levy in a Country Fire Service area is considerably less than the emergency services levy payable in the Metropolitan Fire Service area.

South Australians who live in CFS areas—and there are many like me who live in the metropolitan area but who are covered by a CFS brigade—know not only the benefits of having those dedicated volunteers there but that the levy is lower in those CFS areas.

Amendment carried; clause as amended passed.

Clauses 8 to 10 passed.

Clause 11.

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

Page 15, after line 33—Insert:

(f) a member of the Advisory Board selected under subsection (5)(a)

This amendment is facilitative of the other amendments in regard to the changes to advisory boards.

The Hon. W.A. MATTHEW: The amendment moved by the minister is one to which I referred earlier. It places on the board, effectively as an observer, a member from the advisory board established by the minister. The assumption made by the volunteer groups is that the person placed on the board as an observer will be a representative of their services, although that is not necessarily the case, because the board also has representatives from the United Firefighters Union. I ask the minister: what assurance can be made legislatively?

The Hon. P.F. CONLON: It is impossible. Subsequent amendments indicate that this person would have to be nominated by either the SES Volunteer Association or the VFBA. Subsequent amendments make it impossible to get those terrible unions on there.

The Hon. W.A. MATTHEW: I am somewhat comforted by the minister's assurances that the person in that observation role will definitely be from the CFS or SES, year turnabout. I ask the minister: did he give consideration to that person from the advisory board having voting status on the committee? The way the bill is framed is that it defines 'representatives' on this board as being ex officio, and that status is given to the heads of each of the three services, namely, the Metropolitan Fire Service, the State Emergency Service and the Country Fire Service, as well as the Essential Services Commissioner. Each ex officio member will have voting rights, can form part of a quorum and can chair the board. I ask the minister: was consideration also given to providing that status to the member from the advisory board? If not, why not and, if so, why was it decided that the volunteer representative would have absolutely no voting say in the operation of the board?

The Hon. P.F. CONLON: Obviously, many things are considered, but the bottom line for the member is that we believe that this is the model most consistent with good governance. We are comforted in the agreement on that view by all the stakeholders. All I can say is that we have different points of view, and I am comforted in my point of view that the Volunteer Fire Brigades Association, the State Emergency Service Volunteer Association, the heads of services and the chair of the commission—everyone—are comfortable with this arrangement. If the member does not agree with me, we will just have to agree to disagree.

The Hon. W.A. MATTHEW: As I have indicated before, the opposition has strong confidence in our volunteers. Our confidence has been demonstrated through, firstly, endeavouring to have the volunteer representative dominating the voting intent of the board. That was rejected by the government using its numbers. We then endeavoured to retain the Country Fire Service board and introduce the state emergency service board, again, to ensure that volunteer voting strength determined the direction of the service. That was rejected by the government. Now we are speaking to an amendment that constitutes the board, that, importantly, the minister's amendment includes a volunteer representative on the board. We welcome the inclusion of a volunteer representative on the board. We will be supporting the inclusion of a volunteer representative on the board.

I have later amendments that will be seeking to give that volunteer representative voting rights. We do not believe in tokenism in relation to our volunteers, and we would argue

that to have a volunteer representative on this important board—the board that is going to be managing our three emergency services, the Metropolitan Fire Service, the State Emergency Service and the Country Fire Service—it is essential that that representative is not a token representative, but has full powers to have a say in the operation of those emergency services. Frankly, in my view, anything other than giving that voting right is tokenism, and is almost belittling to the person there. We have got an incredible depth of experience in our volunteer services, and there are people who are eminently qualified through things they do in their professional life, as well as through the service that they have given to the state through enormous donated time to be able to make a positive impact on this board.

The minister would argue that they can do that by having a say, but a vocal say is very different to a voting say. The opposition cannot understand why the government has not given the volunteers this power, and I put it very firmly on the record that I have been encouraged in pursuing this direction as recently as this morning by very senior volunteers within our state services. They have implored that we, at least, get them a voting right on that board, and that is what we are endeavouring to do today with subsequent amendments that I will address at the time, but we welcome the addition of a volunteer on the board through this change, albeit only with observation status.

Amendment passed.

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

Page 16, lines 1 to 3—

Delete subclause (4) and substitute:

- (4) A suitable person may be appointed or selected to be the deputy of a member of the Board—
 - (a) in the case of a member holding office under subsection (1)(a) to (e) (inclusive)—by the Governor
 - (b) in the case of a member holding office under subsection (1)(f)—by the Minister, and a deputy may, in the absence of the relevant member, act as a member of the Board.
- (5) The following provisions will apply in relation to the operation of subsections (1)(f) and (4)(b):
 - (a) the Minister will, in respect of each financial year, after consultation with the relevant association, select a relevant member of the Advisory Board to be a member of the Board under subsection (1)(f) for that financial year;
 - (b) the Minister will, in respect of each financial year, after consultation with the relevant association, select a relevant member of the Advisory Board to a deputy under subsection (4)(b) for that financial year.
- (6) In subsection (5)—

relevant association means—

 - (a) in respect of the 2005/2006 financial year, and every second financial year thereafter—the South Australian Volunteers Fire-Brigades Association for the purposes of paragraph (a) and the S.A.S.E.S. Volunteers' Association Incorporated for the purposes of paragraph (b);
 - (b) in respect of the 2006/2007 financial year, and every second financial year thereafter—the S.A.S.E.S. Volunteers' Association Incorporated for the purposes of paragraph (a) and the South Australian Fire-Brigades Association for the purposes of paragraph (b);

relevant member means—

 - (a) in respect of the 2005/2006 financial year, and every second financial year thereafter—a member of the Advisory Board under section 18(3)(c) for the purposes of paragraph (a) and a member of the Advisory Board under section 18(3)(d) for the purposes of paragraph (b);
 - (b) in respect of the 2006/2007 financial year, and every second financial year thereafter—a member of the Advisory Board under section 18(3)(d) for the

purposes of paragraph (a) and a member of the Advisory Board under section 18(3)(c) for the purposes of paragraph (b).

The amendment is self-explanatory and I will answer any questions that the opposition may have.

Amendment passed; clause as amended passed.

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

Clause 12.

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

Page 16, line 6—

After 'of the Board' insert:

(other than a member under section 11(1)(f))

The Hon. W.A. MATTHEW: I ask the minister to explain the intent of his amendment to the committee so that it is recorded, please.

The Hon. P.F. CONLON: There is not a lot to explain. This allows us to appoint the volunteer member to the board in the way we discussed earlier.

Amendment carried.

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

Page 16, after line 9—

Insert:

(2a) An associate member of the Board under section 11(1)(f) will hold office as a member of the Board in respect of the financial year for which he or she is appointed (on conditions determined by the Governor).

Amendment carried; clause as amended passed.

Clause 13.

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

Page 16, after line 25—

Insert:

- (3) In the event of a casual vacancy in the office of an associate member under section 11(1)(f), a person appointed to fill that casual vacancy will not only hold office for the balance of the relevant financial year.

This purely facilitates the appointment of volunteers as we have discussed.

Amendment carried; clause as amended passed.

Clause 14.

The Hon. W.A. MATTHEW: I move:

Page 16, line 30—

Delete subclause (2) and substitute:

(2) A quorum of the Board consists of:

- (a) 3 of the 4 *ex officio* members of the Board; and
- (b) the member of the Board holding office under section 11(1)(f).

This is the first of a series of amendments that the opposition has proposed, which aims to facilitate meaningful volunteer participation on the board managing the Essential Services Commission. At this stage of the debate, we are now debating whether a volunteer representative, who is selected from the advisory board—that is, a CFS or SES volunteer representative through the Volunteer Fire Brigades Association or the South Australian State Emergency Service Volunteer Association Incorporated—should be on that board turn about. As I have indicated to the committee before, the concern the opposition has with that amendment is that it places a volunteer on the board with no voting rights, not able to constitute part of the quorum, and unable to chair the proceedings of that board meeting; so, we have a volunteer representative placed on that board with observer status only. The opposition argues that the input of volunteers is so valuable that they ought have voting status, just as they have voting status on the Country Fire Service board and just as, through other amendments, we sought to give the State

Emergency Service similar powers. This recognises the government's input of that one volunteer onto the board, but we wish to empower that person with the right to vote.

This amendment changes the quorum of the board so that the quorum of the board can comprise three of the four ex officio members and the member of the board holding office under section 11(1)(f) who is the volunteer representative. The other concern we have with the way the advisory board member volunteer would be placed on the board managing the fire and emergency services commission is that meetings could actually go ahead without that volunteer (or the volunteer's delegate) being present; certainly provision is in the bill for a delegate. This ensures that for every meeting of the board, in this first instance, a volunteer is always present and a meeting cannot go ahead without that volunteer being present.

In view of the fact that there is provision for the volunteer nomination from the advisory board, and in view of the fact that there is also the opportunity for a delegate, we would argue that there is nothing unreasonable that would hinder the activity of the board to require that volunteer to always be there. I put it to the minister that it is another opportunity to show good faith. If the bill and the amendments are as the minister puts to the parliament, this ensures that the volunteer representative is always there. In fact, it strengthens the role that he has established through his amendments and ensures that nothing can be done by the board without at least, in this first part, having the volunteer representative there as an observer.

The Hon. P.F. CONLON: I simply cannot accept the amendment. It is a very unusual proposition that one member of the board could prevent the board from meeting. It means that one member of the board could choose not to go, for whatever reason, and prevent the meeting from proceeding. I have not heard of such a thing. I simply cannot agree. It is not a recipe for good governance. All this is just driven by this incredibly weird suspicion and fear-mongering—

The Hon. W.A. Matthew: Distrust.

The Hon. P.F. CONLON: It is all about distrust, he says. Out of this bizarre distrust the opposition wants to create a structure whereby one person alone should be trusted, and that is the volunteer member. If the volunteer member does not turn up, the board cannot meet. I do not think I need to say more; frankly, it is quite silly.

The Hon. W.A. MATTHEW: The opposition argues that it is not silly, and it reminds the minister that this is the opposition's fallback position. It was our preference, through amendments that have already been put to this committee, that there be more volunteer—

The Hon. P.F. Conlon: You lost them.

The Hon. W.A. MATTHEW: The minister indicates that we lost them. We lost them in this chamber but there is another place that is still to consider these amendments, and the voting numbers are much different in the other place—the minister should be well aware of that.

That aside, the fact is that we endeavoured to put forward a sensible structure that would provide volunteers with effective managerial input through having the right to vote on decisions made within emergency service organisations. Just as they are presently before the Country Fire Service, our amendments would have created equal autonomy for the State Emergency Service and given volunteers a say and protection. That was the intention, but that has been defeated in this place at this time. We then put forward a further option of retaining the CFS board and providing a similar opportunity

for the SES. That has been defeated, so we are now left with this.

We would like to see more volunteer representatives on this board so, if the minister is concerned about one person only having that power, if the minister wishes to further amend to have more than one volunteer representative we would happily accommodate that; the opposition would support such a move. If the minister wishes there to be two volunteer representatives at any time—one from the SES and one from the CFS—and only one of those two present, we would welcome that. In fact, we would argue that that is probably an even better arrangement.

This protects volunteers, but the minister is saying that it is all right for a board meeting to go ahead if the volunteer representative is not present; he does not have a problem with that. But he does have a problem with that volunteer representative being able, it would almost seem (to further interpret what the minister has said), to irresponsibly hold up or not attend board meetings. That is the extrapolation that could be made from that. The minister said before that he trusts volunteers, he trusts their intent. If he trusts volunteers and their intent then there should be no concern at all about them using that power inappropriately; they would not. As the minister has said, they want this new change to come forward. This provides a safety net, through not allowing a meeting to occur without one of the volunteer representatives, or their delegate, being present. That is all it does. I cannot see how that is going to hold up proceedings unduly, or even at all, if this process is, as the minister indicates, one of good faith.

I know how the numbers are likely to flow in this house. I dare say the minister will again use the numbers that have been gained through various processes in this place to defeat our amendment, but it is put forward in good faith and in the interests of volunteers in our community. This is a chance for the minister to match his rhetoric with his support or opposition to the amendment before us.

The committee divided on the amendment:

AYES (16)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C.	Chapman, V. A.
Goldsworthy, R. M.	Gunn, G. M.
Hall, J. L.	Hamilton-Smith, M. L. J.
Kotz, D. C.	Lewis, I. P.
Matthew, W. A. (teller)	Meier, E. J.
Penfold, E. M.	Scalzi, G.
Venning, I. H.	Williams, M. R.

NOES (21)

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

PAIR(S)

Kerin, R. G.	Rann, M. D.
McFetridge, D.	Breuer, L. R.
Buckby, M. R.	Hanna, K.
Evans, I. F.	Atkinson, M. J.

Majority of 5 for the noes.
Amendment thus negatived.

The Hon. W.A. MATTHEW: I move:

Page 16—

Line 31—After ‘meeting of the board’ insert:
, together with the member of the board holding office
under section 11(1)(f), each

Line 34—After ‘member of the board’ insert:
(other than the member holding office under section 11(1)(f))

Page 17, line 7—Delete ‘ex officio members of the board’ and
substitute:
members of the board who are able to vote at meetings of the
board

I will use these amendments as the last test clause. All these amendments together change the ex officio status of members of the board which is referred to in the bill by deletion. The import of the ex officio status is the way the act is amended: it is only the ex officio members who can vote on the board. Under the act, the ex officio members are defined as the three heads of the respective services—the State Emergency Service, the Country Fire Service and the South Australian Metropolitan Fire Service—as well as the Fire and Emergency Services Commissioner. The volunteer representative (that is, the representative who is put onto the board from the minister’s ministerial advisory body), depending upon the time, will be a nomination of the South Australian Volunteer Fire Brigades Association or the South Australian State Emergency Services Volunteer Association Incorporated.

By deleting ex officio references, these amendments collectively enable that person to have a vote and to chair a meeting. We see that as being fairly essential. The logic is the same as I argued with the previous amendment. As I indicated, this will be a test clause for the remainder of the matters relating to this issue.

The committee divided on the amendments:

AYES (18)

Brindal, M. K.	Brokenshire, R. L.
Brown, D. C.	Chapman, V. A.
Evans, I. F.	Goldsworthy, R. M.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Kotz, D. C.
Lewis, I. P.	Matthew, W. A. (teller)
Meier, E. J.	Penfold, E. M.
Redmond, I. M.	Scalzi, G.
Venning, I. H.	Williams, M. R.

NOES (22)

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

PAIR(S)

Kerin, R. G.	Rann, M. D.
McFetridge, D.	Breuer, L. R.
Buckby, M. R.	Hanna, K.

Majority of 4 for the noes.

Amendments thus negatived; clause passed.

Clause 15.

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

Page 17, line 26—

Delete ‘the Chief Officer’ and substitute:
a member

Amendment carried; clause as amended passed.

Clause 16.

The Hon. W.A. MATTHEW: I have no amendment but I have some questions. The minister has already advised us who the likely chief executive of the commission will be, but I ask him whether he can reveal to the committee how many staff he expects the commission will have. Is the minister saying that he has not revealed who the commissioner will be? I thought the minister had but, if he has not, I am sure he will correct—

The Hon. P.F. CONLON: This bloke is retiring in July. Do you know that?

The Hon. W.A. MATTHEW: Yes, I understand that, but will the minister advise the committee how many staff he expects the commission will have, and whether at this stage he has determined who the commissioner will be?

The Hon. P.F. CONLON: It is probably fewer than 100, which is fewer than ESAU at present and which should be something that encourages people. But, obviously, that is a detail that has to be worked out and provided to the member at the earliest possible date.

The Hon. W.A. MATTHEW: I appreciate the minister’s offer to bring that advice back at a future date, and I am satisfied with that. I wish to put on the record that I believe one of the great failings of ESAU was the fact that it grew into a bureaucratic nightmare. The staffing levels were particularly horrifying. Certainly, in my wildest nightmares in relation to that unit, I would have expected that 20 staff were too many. However, the commission has a different role from that of ESAU and, of necessity, would need more staff than that. Can the minister give a broad overview of the type of functions he sees those officers performing which would be performed within agencies at the moment, or any roles in the existing ESAU that he sees as going?

The Hon. P.F. CONLON: None of this is fixed in concrete, and I thought I had said this. The new structure is about getting admin people to support and work for the services and reverse the previous situation where it seemed that the functional admin people decided to place themselves above the various services. This is all about the operational people who run the service having the admin and functional services people work for them. So, it would do that. But nothing is fixed in concrete with respect to roles. We have found that some roles that were formerly in agencies themselves were taken out to ESAU, which is one of the reasons for the number of staff, and we found it better that they should go back. So, nothing is fixed in concrete. It will perform those functional and admin duties for the services.

The important thing to know is that the structure allows those chief officers to structure their admin and functional support where they are in SAFECOM with the individual agencies in the way that best suits those agencies. I have the following note: ‘Finance, risk management, human relations, occ. health and safety, community education, procurement, stores’. But nothing is fixed in concrete. The whole benefit of this structure is that it allows those chief officers, through a commission, to structure the admin and functional roles to suit the services rather than, frankly, what I believe has happened under the structure created by the previous government, with the admin and functional people trying to structure the services to suit those admin functions. I think that has been a tremendous failing.

The Hon. W.A. MATTHEW: As I have indicated previously, if the minister is throwing me some bait, he will not get me to bite on defending ESAU. I am far from a defender of ESAU, as many of my colleagues know; I have never been a defender of ESAU. I welcome a sensible analysis of those functions. As I understand from what the minister has put forward, it will be functions such as payroll, human resources management and those types of things that will come forward. That makes good sense. Does the minister see other things beyond the normal admin coming into ESAU that are perhaps emergency services specific? For example, from time to time communications dispatch and call centre operations have been an issue of controversy. But there have been, at times, a number of assessments on the benefits of co-locating some of those services. Does the minister see the new commission as, perhaps, with all three services working together, being in a position to combine those things, or does he rule that out of consideration altogether?

The Hon. P.F. CONLON: This whole process is about me as minister placing faith in the operational people in the services. I am not ruling something in or out; what I am saying is that it is my responsibility through the functions of government to pick chief officers to do the job. It is up to them how they manage the services together through the commission. That is what this is all about. It is about those operational people, who I have to say are full of commitment and goodwill, deciding the best way to run the services in South Australia.

My own view is that there is likely to be very little change in the short term but, where there are obvious advantages through working more closely together, they will be taken. Can I say that is happening now because of the very great goodwill between the agencies and this process. Above all, this is about creating a vehicle for the operational people who run the services to have a mechanism for them to make decisions for the benefit of all the services whilst retaining the individual character and nature of the services. I think it is a very good reform, and I think it is a shame that not everyone has come to that view.

Clause passed.

Clause 17 passed.

Clause 18.

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

Page 19, line 7—Delete ‘including’ and substitute ‘particularly in relation to’.

This amendment is self-explanatory.

Amendment carried.

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

Page 19, lines 13 and 14—

Delete subclause (3) and substitute:

(3) The Advisory Board consists of the following members appointed by the Minister:

- (a) 1 member appointed to be the presiding member of the Advisory Board; and
 - (b) 1 member appointed on the joint nomination of the Chief Officer of SAMFS and UFU, being a person who is, under the organisational structures of SAMFS, a retained fire-fighter; and
 - (c) 2 members appointed on the nomination of the South Australian Volunteers Fire-Brigades Association Incorporated; and
 - (d) 2 members appointed on the nomination of SASES Volunteers' Association Incorporated; and
 - (e) 1 member appointed on the nomination of the LGA; and
 - (f) 1 member appointed on the nomination of the UFU.
- (3a) The presiding member must be a person who, in the opinion of the Minister, is independent of the Commis-

sion, the emergency services organisations, and the associations that represent the interests of members of the emergency services organisations.

(3b) A member of the Advisory Board will be appointed on conditions determined by the Minister for a term, not exceeding 3 years, specified in the instrument of appointment and, at the expiration of a term of appointment, is eligible for reappointment.

(3c) The Minister may remove a member of the Advisory Board from office—

- (a) for breach of, or non-compliance with, a condition of appointment; or
- (b) for misconduct; or
- (c) for being absent from 4 or more consecutive meetings of the Advisory Board without leave of the Board; or
- (d) for failure or incapacity to carry out official duties satisfactorily.

(3d) The office of a member of the Advisory Board becomes vacant if the member—

- (a) dies; or
- (b) completes a term of office and is not reappointed; or
- (c) resigns by written notice to the Minister; or
- (d) is removed from office under subsection (3c).

(3e) The Minister may appoint a suitable person to be the deputy of a member of the Advisory Board and that person may, in the absence of that member, act as a member of the Advisory Board.

This amendment provides details of the advisory board that would otherwise under the previous structure be included in the regulations. Apparently, that upset the opposition. I am happy to be entirely open about it and place it in the law. It involves all of those matters that we talked about some weeks before.

The Hon. W.A. MATTHEW: The opposition welcomes the structure of the advisory board being included within the legislation. The minister knows I am a supporter of the flexibility afforded by regulation, but we believe that, if this structure is to have the significance which the minister has explained to the committee that he thinks it should have, it deserves to be enshrined within the legislation. What the opposition finds curious is that this amendment has been a bit of a walking feast in that it has now been tabled in three formats. This is the third format that we are considering this evening.

The difference between the two previous formats is that the first of those formats was to insert subclause (3)(b), which allows for the appointment to the advisory board of ‘1 member appointed on the joint nomination of the Chief Officer of SAMFS and UFU, being a person who is, under the organisational structures of SAMFS, a retained fire-fighter.’ Then there was another tabled amendment which updated it further. We now have paragraph (f) which seeks to appoint a further member on the nomination of the United Firefighters Union.

The opposition concludes from that that behind the scenes there was a bit of a brawl going on with the Firefighters Union wanting more representation. So, we have done a bit of digging through consulting with volunteers and they have confirmed that there was a barney going on and that the United Firefighters Union wanted better representation on the advisory board. This has moved a bit from the initial intention. The initial intention of the advisory board was essentially to have a forum for volunteers to be able to voice concern to the minister. That was the intent of this advisory board and was always what was put by the minister.

Now we find, through a succession of tabled amendments that have obviously been negotiated out in the past few days to where they are now, that we have not one but two unionists on the board. That changes the direction just a little bit. On

the one hand the minister may well claim that everything is working so well that we have trade unionists representing paid staff sitting next to volunteers, they are all working together and this is a way of conclusively putting them around the table. That is a logical argument that he could well put forward. You could also argue that it gives the union an opportunity in a forum that it would not otherwise have had and in which it was not initially included.

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: I can point to the other amendments tabled earlier, and the United Firefighters Union was not on there.

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: The UFU nominee at 3(f) has been added.

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: The retained firefighter was not mentioned in any of the initial—

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: Clearly, there has been a problem with the United Firefighters Union and it now has another unionist on there. I ask the minister whether the appointment on the nomination of the United Firefighters Union that has now been added to his amendment has been agreed to by volunteers and why that nomination was added at a later date to the amendments originally tabled before the house.

The Hon. P.F. CONLON: Yes. I cannot refer to the gallery, but the heads of both the volunteer associations are here and, were it within the bounds of standing orders to refer to the gallery, we could probably look to them and see them nod. It has been agreed by those associations. The retained firefighters were always intended to be there. How you manage to equate the retained firefighters as being alien to volunteerism is something I do not understand or accept.

For over 12 months the Industrial and Volunteer Liaison Committee has been working with the union, and it has been a very good relationship, which led to the creation of this. It creates a capacity for the UFU to continue that relationship with the volunteers. They do not get a vote, if you have read the legislation. To be spooked by this is merely to demonstrate an anti-union bias, which we all know is an essential part of being a Liberal Party member. These people have worked together very happily for a long time, and I have no problem with their continuing to work together into the future.

The Hon. W.A. MATTHEW: To be spooked by this is not an essential part of being a Liberal Party member, to answer the minister's criticism of our stance, but it is to reflect that there are people in this parliament who have been here through previous Labor governments. Both the member for Stuart and I have seen—

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: Is the minister saying that a non-voting member on this advisory board is irrelevant?

The Hon. P.F. Conlon interjecting:

The Hon. W.A. MATTHEW: We have seen that Labor governments of the past have form. I do not believe that a leopard changes its spots. When I was elected to parliament in 1989, St John volunteers were handing out how-to-vote cards, encouraging people to vote for the Liberal Party to save St John volunteers. That is what happened. We have also seen what the Bannon Labor government tried to do to CFS volunteers. This mob, through their past governments, I do not trust. I do not trust them one bit. I make no secret of that

fact. I do not trust the intent of Labor governments in relation to volunteers. I believe a lot of this is a very clever smoke-screen.

Of course, there has been consultation, but that makes it all the more believable. There are powers in this legislation that can threaten to destabilise volunteering, as we know it here. They try to laugh about it and make light of it. If someone said in 1985 that the Bannon government would do over the volunteers in St John, they would have laughed it off in the same way; but that is exactly what occurred. We see the same issue as being relevant. In the same way, the then ambulance employees' association started to snuggle up with St John volunteers; and we saw what the consequences were.

I will not criticise the unions. I will not criticise well-informed, well-intentioned union membership working productively with volunteers. The fact remains that the United Firefighters Union has never made a secret of its desire to have more stations with paid personnel across the state. It has never made any secret of it. All of a sudden we are seeing these barneys occur because the UFU wants more say in what will happen on the advisory board to the minister. The compromise agreement has been, 'Okay, a few of you go on there but you do not get a vote.' No doubt the volunteers were probably told—indeed, that is what a couple have suggested to the Liberal Party today—that they do not have a vote. It does not matter all that much and it keeps them happy. I wonder whether that was the same logic that was used about putting the non-voting member of the advisory board on the commission board. I sense that the same logic was involved.

The CHAIRMAN: In order to expedite matters we have several amendments to amendments on this clause. I will allow members who have amendments to amendments (including the member for Stuart) to put those; then we can canvass the various aspects and deal with them in the order in which they appear or relate to the bill.

The Hon. G.M. GUNN: I move:

Proposed new subclause (3)(e)—delete 'one member' and substitute:

two members

Proposed new subclause (3)—after paragraph (f) insert:

(g) one member who is a practising pastoralist and who resides outside local government boundaries; and

(h) one member appointed on the nomination of the South Australian Farmers Federation Incorporated.

The logic is quite simple. In those isolated parts of the state in the west, say, from Tarcoola to Marla, from Innamincka to Cameron's Corner, if there is an accident, if there is an emergency, they are the people who actually provide the emergency services. They have a contribution to make. They would be cooperative and improve the advice. Secondly, members of the Farmers Federation in many cases would be the first people to a fire. It is important in relation to hazard reduction and preventative action in relation to bushfire control and emergency services that their views are taken into account, particularly their suggestions as to how to make things better. This is a practical way of doing that. They will feel included if these amendments are accepted. In my case there is no hidden agenda. This will improve the advisory committee, not hinder it.

The Hon. W.A. MATTHEW: There is a further complexity, as well, namely, my amendment No. 15 of 2(12). That amendment, in part, has been adopted by the minister in his amendment. The only exclusion—and it may be that it was an oversight by the minister and we may be able to wrap

it up easily—is the provision that at least one member of the advisory board must be a woman and one member must be a man. That is a standard clause in many government bills. When dealing with a service of this nature, it may be that it is an even more important clause. I ask the minister whether or not it was a deliberate exclusion. When the minister has answered that question, I will speak to the amendments on 2(14).

The Hon. P.F. CONLON: It is a deliberate exclusion, not for the reasons that might cheer up the member for Stuart but because we have a gender balance bill that achieves exactly the same thing; and, I must say, it is standard government policy. It is our intention. It is not necessary to do that in individual acts because there is a bill to address it.

The Hon. W.A. MATTHEW: I am satisfied with that answer, which means that I will not proceed with my amendment to this clause appearing on sheet 2(12). That then takes me to my amendments Nos 5 and 6 appearing on sheet 2(14). In fact, the minister has convinced me in relation to amendment No. 5. I wish to pursue only amendment No. 6. I withdraw my amendment No. 5 appearing on sheet 2(14). The remaining amendment seeks to delete subclause (3)(f) of the minister's amendment. That will need to be put after the minister's amendment has been put to the committee.

I suggest that, for ease of working through this, the minister's amendment is put first and then the amendment of the member for Stuart. My amendment seeks to delete paragraph (f) if it is included within the bill. Essentially, my amendment is consequential; it seeks to remove the UFU nominee from the advisory board.

The CHAIRMAN: The member for Bright must move his amendment to delete paragraph (f). It is an amendment to an amendment.

The Hon. W.A. MATTHEW: I move:

Proposed new subclause (3)(f)—Delete paragraph (f)

The Hon. P.F. CONLON: I will not respond to the member for Bright; I have said enough. However, I would like to respond to the member for Stuart. It pains me to say nice things about members of the opposition, but I respect the points made by the member for Stuart and the reasons he has brought this forward. It is a breath of fresh air, in my view. Certainly, I cannot accept them now. I would need to talk to stakeholders. I am not sure that I can accept the honourable member's amendments in the form they are now, but I am very happy to see whether we can accommodate something between here and the other place.

I acknowledge the Local Government Association's recognising the importance of that group. It has never been the position in the past that farmers or pastoralists have been separately represented. I think that, in the past, we have taken for granted that their CFS volunteers are very often drawn from that group. I certainly do believe that, in the modern era, there is a lot of merit in what the honourable member says. I would like to place on the record how really terrific and how fantastic it has been working with the Farmers Federation in the recovery period of the Eyre Peninsula bushfires.

It is, I think, incumbent upon us to find out how we can make better use of those relationships and the knowledge of those people, particularly with respect to preplanning of bushfire management. We need to do a little more. Certainly, I indicate that I am very happy to have a further talk to the member for Stuart and stakeholders, and probably get Vince Monterola and even Euan Ferguson to have a chat with the honourable member between houses to see how we can do

that better. Whilst I certainly cannot accept the amendments at present, I am more than happy to work something out because, frankly, I think that there is some commonsense in the argument put by the honourable member.

The Hon. Mr Matthew's amendment negatived; the Hon. Mr Gunn's amendments negatived; the Hon. Mr Conlon's amendment carried.

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

Page 19, after line 21—Insert:

(4a) However, the member of the Advisory Board appointed under subsection (3)(f) will not have a vote at a meeting of the Advisory Board.

I am absolutely certain that I will not have any argument from the opposition about this one.

Amendment carried; clause as amended passed.

Clauses 19 to 67 passed.

Clause 68.

The Hon. W.A. MATTHEW: I move:

Page 41, lines 32 and 33—Delete subclause (8) and substitute:

(8) The Chief Officer must, before determining to dissolve a SACFS organisation, consult with—

- (a) the members of the organisation; and
- (b) the local community; and
- (c) The South Australian Volunteer Fire-Brigades Association, in relation to the matter.

(9) For the purposes of subsection (8), the Chief Officer must—

- (a) organise a meeting at which the Chief Officer, or a representative or representatives of the Chief Officer, can meet with the members of the organisation (or their representative or representatives); and
- (b) organise a public meeting within the local community; and
- (c) invite the South Australian Volunteer Fire-Brigades Association to—
 - (i) make written submissions to the Chief Officer in relation to the matter; or
 - (ii) have a representative, or representatives, attend a meeting with the Chief Officer or a representative or representatives of the Chief Officer, as the Association sees fit.

(10) The Chief Officer must give notice of a public meeting under subsection (9)(b) by advertisement in a newspaper circulating throughout the local area.

(11) The Chief Officer must also give notice of a public meeting to any member of the House of Assembly whose electoral district includes any part of the area in relation to which the SACFS organisation is constituted.

(12) The Chief Officer, or a person appointed by the Chief Officer, must chair a public meeting.

(13) If—

- (a) a resolution expressing opposition to the dissolution of the SACFS organisation is passed (by majority vote) at a public meeting held under this section; but
- (b) The Chief Officer determines to dissolve the SACFS organisation in any event,

then the Chief Officer must furnish to the Minister a written report in relation to the matter.

(14) The Minister must, within 6 sitting days after receiving a report under subsection (13), have copies of the report laid before both Houses of Parliament.

The CHAIRMAN: Does the minister accept the amendment?

The Hon. P.F. CONLON: I think it goes a little too far, but we will accept it.

The Hon. W.A. MATTHEW: I thank the minister for accepting this amendment. I know that, tongue in cheek, he remarked earlier that, possibly as a consequence of this amendment, it will be easier to abolish a local government body or council than it will a board. This amendment puts forward a rigorous process whereby, in order for a CFS or

SES unit to be abolished (and there will be a subsequent similar amendment in relation to the SES; this amendment relates to CFS brigades), there is the necessity to consult with members of the CFS, the local community and the representative association (in this case, the South Australian Volunteer Fire Brigades Association).

In addition, there needs to be an organised meeting at which the Chief Officer, or his or her representative, speaks. The Volunteer Fire Brigades Association has the opportunity to make written submissions to the Chief Officer in relation to the matter, or have a representative or representatives, attend a meeting. Notice of the public meeting will be given by advertisement in a newspaper, and information will also be provided to the relevant member of parliament. We see this as a protection mechanism for volunteers, and we thank the minister for agreeing to accept it.

Amendment carried; clause as amended passed.

Clauses 69 to 82 passed.

Clause 83.

The Hon. G.M. GUNN: I move:

Page 50, lines 36 to 38

Page 51, lines 1 to 4—Leave out the definition of *responsible authority* and substitute:

responsible authority means—

(a) in relation to land within the area of a council—the council for the area;

(b) in relation to land outside the area of a council—SACFS, and in addition, if SACFS is acting under section 94(2), or the Minister has vested relevant powers or functions of a council in an officer of SACFS under subdivision 7, a reference in this section to the *responsible authority* will be taken to be a reference to SACFS (in addition to the relevant council), or to that officer (in substitution for the relevant council), as the case requires.

This amendment relates to giving the Director the authority to take the necessary action to put in place hazard reduction programs. It enhances the powers. I am one of those people who believes that you should be proactive and take action before a bushfire. If the relevant authorities fail to discharge their duties, someone has to have the authority. It ought to be the Director of the Country Fire Service. It is far better to take preventive action than have people's lives and property endangered and the whole community thrown into complete chaos, and that is what happens in a tremendous fire. If people build houses in inappropriate areas and let them become overgrown, why should volunteers or professional firefighters risk their lives for that irresponsible action?

The Director of the Country Fire Service, or whoever it may be, needs the authority to say, 'You people have to take some positive action, otherwise you are by yourselves.' Why should the long-suffering taxpayer and others—volunteers and professional firefighters—risk their lives because someone has been foolish and irresponsible? This amendment relates to those powers. It is an appropriate and, in my view, necessary amendment. I always believe the boy scout motto, 'Be prepared.' It does not matter whether they are private or an instrumentality of the Crown, the law should apply to them, and the Director should be in a position to issue the necessary authority and instructions.

The Hon. P.F. CONLON: I indicate that I do not think anyone disagrees with the sentiment of being prepared. It is staggering how difficult it is to convince people that, when a fire comes through, they will lose everything because of the absence of precautions taken around their home.

I point out to the member for Stuart that some changes arose from the bushfire summit in terms of these matters, including a greater role for the CFS and some planning

approvals. I can get the details for that, but I cannot do that off the top of my head. I cannot accept the amendments at present and, to be entirely honest with the member for Stuart, I signal that I do not think that we can accept them in the current form. There are some issues about resourcing that we would have to address, but I am more than happy to have Euan Ferguson talk to you between the houses to see whether there is something that improves the ability of the CFS and of local councils to make sure that people are prepared. This is something that came very loudly out of the bushfire summit and of the lessons learnt around Australia. Also, as sensible as these things are, making land owners do things around the home has proved to be a very intractable problem.

I indicate to the member for Stuart that that was one of the reasons that we introduced expiable offences, because we tried to convince people through the hip pocket that they have to do the right thing. In short, we cannot accept the amendments at present. If the member for Stuart is interested, we are happy to have Euan Ferguson talk to him about these matters to see whether there is some middle ground. I do not think that we will be able to accept the amendments in the current form, although I would not rule that out entirely. It would be nice to get to a situation where the matters raised by you do not occur and where people do the work around their properties. I place on the record that I make sure at the start of bushfire season that our own government agencies do the right thing. That is not always as easy as it seems at first glance, and I am sure that we can all tell those stories, too. It is a struggle every year. I have a great deal of sympathy for what you say. We will have a look at it, but we certainly cannot support it in this form at present.

The Hon. W.A. MATTHEW: I have a question for the member for Stuart to assist me in my deliberations on this clause. I am mindful of the fact that, when I went to the West Coast to examine first hand the consequences of the fire that occurred there, one of the many people I spoke to was an officer of the National Parks and Wildlife Service based at Coffin Bay. That officer (I was advised by my colleague, the member for Flinders, when she introduced me to him) was subjected to a fair bit of community backlash, because this very conscientious National Parks and Wildlife Service officer had a considerable portion of the national park boundary graded as a fire break.

When I heard what he had done and was aware of the direction at one point in time in which the fire was moving, I commented to him that I hoped the locals were grateful for his resourcefulness rather than critical of what he had done, and he grinned and said that he would not be holding his breath. I think that that is the point, and it might be something that the member for Stuart could answer for me. In his amendment, he very firmly highlights the responsibility of the local council in relation to their area but indicates that, in relation to an area outside of council, the Country Fire Service ought to have responsibility. Is the member for Stuart indicating through this that he would like to see a situation where the CFS would have responsibility such as the situation in Coffin Bay to which I refer, where the CFS officers could instruct and preside over the way in which the edges of national parks are cleared?

The Hon. G.M. GUNN: If the member for Bright turns over the page and looks at the foreshadowed amendment to page 55, after line 21, concerning failure on part of a Crown instrumentality to discharge its responsibility, he will see that that clearly covers the matter that he has raised. It is long overdue, and I suggest that the member for Bright drive

around, has a look at some of these vast national parks and sees, in some cases, how few fire prevention access tracks currently exist. I happen to be a neighbour of one, and I was alongside at the weekend—

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: Let me say to you, Mr Chairman, that when they catch on fire there will be lots of kangaroos, and you will see only the whites of their eyes as they will be moving so quickly. The member is right: this would give the Director of the Country Fire Service the necessary authority which he or she should have so that these people can be made to comply, as should other land owners.

The Hon. P.F. Conlon interjecting:

The Hon. G.M. GUNN: Well, I say to the minister in relation to this matter that, when these vast areas catch on fire, the cost to the taxpayers is horrendous. Two reports have just come out. A Productivity Commission report and another one released last week by the federal government clearly indicate the failure of native vegetation laws and the cost to the community. Mr Chairman, you know as well as I do that these areas will (it is not a matter of when) catch on fire, and you have to take preventive action. I could go on at length, but I will not.

The Hon. W.A. MATTHEW: In view of the very persuasive argument put forward by the member for Stuart, I am persuaded that this amendment is very worthy of support.

Amendment negatived; clause passed.

Clauses 84 to 93 passed.

Clause 94.

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

Page 56, after line 8—

Insert:

- (4a) However, the member of the Advisory Board appointed under subsection (3)(f) will not have a vote at a meeting of the Advisory Board.

Amendment carried; clause as amended passed.

Clauses 95 to 115 passed.

Clause 116.

The Hon. W.A. MATTHEW: I move:

Page 66, lines 37 and 38—

Delete subclause (9) and substitute:

- (9) The Chief Officer must, before determining to dissolve an SASES unit, consult with—
- (a) the members of the unit; and
 - (b) the local community; and
 - (c) S.A.S.E.S. Volunteers' Association Incorporated,
- in relation to the matter.
- (10) For the purposes of subsection (9), the Chief Officer must—
- (a) organise a meeting at which the Chief Officer, or a representative or representatives of the Chief Officer, can meet with the members of the unit (or their representative or representatives); and
 - (b) organise a public meeting within the local community; and
 - (c) invite S.A.S.E.S. Volunteers' Association Incorporated to—
 - (i) make written submissions to the Chief Officer in relation to the matter; or
 - (ii) have a representative, or representatives, attend a meeting with the Chief Officer or a representative or representatives of the Chief Officer,
 as the Association sees fit.

- (11) The Chief Officer must give notice of a public meeting under subsection (10)(b) by advertisement in a newspaper circulating throughout the local area.
- (12) The Chief Officer must also give notice of a public meeting to any member of the House of Assembly whose electoral district includes any part of the area in relation to which the SASES unit is constituted.
- (13) The Chief Officer, or a person appointed by the Chief Officer, must chair a public meeting.
- (14) If—
 - (a) a resolution expressing opposition to the dissolution of the SASES unit is passed (by majority vote) at a public meeting held under this section; but
 - (b) the Chief Officer determines to dissolve the SASES unit in any event,
 then the Chief Officer must furnish to the Minister a written report in relation to the matter.
- (15) The Minister must, within 6 sitting days after receiving a report under subsection (14), have copies of the report laid before both Houses of Parliament.

This clause is very similar to the one that the minister previously agreed to, and I believe he will agree to this one as well in relation to consultation for the abolition of a South Australian State Emergency Services unit. It mirrors the provisions that have already been agreed to in respect of the Country Fire Service.

The CHAIRMAN: Are you accepting this, minister?

The Hon. P.F. CONLON: Yes.

The Hon. W.A. MATTHEW: The opposition thanks the minister for agreeing to this worthwhile amendment.

Amendment carried; clause as amended passed.

Clauses 117 to 140 passed.

Clause 141.

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

Delete clause 141 and substitute:

141—Insurance policies to cover damage

- (1) A policy of insurance against damage or loss of property caused by a specific kind of emergency will be taken to extend to damage or loss arising from measures taken by a person acting in pursuance of an authority conferred by or under this Act at the scene of an emergency of the specified kind.
- (2) A term of a policy of insurance that purports to vary or exclude the operation of subsection (1) is void.

Believe it or not, this makes it easier to understand than in the existing bill, even though it is still not very easy to understand.

Amendment carried; clause as amended passed.

Clauses 142 to 148 passed.

Clause 149.

The Hon. W.A. MATTHEW: I move:

Page 78, after line 21—

Insert:

- (1a) The Minister must ensure that a review under this section is conducted by a person who has, in the opinion of the Minister, appropriate knowledge and experience to undertake the review but who is not a member or former member of an emergency services organisation.

Under this clause the minister must ensure that, when a review is undertaken under this section, it is conducted by a person who has, in the opinion of the minister, appropriate knowledge and experience to undertake the review but who is also not a member or former member of an emergency services organisation. In relation to the first half of the clause, it is fairly standard wording that is used in other government legislation that, when reviews are conducted, they must be

undertaken by persons with appropriate knowledge. The second half ensures that there is no perceived conflict of interest by virtue of belonging to a particular organisation within emergency services.

On the one hand it might be argued that it really narrows down the field, because it is by virtue of working in one of those services that one gains knowledge; however, knowledge can be gained in other ways, for example, through organisations outside the services here that might perform similar functions. We want to make sure that there can be no accusation of bias towards one particular service, particularly if the review results in recommendations that may be considered by members of one service or another as detrimental to part of the future ongoing activity of their service.

The Hon. P.F. CONLON: I must say that, even though I have reservations about the second part of this, I think that, for example, someone like Vince Monterola, being a former CFS volunteer, would be disqualified from running a review. Although he is very competent, he does not want the job; in fact, he does not want any more jobs from us. I am told he wants to retire. Even though I have reservations about it, I am willing to accept it on the basis that I do not want any grounds for people undermining any review that is undertaken. I think it is unnecessarily restrictive but, given that if I do not do it there will probably be questions raised by the opposition about a review in future, we will do it. It means that we are likely to get a bureaucrat, but if that is what we have to have then that is what we have to have.

Amendment carried; clause as amended passed.

Schedules 1 to 5 passed.

Schedule 6.

The Hon. G.M. GUNN: I move:

Page 87, after line 32—insert:

Part 7A—Amendment of *Native Vegetation Act 1991*

10A—Amendment of section 27—Clearance of native vegetation

Section 27(1)—after paragraph (b) insert:

(e) native vegetation may, without any restriction under this act, be cleared in order to make or clear a firebreak in the process of controlling or extinguishing a fire.

This amendment has been moved quite simply to ensure that those people who are attempting to contain, control or extinguish a bushfire can do so without the hindrance of the fools in the Native Vegetation Council, who have no commonsense. There is a certain group of them (I will choose my words carefully) who are a bunch of self-informed fools who have endangered the community, and I will provide an example—

The Hon. W.A. Matthew interjecting:

The Hon. G.M. GUNN: Well, Craig Wison, and I make no apology. Ask the Speaker what he thinks of him; ask the member for Flinders; and ask other members of this place who have had to deal with those people. In this world one unreasonable act always generates another and, because a person, as a member of parliament, has strong views and sticks up for people, you have some petty little bureaucrats who set out to try to get even with their families. This bunch, including that big European bruiser bloke they have in there on the Native Vegetation Council—

An honourable member: What's his name?

The Hon. G.M. GUNN: We will not worry about that. There was a bushfire burning in the Hundred of Witera and the local CFS put a firebreak in to control it and make sure it did not get across the road. Some 12 to 15 months later these Sir Humphreys and their merry band of vigilantes came

along and tried to prosecute a member of my family, because his name happened to be Gunn. That was what they did; it was an illegal act.

People attempting to put out bushfires should not be hindered by these people. There should be only one thing in mind: to get the fire under control as quickly as possible. There should be no hindrance. I think I am the only one left in this parliament who has actually lit a decent fire, and I was involved in lighting big scrub fires in my early career. I have lit some good ones—500 or 600 acres at a time—and when you put an atomic bomb cloud on it you really know you have a good burn; you have really put some smoke up. It is not a bit dangerous if you know what you are doing. It is simple; all you have to do is hold your nerve. Once you start to light it, get the lot on fire as quickly as possible so that it burns into the centre and goes straight up.

Members interjecting:

The Hon. G.M. GUNN: It is true. It is like burning a stubble fire. When you have grass stubble what you have to do is not half light it, you have to light the lot as quickly as possible and not lose your nerve. We will do it again; in the next month some of us will participate in some burning off operations—some quick thinking, light against the wind, get around and make sure you have a decent firebreak and get it going as quickly as possible so that you burn it all quickly.

In my view, under the Country Fire Service Act, CFS officers do have authority. In the case I have brought to the attention of the committee, Euan Ferguson would have been the first witness called. Do CFS officers have the protection of the law, or do they have to put up with intimidation and threats after the event? Anyone can be wise after the event. What these people have to do in the middle of the night is try to make sure that the public are protected. It is all very well for these people in aeroplanes that cost thousands of dollars of taxpayers' money to fly round and round. They engage in low flying activity without authorisation from the Civil Aviation Authority.

In this case, Mount Cooper is about 800 feet above sea level, and one person was standing about three-quarters the way up and the plane was flying below that. If you have a pilot's licence, and the other person in question has had a pilot's licence, they understand the civil aviation rules. When a telephone call was made to the Civil Aviation Authority no authority had been given for low flying practice. When questions were put by certain people on the *Notice Paper*, inaccurate answers were given. We know the sort of people we are dealing with; we know what they are like. The farming community should not have to put up with that. That is why these comments have been made tonight, and that is why I have moved this amendment. It is in the public interest to protect the public against these people who do not have any sense of responsibility, or do not understand what commonsense is and do not have any practical reality. At the end of the day, protection of the public is the most important thing.

The Hon. P.F. CONLON: There are two things. Frankly, the act allows the CFS to do virtually anything during a fire in native scrub. I do not believe there have been instances where the CFS has been second guessed. I think the member for Stuart's view is that farmers responding should be allowed to do the same, and I have some sympathy with that. I believe that farmers understand their properties better than does anyone else. Many of us have an antiquated view of farmers being villains who do not care for the land. In my view, the best land carers in the world at the moment are our farmers.

I put to the member for Stuart to accept that not all farmers are as good as he or his brother. His brother is a very nice fellow, for a farmer. Not all farmers are the same, and there is absolutely no doubt that one or two individuals would take advantage of an unfettered power during a fire in order to get rid of some pesky native vegetation. I think even the member for Stuart would have to admit to that. We cannot make it *carte blanche* for anyone who wants to get rid of native scrub during a fire.

The powers are there for the CFS. Again, I am very happy to talk to the member for Stuart and to have Euan Ferguson talk to him about how farmers are more involved and how they are better protected in cases of necessity, when they do the right thing—and they do. From my limited firefighting experience, I have to say that there are circumstances where farmers understand their locations better than anyone. If they put in a fire break, that is going to lead to a great deal of good. I will probably get into trouble with the fire service for saying that, but I believe that is the case. I am more than happy to have Euan Ferguson talk to the member for Stuart. The power exists for the CFS to do anything necessary in relation to native vegetation during a fire. I am not in a position to make it *carte blanche* for people outside the CFS to do it, if that is the member for Stuart's intention. I understand that this is probably more a vehicle for expressing a viewpoint than for winning an amendment.

Amendment negated; schedule passed.

Title passed.

Bill reported with amendments.

The Hon. P.F. CONLON (Minister for Infrastructure):

I move:

That this bill be now read a third time.

The Hon. W.A. MATTHEW (Bright): The opposition is encouraged that a number of the amendments we put forward have been accepted in good spirit, although the dilemma is that, unfortunately, what we regarded as key amendments have been unsuccessful. We still hold the view that volunteers ought be given a voting say in the management of their fire service, and the advisory committee role does not provide that. As a consequence, the instructions I have from the Liberal Party is that, regrettably, we have no choice but to oppose the bill at its third reading, purely because volunteers have not been given that voting right on the board managing the South Australian Fire and Emergency Services Commission. It would be our intent to redress that situation in another place, if our opposition is not successful at this time, by endeavouring to include those provisions in the other place.

The house divided on the third reading:

AYES (23)

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

NOES (17)

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

PAIR(S)

Rann, M. D.	Kerin, R. G.
Breuer, L. R.	McFetridge, D.
Hanna, K.	Buckby, M. R.

Majority of 6 for the ayes.

Third reading thus carried.

ADJOURNMENT DEBATE

The Hon. P.F. CONLON (Minister for Infrastructure):
I move:

That the house do now adjourn.

Mr SCALZI (Hartley): Today I would like to talk briefly about multiculturalism and citizenship. We are all aware that this weekend we celebrated 30 years of 5EBI. I would like to commend all those who have been involved—the volunteers and the chairmen; I will not mention them by name. Over the 30 years they have made an excellent contribution to community harmony, because we need programs that reflect what we have in South Australia.

To give an example of how important multiculturalism is, when I was a school teacher I always used to have two questions asked of me. One was, 'How tall are you, sir?' and, secondly, 'Where do you come from?' In reply to the first question, I used to tell the students 'I'm two inches taller than Napoleon. He conquered Europe. I only want the class.' So, that was the end of 'How tall are you?' and the students looked up the history books and found out about Napoleon and Josephine. So, it was a good stimulus to find out a little bit about history.

The second question, 'Where do you come from?' I took a week to answer. The first day I used to say, 'Well, I come from Greece. My name is really Joseph, and kalimera and kalispera,' and the students thought that I was an Australian of Greek background. The second day I used to say, 'Look, I'm terribly sorry. My name is really Jose and I come from Castile in Spain.' The third day I used to tell them, 'Well, I'm really Egyptian,' and the fourth day, 'I come from Pakistan.' By the end of the week the students were thoroughly confused, and I confused them for a purpose. At the end of the week I asked them the question: 'Why have I told you I come from all these different countries?' I pressured the students until I got the right answer, and the right answer is, 'It is not where you come from that is important but who you are as a person.'

Once I had done that, I would put on the blackboard, 'We are all Australians. I am an Australian-Italian, you are an Australian-Chinese, you are an Australian-English man, you are an Australian-German,' and so on. The point of the exercise was to destroy the stereotype. I succeeded in doing that and I am sure that, if someone asked the hundreds of students I have had over the years, when I went to a new school or a new class, they would tell you about the story.

I believe that multiculturalism is the great success story in our Australian society. It is what binds us together: the acceptance of diversity. I believe that Australia is a mosaic of which we are all a part. Without a vision we have only colour and texture. Without colour and texture, there is no picture of who we are. But, equally, I believe that, if we do not emphasise citizenship, that mosaic is in danger of falling apart in difficult times, because it will become a collage. So, citizenship is very important. We have to have multiculturalism and, in a way, the other side should be 'mono-commitment'—committing to the sense of citizenship, which is the composite of that diversity.

For those reasons, members would be aware that, over the years, I have stated that we should promote citizenship and that members of parliament at both federal and state levels should have only Australian citizenship. If someone is representing the composite, they should not have any particular allegiance to that part. Multiculturalism and citizenship are two equal sides of the one coin. To promote one without the other is really to devalue us as Australians. We all celebrate the success of multiculturalism, and it is just over 50 years since the Citizenship Act was passed. It is only a few years since we celebrated our centenary of federation. As I said, we are a success story, but if we are not vigilant that community harmony and the success of multiculturalism can be in danger.

I believe that as members of parliament we should be conscious of the fact that we as a nation have achieved something beautiful, a success story in community harmony, but we should never take it for granted. I attend as many functions as I can of all the diverse groups in our society, because I believe the success of multiculturalism is measured by the fact that members of parliament acknowledge the small groups. I am an Australian of Italian background. If I was to attend only Italian functions and if the government and members of parliament responded only to the invitations of the bigger groups, we would fail in the promotion of multiculturalism.

Equally, I believe it is important to note that not only are we a multicultural society but we are a multi-faith society. If we do not acknowledge the importance of our spirituality, what is important to an individual, his or her relationship with a superior being or their sense of spirituality in general, again we are giving very little credence to the concept of multiculturalism. So, I would like to commend the Multifaith Association of South Australia—and I am sure that many members have attended their functions.

We are fortunate to attend functions where we have Christians of all denominations praying together with fellow Australians from other faiths (Hindus, Buddhists and Muslims) and, of course, our indigenous Australians who have a special relationship with the land. We must always be vigilant to accept and promote the importance of these individuals and their expression of what it means to them and what it should mean to all of us in a composite way to be Australian.

I do not believe that other countries have been as successful, because that diversity has not been cemented together into what we have as Australian citizens. For example, on my passport my nationality is listed as Australian. Someone from a Chinese background who has Australian citizenship will say that their nationality is Australian, as will someone from a British background. We are all Australians from somewhere. That is what makes this country great. We acknowledge and

celebrate diversity and multiculturalism, but we are mindful of the fact that we are one people.

Time expired.

Mr RAU (Enfield): I would like to say a few words tonight regarding some articles that were published in *The Weekend Australian* of 5-6 March under the headline 'Guest workers prop up economy'. In addressing this article and the editorial contained in *The Australian* newspaper of that weekend, I preface my remarks by making a few brief comments. First, there is no greater scourge in our society than unemployment. I represent an electorate in this parliament which has more than its fair share of people who are unemployed. In particular I speak of the 40-plus age group who have lost employment because of the decisions by successive governments to globalise our economy, rendering these people no longer able to sustain themselves in the sort of blue collar work they previously had.

I speak also of the young people who have never had the experience of work and who spend many pointless years sitting around doing things which, in the end, do not do much good to them or to the rest of society. Unemployment is the greatest burden that the people of my electorate have to bear, because it really is front and centre to all the other problems—the drug abuse, the criminality and the lack of enjoyment of life that many of these people experience.

The article in *The Australian* on the weekend says that we are hearing again the usual refrain from the so-called business community around Australia, asking to bring in more migrants. I make clear that I do not have a problem with migrants per se—it is not a issue for me. However, the push presently is that we should be bringing in guest workers, as they are described, to deal with labour shortages. The article goes on to describe 'fruit growers watching their fruit crops rotting on trees because of the severe shortage of pickers'. They are urging the government to let in migrant workers. The article then goes on to talk about how many people cannot get their fruit picked.

I do not know whether my definition of skilled labour and that of the business community are out of sync, but when I was a university student I did not understand fruit picking to be a skilled job. It is certainly not a job that many of the people I represent would be unable to perform. Before we start looking overseas for fruit pickers, what about all the people who are existing Australian citizens, who are unemployed, who are in receipt of benefits and who might be gainfully employed by doing this work? Why do we want to bring in people to do work that our own people could be doing?

Secondly, we have trotted out again and again this repetitive argument about the ageing population and the impact that will have for the sustaining of benefits in the 20 or 30-year time frame people are looking out towards—a fair enough point. But, if we are seeking to address an ageing population, you do not need to be an Einstein to work out that bringing in people who are 20, 30 or 40 years old is nowhere near as good as producing a bunch of babies, who are born and grow up in this country and in our environment and who bring down the statistics dramatically, because the statistics are based on a range of ages.

The more very young people we have, the better the demographic position. Statistically, because we need more children than we do adults, and because adults beget children, as I understand it, why does federal government policy, instead of wasting its time talking about bringing in labour,

not talk about providing family friendly policies at a federal level? For example, why does the federal tax system penalise families by taxing them as though they were individuals? Why does it do that? If the federal government is serious about addressing this demographic problem, why does it not do something about it and through the tax system make it easier for Australians to have families? No; that would be too sensible—much more appealing for the quick fix. As we all know, the short cut is usually the long way around; and the quick fix is just ‘import them’. That is a quick fix, which is not the answer to the problem in the long term.

The second point I make is that this federal government and its predecessors around the commonwealth have been presiding over a wholesale privatisation of government enterprises for the past 20 years. This process has meant a ruthless mining by private enterprise of past public investment in skills training. How many apprentices have been paid for by Telstra? How many apprentices have been paid for by the former PBD? How many apprentices, who have been paid by government through government schemes, have been exhausted and not replaced by the private operators who have now taken up those positions? The answer is that private operators, the beneficiaries of privatisation, have been mining the public investment of this country without putting anything back. Finally, they have come to the end of the conga line. There is nothing more to mine. These people are getting older, and sooner or later they will stop working; they will stop being plumbers, bricklayers and carpenters. Who will replace them? No-one will replace them because no-one has been training them. The federal government needs to shoulder the responsibility for this, front and centre. It is a federal government responsibility. It has been a total failure on the part of the present federal government for the past eight years to focus on skills training and to do something about this problem, which anyone with half a wit would have seen coming a decade ago.

I would like to see people in my electorate, who are unemployed, getting training. I would like to see people in my electorate, particularly the youth and those aged 40-plus who have been thrown out of their jobs, be given jobs—even if it is as a fruitpicker. We should give them the chance rather than bring in someone from overseas; at least give them the chance to say no. We should give them the self-respect that work can offer them as a productive participant in the Australian community.

I am thoroughly sick of reading in the newspaper about business people calling for increased migration to suit their short-term needs, rather than dealing with their long-term problem, to which they have contributed a great deal by mining past public investment in training and which they themselves have done virtually nothing to remedy. The time has come where these people need to put back in. They have picked up government enterprises at bargain basement prices, they have mined those enterprises for everything they are worth, including the skills on board in those enterprises, and it is about time they started putting a bit of money back into training people in those enterprises. The short quick fix of importing people will never work and it will not address our long-term demographic problem.

The federal government should spend a lot more time grappling with these issues rather than grizzling about the fact that the states have a GST—which, incidentally, they foisted upon them anyway. I would like Mr Costello to focus on the main game instead of grizzling about the states and do something about which he can do something to fix up the training problem, encourage his business mates to do the right thing to invest in training, and think about a tax system, which does not penalise people for being in a family and which actually taxes families as families, not individuals.

Motion carried.

At 9.29 p.m. the house adjourned until Wednesday 9 March at 2 p.m.