

HOUSE OF ASSEMBLY

Thursday 15 September 2005

The **SPEAKER (Hon. R.B. Such)** took the chair at 10.30 a.m. and read prayers.

MEMBERS' REMARKS

The SPEAKER: I wish to address a matter which culminated last night in some unfortunate—

Mr BRINDAL: On a point of order, Mr Speaker, if you are going to address the house on the matter that happened at the conclusion of parliament last night, I would rather that I had the opportunity to speak to you privately before you do so.

Mr Hanna interjecting:

Mr BRINDAL: I actually realise that, but it's also—

Mr Hanna: It's no point of order.

Mr BRINDAL: All right. Fine.

The SPEAKER: Order! I appreciate what the member for Unley is saying, but I believe that the matter can and should be addressed now. I was not in the chair at the time the remarks were made last night by the member for Hammond and subsequently by the member for Unley. The remarks in both cases were unfortunate and inappropriate because, first, the member for Hammond made a remark relating to the member for Unley which seriously reflects on the member for Unley, and I believe that the member for Hammond should withdraw what he said on page 3379 of *Hansard* about the age of a person, because I believe that remark seriously reflects on the member for Unley.

Likewise, the member for Unley's response of 'that is a bloody lie' is unparliamentary. The best way to resolve this matter I believe is for both members to withdraw what they said and apologise because, as I said yesterday, we are here to represent the people of this state, and it is not appropriate and it is contrary to standing orders and all the traditions of the parliament for members to engage in personal reflections, whether that be a suggestion that a member has partaken in inappropriate behaviour with someone with a mental age of eight, nine or 10 and also the response that that was a lie.

I do not believe it is necessary to go into great detail, but I could quote from various authorities. By way of example, Erskine May (chapter 20) states:

Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of Parliament and never undertake any action which would bring the House of Commons, or its Members generally into disrepute.

At page 440, Erskine May states further:

Good temper and moderation are the characteristics of parliamentary language. Parliamentary language is never more desirable than when a Member is canvassing the opinions and conduct of his opponents in debate.

Further:

Offensive expressions against the character and conduct of Parliament itself are not permitted, since not only are they a contempt, but they may also tend to degrade the legislature in the public estimation. Reference in debate to either House of Parliament must therefore be courteous.

It goes on to talk about how members deal with each other. So, in essence, without labouring the point, in my view both members were at fault last night, and there is little point in trying to establish who or what started the quarrel. This

matter obviously arises out of feelings between the two members that go back some time, but in terms of the conduct in the house the behaviour last night was unacceptable. Taking them in order, and not passing judgment on whether one breach was more serious than another, I ask the member for Hammond to withdraw his reference to the member for Unley and his allegation of behaviour in the member's office where he suggested that the person involved was intellectually challenged such that they have an equivalent age of eight, nine or 10, which has a very unfortunate inference and connotation. I ask the member for Hammond to withdraw and apologise.

The Hon. I.P. LEWIS (Hammond): Can I ask precisely what it is that I said that you want me to withdraw?

The SPEAKER: The suggestion on pages 3378 and 3379 of *Hansard*. I did not particularly want to canvass the matter again, but where you said, in talking of the member of Unley:

To take advantage of someone who is intellectually challenged such that they have an equivalent age of eight, nine or 10, in the way that he did in those circumstances, begs the question as to why he would say of some other members, myself included, especially in the circumstances in which he took such advantage, that we, or I in particular, make misuse of our premises and privileges, be they in our electorate offices, our electorates or in our electorate office here (and there are only two of us, so far as I am aware, who have an electorate office in Parliament House, that is, the member for Stuart and myself).

The clear inference in that statement is that the member for Unley took advantage of someone who may have had a mental age of eight, nine or 10. We do not have to draw out the argument further, but that is a clear reflection, and I do not know how the member for Hammond would know the mental age of the person involved, anyway. I ask the member for Hammond to withdraw and apologise in relation to suggesting that the member for Unley took advantage of someone who had an equivalent age of someone eight, nine or 10.

The Hon. I.P. LEWIS: I withdraw and apologise. I do not know, other than as I read in the press, what the intellectually disabled person's equivalent age was, but it was certainly that of a minor.

The SPEAKER: Order! That is not an unequivocal apology. I do not know how the member for Hammond would know—

The Hon. I.P. LEWIS: I withdraw and apologise that I referred to somebody who was intellectually disabled as having been the victim.

The SPEAKER: The member for Hammond must withdraw and apologise. If he has any other information or view, it is not to be canvassed in terms of a withdrawal and an apology. I ask the member to withdraw and apologise.

The Hon. I.P. LEWIS: I withdraw and apologise.

The SPEAKER: I was likewise about to ask the member for Unley to do the same, but he has withdrawn from the chamber. The opportunity is still there for him later to apologise and withdraw, when referring to the member for Hammond, for saying, 'that is a bloody lie'. That is unparliamentary.

Mr HANNA: On a point of order, Mr Speaker, I presume that if the member for Unley does not withdraw and apologise he will be named.

The SPEAKER: I do not know the circumstances of his withdrawing from the chamber, so I will not pass judgment. He needs to have the opportunity to withdraw and apologise, and it is not for the Chair to pass judgment without knowing his reason for withdrawing from the chamber. He will be

required to withdraw and apologise, but he could have left the chamber because he was feeling ill; I do not know. He will be required to withdraw and apologise in the same way that the member for Hammond has been asked to and has done so.

The Hon. I.P. LEWIS: Mr Speaker, I draw your attention to the precedent set in this chamber during proceedings about 10 years ago, when the then member for Stuart was speaker and, in my absence, I was named for something I have always regarded as being not in the least bit offensive. If it was offensive, it was one hell of a lot less offensive than calling someone a liar or saying that what they were saying was lies.

The SPEAKER: Order!

The Hon. I.P. LEWIS: I take it that it is a new precedent, Mr Speaker, that speaker Gunn's ruling, when he named me in my absence, and refused to hear me, and denied me the opportunity to be heard by so doing, and the house simply acceded and, after my being named, suspended me from services of the house for the day.

The SPEAKER: The member for Unley actually left the chamber before I put to him formally to withdraw and apologise, but he will be asked to do that when he returns.

Mr Hanna: He ran away from you, Mr Speaker.

The SPEAKER: The matter has been dealt with now, but I would urge members and, particularly, the member for Hammond and the member for Unley, not to continue down this path of antagonising each other. If they wish to have a discussion with the Speaker in private as a form of mediation, then the Speaker is more than willing to do that. Call on the business of the house.

The Hon. I.P. LEWIS: I have another point of order then, Mr Speaker: during the course of proceedings on Monday you allowed the member for Unley to defame me.

The SPEAKER: I take it the member for Hammond is referring to the notice of motion.

The Hon. I.P. LEWIS: No, the remarks made at that time under, what was, the guise of a matter of privilege and a notice of motion. I think there is one standard for—

The SPEAKER: The member for Hammond cannot pre-empt debate if someone puts a notice of motion on, but he can—

The Hon. I.P. LEWIS: I do not take exception to the notice of motion, sir. I take exception to the fact that, under the guise of a matter of privilege, you allowed the member for Unley to defame me.

The SPEAKER: I do not accept that that in itself represents defaming but it is very difficult, as the member would know, because members can convey their own viewpoint through the mechanism of parliament by giving notice of motion, and that is the very issue in terms of the protection of privilege in this place, that people can do things which may or may not be fair and reasonable. I will have a look at the matter in detail. If the member for Hammond wishes to pursue this, he should provide some specific information to the chair and I will have a look at it.

The Hon. I.P. LEWIS: Then I do; he alleged that I was involved in the journalist Kevin Naughton's physical attendance on the records of members of parliament, and encouraged him to focus his attention upon a travel report provided by the member for Unley. I did no such thing. I was not present with the journalist from the *Sunday Mail*, Kevin Naughton, when he was examining members' travel reports. You allowed him to say other things about me and my alleged motives in those circumstances which were not true. They were speculation, at best, on his part, and he had no evidence

whatever. He simply imputed to me improper motives and conduct in which I was not involved.

The SPEAKER: The member for Hammond is very much entitled to a personal explanation which, in essence, he has just given. If he wishes to make a personal explanation to cover that point then he is at liberty to do so. I reiterate, if someone gets up to move or give notice of a motion, or raise a privilege matter, it is difficult to exclude part of the substance of that until you have actually heard what the member is saying, at which time some damage may be done to a member. I accept that, but if the member for Hammond wants to make a personal explanation in relation to those allegations, and the raising of the matter under privilege, he can do so now if he wishes.

The Hon. I.P. LEWIS: I would prefer to do so after the member for Unley has been heard in explanation of his offences.

PARLIAMENT, REGIONAL SITTING

Mrs PENFOLD (Flinders): I move:

That the next regional sitting of the House of Assembly before the next state election be held in Ceduna.

If the government is going to spend taxpayers' revenue to bring all the House of Assembly members and their staff, Hansard staff, parliamentary clerks, and all the paraphernalia including carpets, chairs, computers, etc., to the country, then I strongly advocate that the next meeting of the House of Assembly outside the metropolitan area should be in Ceduna. If educating the community about parliament is important, it also follows that members of parliament, particularly ministers, need to be educated about regional areas, especially those isolated from our major cities. This year, we went to Mount Gambier—the state's largest regional city. It is logical that a remote regional town should be selected as the next venue. It would be enlightening for Labor ministers to learn how isolated remote communities such as Ceduna survive and thrive by using their initiative to cope with questionable government decisions that impact, often negatively, on social justice issues and day-to-day living.

By visiting Ceduna, the cabinet and all Labor members would become acquainted with the fiasco that this government's Minister for Education has made of the Ceduna Area School. I suggest that this school, with its temporary classrooms that were built in Adelaide and put in Ceduna as a temporary measure in 1978 by the then Labor government, would be the most practical location for the sitting. The school was one of the first casualties of the change of government. The first stage of the redevelopment, which was budgeted for \$5 million, was immediately abandoned, along with the tender process. The funding was reduced to \$3.9 million, bearing in mind that \$1 million of this sum was federal support and included in both amounts.

Continued pressure from the Liberal opposition has ensured that the Ceduna Area School redevelopment has remained in the education budget and has finally been increased. The tender process has waxed and waned, started and stopped, in keeping with this government's indecision and lack of concern for rural regional South Australia. I understand that \$5.1 million has now been allocated for the school in the current budget. It remains to be seen whether it will be put to good use and we will finally see some real improvements at the school. This lack of concern has again been shown in the tender process, which excludes local businesses from winning the building contract, ensuring that,

once again, the classrooms are to be built in Adelaide and transported to Ceduna.

I find it ironic that, while in Mount Gambier at the innovations display, I spoke with a government representative and picked up the Labor government's document entitled 'Industry capability network South Australia: creating opportunity for South Australia's business.' Under the heading 'Benefits for buyers', it states, 'Maximise the number of capable suppliers and competitive local solutions.' I cannot help but wonder whether these opportunities are only for businesses big enough to be unionised. The preference for unionised companies excludes other employers, particularly those in the country who are more than capable and are responsible to the local community where they live and employ locally.

For the benefit of the house, I point out that local tradespeople and builders live and work in their communities. Their work has to be exemplary or, through word of mouth, they will quickly lose business. I ask the Minister for Education that all future contracts for the Ceduna and other regional towns be made available to local contractors wherever possible. Perhaps local businesses and TAFE could combine to give vocational training and apprenticeship opportunities as part of training young people living in our regions who do not have the city's opportunities. I was interested to hear the Minister for Employment, Training and Further Education's announcing something similar for the Upper Spencer Gulf cities only yesterday. However, this government does not care about anything that does not cement its own agenda, and rural and regional South Australia is low on that agenda, despite much of the state's revenue being dependent on the productivity of our regions.

Labor members speak at length about their concern for health issues. One only wished that the action of the state government were as evident as the rhetoric. The adage 'actions speak louder than words' applies here, for the actions of cabinet, especially the Minister for Health, reveal that the Labor government is not concerned about the health of all South Australians, especially those to be born and their mothers who, for the first time in generations, have to travel hundreds of kilometres to give birth in Port Lincoln or Ceduna and not their local hospital. The death rate from breast cancer and prostate cancer is higher in the country than in the city.

Country residents have greater difficulty in accessing health services and, if treatment is needed, the cost is substantially higher than for those living in the metropolitan area. The few acute care services that are still left in our country hospitals are strapped for cash. Despite the Minister for Health's assurance that acute care services would be maintained in our 10 hospitals on Eyre Peninsula, they are not being maintained. The government's infrastructure plan plainly states that, according to the minister, they are not needed as we are now going to have 'wellness centres' for preventive medicine instead.

In estimates on 6 August 2002, in relation to acute care, the minister said, 'There is no intention to make any changes in that regard.' I am happy to put that on the record. On 19 July 2004, the minister was again asked about acute care services in the 10 hospitals on Eyre Peninsula. In a lengthy and scathing reply that says more about the minister's character than the portfolio she is handling, she did not answer the question. I wonder what would happen if the minister were injured—

Ms RANKINE: I rise on a point of order, sir.

Ms PENFOLD:—on some of the hundreds of kilometres of roads—

The SPEAKER: The member for Wright has a point of order.

Mrs PENFOLD:—in my region.

The SPEAKER: Order! The member for Flinders will not continue talking.

Ms RANKINE: Sir, not only is the member's speech of no relevance to the motion that is on the *Notice Paper* but she is also now reflecting personally on the Minister for Health. This is scandalous.

The SPEAKER: Order! The member for Flinders is straying from the motion. I took it that the member wanted to highlight these issues via a regional sitting. The member needs to make the connection a bit more explicit, but there is to be no reflection on members. Members can criticise policies and practices, but we are not in this place to devalue other members of parliament; people need to understand that. Attacking a policy, proposal or project is very different from reflecting on the character, integrity or honesty of a member. The member for Flinders.

The Hon. M.J. Atkinson: That would be lost on the member for Flinders.

Ms RANKINE: Sir, I ask that she withdraw that comment.

The SPEAKER: I did not hear the precise words she said. I will look at *Hansard* and see what was said and, if it was a reflection on the minister, I will get the member to withdraw it. The member for Flinders.

Mrs PENFOLD: Thank you—

The Hon. I.P. LEWIS: Mr Speaker, why did you allow the Attorney-General, by way of interjection, whilst you were still speaking, to besmirch the reputation of the member for Flinders by saying that your remarks would be lost on the member for Flinders?

The SPEAKER: Well, he was out of order if he said that.

The Hon. M.J. Atkinson interjecting:

The SPEAKER: Order! The attorney has an unfortunate habit of forgetting that he is the senior law officer in this state and should be setting an example in his behaviour in this place. The member for Flinders.

Mrs PENFOLD: Thank you, Mr Speaker. It would highlight the difficulties faced by the ambulance services, since these are run by volunteers who make great personal sacrifice to keep some form of safety cover in these districts. Erica White, the Director of Regional Services for the South Australian Volunteer Ambulance, recently described her volunteers as the most incredible volunteers she has worked with in over 20 years in the industry.

When we were in Mount Gambier, the minister announced funding for suicide prevention as if she and her government had only just realised the problem of suicide in general and male suicide in particular. In June last year, in answer to questions about suicide, the same minister did not seem overly concerned about the problem. It took her almost 12 months to come up with the funding that was asked for at that time. When questioned about continuation of funding for the Seasons of Growth program in July last year, she said, and I quote—

Ms RANKINE: On a point of order, sir. Again, this motion is about a regional sitting of the House of Assembly in Ceduna.

Mrs Penfold: And bringing awareness—

The SPEAKER: Order!

Mrs Penfold:—to the minister and the government.

Ms RANKINE: No; it is not about health.

The SPEAKER: Order! The member for Wright will resume her seat. I believe that the member for Flinders said at the start of her speech that, if we had a regional sitting, these were the issues that could be raised. I think it is a bit of a circuitous approach, but the member should link it into the question and the value of a regional sitting on the West Coast. The member for Flinders.

Mrs PENFOLD: Thank you, Mr Speaker. I think the experience of going to Ceduna and hearing from the local people and bringing out these issues will be the link.

Ms Rankine: We've been there with community cabinet. We've been there.

The SPEAKER: Order, the member for Wright!

The Hon. M.J. Atkinson: We've been there with the Constitutional Convention roadshow. Were you there?

The SPEAKER: The Attorney-General is out of order, as is the member for Wright.

Mrs PENFOLD: A visit to Ceduna would be an education for government members—

The Hon. M.J. Atkinson interjecting:

The SPEAKER: The Attorney will be warned in a minute.

Mrs PENFOLD: —on the issues that face this remote region. Just getting there will be a new experience for many of them. Their first real awakening will be when they have a shower that smells strongly of chlorine, and they need to be sure to pack conditioner or the minerals in the water will make their hair stand on end. Water is a huge issue in the region and the lack of it will affect the development of the new marina and limit the potential of mining if it is not quickly addressed.

The Hon. M.J. ATKINSON: On a point of order, sir—

The SPEAKER: I assume that the Attorney is going to object to the interjections from his colleagues sitting behind him.

The Hon. M.J. ATKINSON: I will come to that, sir, but I thought it was against parliamentary convention to read out speeches word for word.

Members interjecting:

The SPEAKER: Order! Some members have different levels of memory and speaking capability. I do not think that it is a valid point because I do not know whether the member for Flinders is looking down at the paper rather than looking at members opposite. She might prefer, for various reasons, to look at her notes rather than to look at members opposite.

Mrs PENFOLD: We could let private enterprise go ahead and build a desalination plant and, instead, use the \$48.5 million that has been put towards a pipeline to bring—

The Hon. M.J. Atkinson: You could make the pretence of not reading it.

The SPEAKER: Order, the Attorney!

Mrs PENFOLD: —water from the River Murray to upgrade roads and railways on Eyre Peninsula or, as the member for Hammond suggested last night, a second powerline to connect the \$1 billion worth of wind energy—that is 1 000 megawatts—into the grid.

Mrs Geraghty: You've had more money spent in your electorate than I have in mine.

The SPEAKER: Order, the member for Torrens!

Mrs PENFOLD: Ceduna is also the place to go for those concerned about our indigenous people as it is the centre for a region that extends to the border with Western Australia and north across to the Overland railway line. We have some wonderful role models among these indigenous people and

it would be instructive for members of parliament to meet them face-to-face along with many others who live in this isolated but progressive part of our state. I hope that I have convinced the government—

Members interjecting:

The SPEAKER: Order! The chorus on my right on the government benches—the members for Torrens and Wright and the Attorney—is completely out of order. It is not only disrespectful but it is very unfair to try to hinder someone's time allocation, and I am inclined to give the member for Flinders extra time to make up for that.

Ms Thompson interjecting:

The SPEAKER: Order! The member for Reynell should know that you do not speak over the chair or else you can be named on the spot. The member for Flinders will get an extra minute because of the time wasted.

Members interjecting:

The SPEAKER: Order! The member for Flinders will now get an extra two minutes for that response.

Mrs PENFOLD: Thank you, Mr Speaker, but I think that I have had my say. It shows how sensitive they are, and I know that they will all jump up when I call for a division and vote to have the next meeting of the House of Assembly in Ceduna. I urge members to support the motion.

Members interjecting:

The SPEAKER: Order! Before calling the next speaker, the house will come to order. I do not know whether people have been drinking orange cordial, but they should avoid some of those artificial colourings and flavourings because they can affect behaviour, and it seems that they may be.

The Hon. I.P. LEWIS (Hammond): Honourable members would understand and expect, given their knowledge if they had been listening to me at any time during the past 27 years, that I support this proposition, especially since I gave enthusiastic support to the idea that the house have a sitting in Mount Gambier and since I set those arrangements on foot earlier this year before I chose to resign from the role of speaker. It does not do the government, or the rest of the members of this house, any credit whatsoever to decide to have just one sitting in Mount Gambier, for all the reasons that were then given, and to have no other sitting elsewhere in the state.

The reasons given were well canvassed by the member for Flinders in her argument supporting the proposition as we see it on the *Notice Paper*. They were the same reasons trotted out by the Premier in his remarks to the house when he supported the proposal that we should have a regional sitting in Mount Gambier. I believe that the member for Flinders was well advised to make those points. It enables us as members of parliament to better understand what it feels like to be living and trying to make a living in other parts of the state outside the capital. There is no question historically that parliaments, more particularly governments, must be seated in the capital. If the government is not seated in the capital, then that mocks the meaning of the word 'capital'. Capital cities are called such because they are the seat of government and administration.

That does not preclude the parliament or, for that matter, organs of government, from moving around the realm or the constituency, call it what you like, to listen to what the people who live there and who make their contribution to the commonwealth have to put up with. I know that people on the far West Coast in general, and Ceduna in particular, have to put up with a hell of a lot, largely because of the indifference

and insularity of a parliament that has become dominated excessively over the past 50 years by people who live in the urban areas of the capital city. They are then urban focused and citicentric in their view of life and the way in which they discuss or choose to discuss one subject or another, and those subjects which they spontaneously do not choose to discuss.

The subjects they do not choose to discuss are more telling upon the good sense, relevance and balance of what makes good policy than those things they choose to discuss. Members ought to reflect upon that. One of the most significant of those is the stupidity of the present time zone in which South Australia locates itself and the effect that has on people on Eyre Peninsula in general, and Ceduna more so and in particular, because it is more than 15 degrees west of the degree of longitude that is taken as our base for determining the time we have chosen. As an aside, may I say that that was chosen in the belief—the well-founded belief in consequence of formal and informal discussions undertaken at the time—that the Eastern States would move their time zone half an hour to the west and join with the people of South Australia and its northern territory to have one common time zone.

However, as they did with rail gauges and a good many other things, they chose not to, therefore a half-hour difference exists between the time zone in this state and that in the Eastern States. What we should do is put ourselves on the International Time Zone Convention where we properly belong, which would put us in an identical time zone with Korea, Eastern Siberia (Vladivostok) and Japan, a substantial part of our export trade business that gives us our personal prosperity. Darwin would be very happy with that: that would make two states in the same position align. People on Eyre Peninsula have more in common with people in Darwin than they do with people in Adelaide, and that is especially true of Ceduna.

To go to Ceduna would also enable members to understand what South Australia has as a unique and rich region to produce far more than it does for the greater prosperity of everyone who lives here. I am not in the least ashamed of what I did to contribute to that. There would not be an oyster industry of the kind there is in this state now were it not for my determination to see it so.

The species *gigas*—that is, the North Pacific oyster—is now grown as a direct consequence of the actions I took at the beginning of 1973 and continuing right up until 1986, when I took that species—which I held in conjunction with Dr Des Sholz, whose brother is Tim Sholz, the former president of the South Australian Farmers Federation and, I believe, national vice-president, if my memory serves me correctly—to Venus Bay. Of course, all the locals laughed, but they overlooked the fact that just 100 years before the range of species of native oysters that had inhabited those shallow, nutrient-rich, warm waters were all killed. They were wiped out to the point of extinction in many instances by the introduction of whelks, the conical-shaped shellfish from which shell grit is made.

The whelks that killed out the native oysters are exotic crustaceans and not native to our waters; they came here on the hulls of sailing ships, the wheat-trading windjammers and ketches that carried them all around the coast. They found it easy—just like carp, which ruined the ecosystem for other species in the Murray and ate the eggs of most of them. The whelks went further than that, and ate every juvenile and adult crustacean after they had settled to the bottom. The mud oysters disappeared in consequence, and when their food

went the whelks went with it. That is where the banks of shell grit on our coastline came from; they were not here, and are not part of our fossil record in the way that other shells are—even the recent fossil record. They are something that has come since the arrival of European sailing vessels.

Altogether, that industry, with the techniques we used and based on the success we had in Venus Bay where they grew from 10 millimetre spat in nine months to be bigger than the best grade Sydney rock oysters that were on sale anywhere in Australia, resulted in all those initial stocks of mine and Des Sholz's being simply eaten by the local farmers—who, only a few months before, had been ridiculing what we had done. They were not theirs to steal, because they were on a provisional lease provided by the minister at the time—and I am very grateful that they were provided. But it proved a point, and there is now a multimillion dollar oyster industry along the West Coast arising from farmers who were strapped for cash and for some other way of making a living encouraging their sons and families to get into that.

These people are resourceful and energetic; they are determined, self-reliant and capable of accepting responsibility if only we would talk to them and give them a chance. It would have cost the state government nothing to give them the opportunity to be connected to the major high tension grid for electricity supply around this continent, and it would have solved the problems of water in the way I said last night. Ceduna and Fowlers Bay are places where there could be cities of millions of people, not just a few hundred or a few thousand. The climate is right; it is better to live there than it is anywhere between Los Angeles and San Diego and, I would say to you, from Carmel to the Mexican border. The climate is fantastic, we have the technology; we ought to go to have a look and see for ourselves, as well as showing those people that parliament is for them as much as it is for those who live in the metropolitan area.

Ms BREUER (Giles): I would like to move an amendment to the motion moved by the member for Flinders. I move:

To amend the motion by deleting all words after 'That' and inserting in lieu thereof 'consideration be given to holding the next regional sitting of the House of Assembly in Ceduna'.

I understand the member for Flinders' enthusiasm in wanting to secure a regional sitting of the House of Assembly in Ceduna prior to the next state election. However, after that very nasty tirade I wonder why we would bother. I thought it was most ungracious, considering the amount of money that has actually been given to the electorate of Flinders over the last three years.

An incredible amount of money has gone into the electorate—far more than many other electorate. For example, the work that was done on the bushfires has been incredible. I think that the state government and our ministers did an incredible job down there. They worked very hard. They helped out where necessary. They were there very quickly, and they have continued that work since then. I think that the money that has gone into the airport at Port Lincoln is incredible.

Ms CHAPMAN: I rise on a point of order, sir. I seek some clarification as to whether the substance of the matters now being put by the honourable member in fact relate to the motion as amended or to the amendment. I understood that the honourable member moved an amendment to seek that consideration be given; and, at this stage, the subject matter

ought be the success or otherwise of that amendment and not the substantive motion.

The SPEAKER: The member for Giles is speaking to both the amendment and the original motion, because members do not get two goes at speaking to a motion. When the member for Giles completes her remarks and sits down, it will require someone to formally second it. We then deal with the amendment before the amended motion. This is the member for Giles' one and only chance to speak to both.

Ms BREUER: Thank you, Mr Speaker. We talk about the relevance of what I am saying, but the member for Flinders' comments would be irrelevant if you tried to say that my comments are irrelevant. The honourable member talked about the pipeline. An incredible amount of money is going into that pipeline in the electorate of Flinders. I have letters from the councils on Eyre Peninsula indicating that they are very happy about this pipeline and that the member for Flinders has done them harm by her comments on the pipeline. They are very enthusiastic about it.

I know that my colleagues took a lot of notice of the success of the sitting in Mount Gambier. They realise how much the people of Mount Gambier appreciate it. Certainly, I did appreciate our going into country areas to let people see how we operate. However, considering the behaviour of members in this place in the past 24 hours, I would shudder about taking our parliament into those areas and letting people see that. I do think that it is important for people in regional areas to be able to access their parliament to see what happens.

Many people are not able to get down here when parliament is sitting to see what happens. Their only understanding of parliament is what they get from the media. Very often I read the paper or watch the media and think, 'Did that happen? Was I there?' It is often a very slanted view of what goes on in this place. I would be very happy about having more sittings in country areas. I think that we do need to consider that. I think that we must take into account the enormity of the logistics involved in doing this.

We know what an incredible job was done by the Clerks and the staff of this place in getting the parliament up and running in Mount Gambier, as well as the work put into it by the people of Mount Gambier. It is not something that is done easily. I cannot see that we could do it once a year. It is something, I believe, that you could do in each term of government. A place should be selected, and we should go into those areas and take our road show with us. Many other centres would very much appreciate a parliament's sitting in their area. I know that my city of Whyalla would be very happy about having us there. Whyalla has a theatre similar to the accommodation we had in Mount Gambier. Port Augusta would be very happy about it.

If we are talking about smaller community centres, I would ask that we look at Coober Pedy, which is one of the most remote areas of the state. I think that consideration should be given to holding the next regional sitting of the house in Ceduna, but we should also look at other communities in South Australia. I do not believe that it is possible to have a regional sitting before our state election, but I hope that, in the next term of government, we very quickly move out into the communities. I support the member for Flinders on her thinking that we do need to sit in our country areas. I ask that we give consideration to Ceduna, because many factors need to be considered before the venue is finally decided.

The SPEAKER: Is the amendment seconded?

Mrs Geraghty: Yes, sir.

The SPEAKER: It is. We will need the amendment in writing to circulate. I think that members understand the thrust of it, which is 'that consideration be given to the next sitting of the regional sitting of the House of Assembly in Ceduna' or words to that effect. We will get that typed up and circulated, or circulate the handwritten vision.

Ms CHAPMAN (Bragg): I look forward to hearing, hopefully, the member for Mount Gambier—

The Hon. R.J. McEwen: You will!

Ms CHAPMAN: —support this motion in its present form, without amendment. This was an important matter for him when the parliament agreed to go to Mount Gambier and have the opportunity to consult with those in the South-East. I look forward to his contribution in support of the member for Flinders in her powerfully relevant motion before this house. For those members who may not appreciate entirely the Eyre Peninsula of South Australia, I must say that, if ever there was a region in this state which epitomises the very foundation on which this state functions and on which its wealth has dominated, this region is where we make it, mine it, grow it or show it. It truly is a region which provides—

The Hon. R.J. McEwen: Put it to music!

Ms CHAPMAN: Do you want that on the record?

The Hon. R.J. McEwen: Yes.

Ms CHAPMAN: I thank the member for Mount Gambier for his contribution, mocking the contribution which Eyre Peninsula makes to this state. Indeed, I have had the opportunity to travel with the member for Flinders not only to Ceduna on a number of occasions but also west of Ceduna to see the pioneering work being undertaken by the people of that region. There are a number of areas, including the agriculture and aquaculture contributions (which the member for Hammond has outlined today), the whole Gawler Craton region, and the opportunity for resource and energy production in this state.

In relation to the showing of South Australia, except for Kangaroo Island, Eyre Peninsula enjoys the greatest number of international and domestic tourists to its region—and so it should. Whether one goes all the way up the coast, through Port Lincoln, Coffin Bay, Ellistown, Streaky Bay and Ceduna, and even further west towards Western Australia to view the whales, or takes the opportunity to travel from Buckleboo to Wudinna, these regions make a unique contribution to tourism in South Australia.

The member for Flinders, as she rightly applauds in this house, is proud of this region. Her commitment to this district is exemplary, and the work she does not just in the parliament, where she brings the good news and concerns of the community, but also her constant attempts to inform herself and the house of the great opportunities in the region in relation to energy, agriculture and aquaculture, ought to be held up as an example to a number of other members in this house. As some other members have highlighted even today, there is the opportunity in the region in relation to renewable energy, and wind energy in particular. We have a lot to learn from this district. If the government, in particular, supported this motion to have its next House of Assembly sitting in Ceduna, it would be well served.

There is another matter I raise in relation to this subject. We have heard already the member for Mawson's proposal that we consider having an extra special day of sitting to receive submissions from peak associations representing petrol consumers and oil producers, followed by a debate in

order to work through solutions that address the spiralling cost of fuel in South Australia. Let me say that the best place in South Australia to convene that special sitting would be Ceduna. It would not only physically accommodate the parliament's attending at Ceduna, but would also enable us to learn and appreciate, if we all got in our motor vehicles, what it costs for petrol to get from here to Ceduna, let alone the wear and tear on vehicles to go across the unsealed portions of road to get there.

If one travelled through Wudinna to the coast, as the member for Flinders was encouraging us to do in order to understand and appreciate the regional health issues of that district, then one would clearly understand that one has to travel along some fairly difficult, unsealed roads—which members on the other side have suggested is a bit of a tourist attraction in this state. People over there have to drive on those roads every day, and members would understand the difficulty that these people face.

Just yesterday we read in the paper how crop farmers are expected to cover an extra \$40 000 a year in fuel costs alone, when they are already paying well over \$100 000 a year in fuel costs. It is primarily diesel costs and there may be some rebate. Nevertheless, the primary cost is still there and it is still high. That is a major extra cost that a very important region of South Australia has to bear to be able to provide the wealth and the tax for those who benefit in metropolitan areas and other regional areas of South Australia. This parliament would understand and appreciate that if it went to Ceduna.

In relation to having a real understanding of what is happening in regional South Australia, the government has been criticised for failing in infrastructure, road management, road development and transport lines (both airlines and roads) into these regional areas. But let me say that, at times, there are occasions when the sheer stupidity, born of ignorance in relation to the western region, is beyond all comprehension. I remember a few months ago receiving an announcement from the minister for further education that a number of trainee programs would be operating on Eyre Peninsula, some of which I think were excellent, and they were to acknowledge and give opportunity for training in areas as we rebuilt the Eyre Peninsula bushfire region. But let me indicate one example of the stupidity and ignorance that shows in this government. There was a proposal that they would give training—

Ms CICCARELLO: I rise on a point of order, Mr Speaker. I draw to your attention that this is totally irrelevant to the amendment that is being discussed.

The SPEAKER: I was distracted and did not quite hear the last comment. My source of wisdom tells me that it was neither broader nor narrower than other contributions. Members should bear in mind the amendment and the motion. The chair has been very tolerant this morning, and people have been allowed to roam somewhat, but it is always within reasonable limits. The member for Bragg.

Ms CHAPMAN: The parliament would have a full appreciation of this if it went to the area on the Eyre Peninsula. The proposal was that, just out of Ceduna, there would be a training course in respect of roadworks. People would be trained in roadworks in preparation for the one in 100 year flood. This is a region which is over 1 000 feet above sea level! If the members of the government went to the West Coast, they would have some appreciation of this and some understanding of the significance of the factors in that area, and they would realise how ridiculous people thought the government was when I visited Ceduna and had the issue

raised with me. They said, 'How can the government possibly get this so wrong? How could this happen? Why don't they come out here and actually see what we are doing? Of course we welcome traineeships and an opportunity for our young people to be educated and stay in the region. But, get real, government, about what is happening out here and what we really need. And what we don't need is to learn how to deal with a one in 100 year flood when we are 1 000 feet above sea level.'

I would like to say one other thing about this area and give one example of what the parliament would understand if it went there. I had the opportunity, with the member for Flinders, to visit a fantastic desalination plant, and with all the mantra I hear from the government about how expensive this option is—

Mrs GERAGHTY: I have a point of order, Mr Speaker.

Ms CHAPMAN: —it is operating, and I applaud all members having the opportunity to look at it.

The SPEAKER: Order! The member for Torrens.

Mrs GERAGHTY: I think the member opposite has ceased, so my point of order no longer stands.

The SPEAKER: The member has one minute left, according to the clock. The member for Bragg.

Ms CHAPMAN: So, if the parliament did go to Ceduna, I would encourage members to get in some four wheel drive vehicles and go out and look at this desalination plant, because they will see how it operates. Grape vines are growing out there because of a major desalination operation which is excellent, and which quashes all the criticism, I suggest, about doing something in relation to water and resources in this state.

Time expired.

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I rise to support the amendment. I look forward to the press release: the heading will be 'Political stunt to save Penfold' because—

Mrs Redmond interjecting:

The Hon. R.J. McEWEN: Yes, see you remember. How quickly they forget. How quickly they find reverse. The view of the Liberal Party on the historic sitting of parliament in Mount Gambier was that it was a political stunt and it was dreamt up at short notice. What makes that a political stunt and this not a political stunt? They do not have to answer this question here, but they certainly have to answer that question in rural and regional South Australia, because they made it very clear that they do not want parliament to leave this place. They gave hundreds of reasons why we should stay cosseted in here. They did not want to expose themselves to rural and regional communities and, as well as I understand why, they have some explaining to do now.

Let me tell members about the history of the historic sitting in Mount Gambier. It did not start this year. It did not start in the 50th parliament. It started at the commencement of the 49th parliament, because one of the first things I did upon coming into this place to represent the fine people of Mount Gambier was ask premier Olsen whether he would consider, sometime during the 49th parliament, taking the parliament to the country and would he consider Mount Gambier, its being the second biggest city in the state, as the venue for that. He said, 'Yes.' Does anyone remember any of us visiting Mount Gambier during the 49th parliament? No. We saw the demise of Olsen and we saw the demise of his promise. He had no intention of honouring that promise. That was sad. When we saw the election of the 50th parlia-

ment, I continued arguing for a historic sitting of parliament in country South Australia, and again I put forward as the first venue the fine city of Mount Gambier.

I can indicate that I found some sympathy for my position with the then speaker. The then speaker saw the wisdom of taking parliament to the people. He saw the wisdom of allowing country communities to participate in the democratic process without having to travel to Adelaide. I thank the then speaker and I put on the record the support he gave me because, when I approached the Premier of the day, I had the support I needed to champion the argument. Eventually we travelled to Mount Gambier—and what a success it was. Nothing to do with a political stunt—

Mrs Redmond interjecting:

The Hon. R.J. McEWEN: They scoff opposite, but they do not want to listen to the history. If it was a political stunt, why would it be then that premier Olsen would agree to it? If premier Olsen agrees to it and it is not a political stunt, how does it then become a political stunt? They have much explaining to do. At least they have now found reverse gear. They are now prepared to say, upon reflecting upon the experience in Mount Gambier, that it is a valuable thing to do. In fact, the deputy leader in his closing remarks in Mount Gambier made the statesman like comment that we are all the richer for the experience. Therefore, at least once in the life of every parliament, we should consider sitting in a rural, regional or remote community.

We ought to have a mechanism whereby communities can argue a point. I do not know whether it needs to be Ceduna, or anywhere else. All it says is that Ceduna should be considered. The first thing we need to do is at least give a pledge to South Australians that we are prepared to get out of this closet now and again and go out to rural and regional communities to strut our stuff. The benefit does not only come while we are sitting in parliament. Members would all be amazed about the number of people who attended. Some people scoffingly said to me that no-one will come. Were those people not embarrassed? Were those people not embarrassed when day after day the community and school children attended? Were they not embarrassed at the fact that rural and regional communities embraced a concept such as this. They cherish democracy and they love to be involved.

Equally, were they not pleased when everyone in this place—the whole 47 of us—engaged the community in many ways outside the parliament? The restaurants were happy, the motels were happy and the communities were happy. There were some stories that will not be told in this place, and there were some experiences that some of them would like to forget. The nature and the diversity of us, the broad church exposing itself to Mount Gambier, was particularly valuable. In the life of every parliament, cost aside, we ought to be saying to our rural and regional communities, ‘We will come out at least once.’

I support the notion, and I have done so ever since the day I came into this place. It has nothing to do with political stunts. It has nothing to do with the local member, who might have the pleasure of representing the seat of the community that we choose. Let us not play these silly games any more. Let us at least now encourage the Liberals, this time, to go beyond their churlish, petty, political stunts and say what this really is. Let the Liberals apologise for their silly stunts ahead of Mount Gambier. We will accept the apology. We understand that they have learnt from it.

We understand that this is nothing to do with saving Ms Penfold: we understand that she genuinely cares about

that community. I appreciate the fact that she has come into this place and said, ‘I want to be next.’ I think that is fantastic, because she is telling me a couple of things. She is telling me that she did not believe some of the rhetoric ahead of the visit to Mount Gambier. She is telling me that she valued and enjoyed that experience, to the extent that she would like her community to have the same opportunity—and so she should, and I take my hat off to her. All rural and regional communities should have the opportunity to put up their hand.

Let us not play these silly games again. Let us put behind us all the petty little excuses which they put on the register, which they argued in this place and which they put in the media; all this pathetic, petty little stuff, denying rural and regional South Australia the opportunity to participate. I am glad that this day has arrived. I am glad that at last they have said, ‘We are sorry for all that stupidity. We genuinely want to embrace the concept.’ I fully back any resolution to give rural and regional South Australia the opportunity to enjoy and share their right as a community to participate in the democratic process.

Mrs REDMOND (Heysen): I had not planned to speak on this motion when I came in here this morning, but I cannot help but make some response to the comments of the member for Mount Gambier. Clearly, the sitting in Mount Gambier was a political stunt designed to save the member for Mount Gambier: there is no doubt in anyone’s mind that that was the case. This so-called Independent, who has got into bed with the Labor government, needs to have the sort of assistance generated by holding a sitting in Mount Gambier. In her contribution the member for Giles said, ‘Did it happen? Was I there?’ That is what I thought when I was in the parliament in Mount Gambier.

I have been to Mount Gambier many times, both before I was elected to this place and since, and I thoroughly enjoy it as a city. I really think that it would be a lovely place in which to live, and I would not mind moving there. But to suggest that what the people of Mount Gambier got was the real parliament is just a nonsense. There was clearly, on our side, a decision to behave as we would normally behave in this place and give the people of Mount Gambier a real taste of what the parliament is like when it sits in this place. However, clearly, there was an instruction on the other side that they should be good little children and not make any interjections, and they sat there very—

The ACTING SPEAKER (Ms Ciccarello): What a load of nonsense!

Mrs REDMOND: Madam Acting Speaker, I object to interjections from the chair. That is exactly what transpired. It was not anything like the real parliament. People had very straight faces while they sat there not interjecting and not behaving in the normal way. If anyone seeks to suggest that that was not the case while we were in Mount Gambier, they should have a look at the record of this place during its sittings here and compare it with the sitting in Mount Gambier.

I think that there are considerable benefits, as the member for Flinders has already said, in sitting in Ceduna. Again, like Mount Gambier, it is a place that I have visited many times. Indeed, I have been there rather a lot, because I was involved in a case where I acted for a native title claimant group, and most of our meetings were in Ceduna. So, I have flown there, I have driven there, and I have driven out in various directions from there. I have used it as a base and I came to know

a large number of the local community. I have a great admiration and respect for the lives that those people lead in these isolated areas, and it seems to me that Ceduna would be an ideal choice for the next move for the parliament.

I assume that the idea of regional sittings will not be a one-off. If it is, it will just cement my view even further that it was just to protect and enhance the chances of the member for Mount Gambier. That is certainly as it appears to the larger community, and that is as it should appear because that is the case. But to go out to Ceduna is a completely different thing. Mount Gambier is a very civilised place, and Ceduna itself is civilised in many respects but it does struggle with issues like the distance and the water, and all sorts of other issues in terms of the provision of services to people out in such a remote community.

It would give the parliament an opportunity to really look at and go out to see those in the even further remote communities, and I believe that if we go up to Ceduna for a parliamentary sitting it would be entirely appropriate for us to then go out onto some of the Aboriginal lands and even further out than the Yalata community, maybe taking the opportunity to go up to places like Oak Valley, which of course takes a considerable time to get to from Ceduna, and even going out to Head of Bight and all those other places. But they are, at least, accessible from Ceduna as a good stepping-off point. It seems to me that for that sort of reason Ceduna would be an appropriate place for us to hold the next sitting of the parliament. But I would encourage members, when we do have a regional sitting, to not make it a set piece of theatre because that does not give the people who attend a chance to see how the real parliament operates.

As for the member of Mount Gambier suggesting that the sittings in Mount Gambier were so well attended, I beg to differ. I think it was wonderful, particularly for the young students who came from many schools, and from memory I think about 800 came from schools around the area, and that was fantastic and they were certainly good numbers and, given the number of students who would be too young to really appreciate the thing, I think just about every student for whom it was an appropriate thing for their age group probably did attend during the sittings in Mount Gambier, and that was fantastic. But I regularly kept count, and in fact I have the numbers in notes from the sittings down there as to how many people were in the theatre at any given time and, for the most part, there were between 15 and 40 people during most of the sittings. That is certainly more than we have in our gallery most of the time here.

The Hon. R.J. McEwen interjecting:

Mrs REDMOND: Yes, but I counted them, member for Mount Gambier, and I counted regularly between 15 and 40, and I have the numbers in my notes as to how many people at various times during the days we were down there were actually in attendance.

Members interjecting:

Mrs REDMOND: People are asking, 'How many attend our parliament?' Certainly at the moment, apart from the media, we do not have many observers; I think we have one. But earlier this morning in private members' time we had that upper strangers' gallery absolutely full. When we started out it was absolutely full, so on any given day we do have quite a number of people. I am not suggesting it is any better or worse. All I am saying is that the member for Mount Gambier was overstating the case for the community participation in the parliament. Indeed, I would suggest that the number of people who attended the protest against him about the buses

that occurred outside that Mount Gambier sitting on the first day of the sitting—

The ACTING SPEAKER (Ms Thompson): Order! The member for Heysen is straying very far from the topic. Could the member return to the topic of considering the regional parliament sitting in Ceduna?

Mrs REDMOND: The member for Mount Gambier raised the issue in his address and was not pulled up.

Members interjecting:

The ACTING SPEAKER: Order! Can the member focus on the topic and will all interchanges across the chamber cease.

Mrs REDMOND: Madam Acting Speaker, what I am suggesting is very much on the topic that the point of a regional sitting, be it in Mount Gambier or in Ceduna as per the motion, is to enable community participation in the democratic process and to observe the democratic process. The member for Mount Gambier in his contribution suggested that there was some enormous number of people who attended and the community really participated. The point I am making is that that is an overstatement of the case. I am not suggesting that people did not attend, or that they would not attend in Ceduna. Indeed, I suspect we would get more attendance in Ceduna because it is a more isolated community and it would be a real thrill for them to see us come to town.

But I question the suggestion that the community participated somehow in the democratic process when most of the time between 15 and 40 members of the community attended. I exclude from that the children; I have already made comment that the children from the schools certainly did come in very good numbers. However, excluding the children, members of the community were not highly represented in the parliamentary sitting we had at Mount Gambier. Maybe when we go to Ceduna there are ways we can address that and encourage more members of the community to come along. I know the Education Officer of this parliament would be enthusiastic about having more members of the community come along to any sitting, whether it be in this chamber or in a regional venue, but it is entirely appropriate to address the statements made by the member for Mount Gambier that in some way the parliament really had a fantastic community sense about it, because it simply did not: (a) it was a set piece of theatre on the part of the Labor members; and (b) it was not as well attended as they are suggesting.

There might have been a total of 2 000 people over the week, counting the 800 school students who attended and the people I saw there on numerous occasions who attended at a regular time each day and therefore on more than one occasion, but certainly nowhere near 2 000 actual members of that city came to visit that parliament whilst it was in residence there. I support the motion of the member for Flinders and I do not support the amendment.

Mr CAICA (Colton): I will be very brief in my comments. I rise to support the amendment but commence by saying that I was highly offended by the comments of the member for Heysen in that she is accusing me of being part of some agreement to act differently than I do in this place at all times. I am very well behaved, as are the majority of my colleagues, and I certainly was not part of any deal to act differently in Mount Gambier than I act anyway.

I find it very surprising that the member for Heysen says that she supports the original motion but not the amendment.

It seems to me that we ought to be very supportive of any plan to take this parliament out into the regional areas. I quite enjoyed the visit down to Mount Gambier. I met many nice people. I thought it was a very valuable experience for me, as a member of parliament, and, indeed, the people I spoke to in Mount Gambier enjoyed the experience of having parliament down there. To that extent I do not think it will be a one-off. I think future governments will seriously consider holding future parliamentary sittings outside of Adelaide and that can only be a good thing.

I do not think we should be restricted with respect to where the next sitting should be. I support the sentiments of the member for Flinders. I like the West Coast very much. If we had it in Ceduna that would be a good thing. I could visit Baird Bay again; I could go out to Fowlers Bay and bring home some fish; I could meet many people over there. I do not think we should be restricted as to where the next sitting should be. I support the amendment to that extent; that it is a reinforcement of the value that we gained from sitting in Mount Gambier and that a considered decision should be made as to where the next one should be, not necessarily restricting it specifically to Ceduna.

The Hon. I.F. EVANS (Davenport): I rise to support the motion to have a regional parliament in Ceduna. I come from a slightly different view about regional parliaments. I support strongly the sentiments of the member for Flinders in wanting a regional parliament at Ceduna. I think I am the only member of parliament to have ridden a pushbike across the electorate of Flinders, so I know the electorate reasonably well. Going through Port Augusta, Whyalla, Kimba, Wudinna, Ceduna and Nundroo, through to Perth, was an interesting experience on a bike. I have a reasonable understanding of the issues on the Eyre Peninsula. As the member for Flinders knows, I am a regular visitor—with the member for Flinders—across the electorate. To me, the issue is whether the parliament is going to be used for party political purposes by having regional parliaments. A government could, if the make-up of the parliament was so after an election, choose the venue of regional parliaments to gain an electoral benefit for the government. I am not sure—

The Hon. P.L. White: That is an admission that you guys do not perform very well in parliament.

The Hon. I.F. EVANS: No, not at all. The member for Taylor should hear me out. I said ‘a’ government; I did not say ‘your’ government. It could work both ways. You might remember that it was our government that started community and country cabinets, and your side criticised those as a means of trying to seek some sort of electoral advantage.

If they are going to have regional parliaments, I think a fairness test should be introduced to the system where regional communities can nominate to host the regional parliament, and then it is simply drawn out of a hat as to who gets it. Otherwise, a government will then use the parliament to go to a marginal electorate with the sole purpose of orchestrating the parliament for electoral gain, and I do not think the parliament should stoop to that level.

I think the parliament does need a better understanding of regional South Australia. I think that one of the tragedies of our parliament is that we have so few people who come from regional areas, because the regional areas do contribute such a significant amount to the South Australian economy and our way of life. But, fewer and fewer people in this place come from a regional or rural background. I think that that is a long-term problem for the parliament. I have no problem at

all with the concept of regional parliaments, but I think it needs to be done by nomination and then simply a ballot so that the government of the day does not then abuse the system by simply having a regional parliament six months out from an election in the most marginal seat where it can exploit all the resources of government.

If the parliament is sitting in a regional city, it can use the government credit card; it can control what is debated on the agenda; and it can knock-off at six o’clock—all those sorts of things. I am not convinced that the parliament needs to do that. The government can do a whole range of other things such as have community cabinet meetings if it wants to do that, but I think that the parliament is a different issue again. While I support the member for Flinders’ view, I am concerned that, long-term, the venue of the parliament will simply become another point-scoring exercise, and I am not sure that we need to do that in respect of where the parliament sits.

The other issue is that if you are going to have regional parliaments—and I think it is important, and I support the member for Heysen’s comments—we need to have the parliament as it is normally held. I think that we all realise that at Mount Gambier the debate was curtailed and closed off early at night so that a whole range of activities that do not happen in the city could occur. Generally, the parliament often sits until very late at night. For whatever reason, the government decided not to do that during the Mount Gambier sitting.

I am not sure whether I support the member for Heysen’s comments. If you are going to have the parliament, then let us have the parliament. To that end, while I know that the parliamentary staff did its absolute best in trying to replicate facilities for members to work in Mount Gambier, I think we all appreciate that there were some difficulties in relation to being able to operate an office environment out of Mount Gambier for those of us who are normally metropolitan members and found ourselves rural members for the week.

More work needs to be done on what facilities are available for members who want to continue to service their electorates while they are in the regions. Of course, when rural members come to Adelaide they get different allowances and staff allocations, and I do not criticise that because I understand the pressures they have in being away from their home and their office. All I am saying is that, when the roles are reversed, more attention needs to be paid to that exercise. The other issue—and this was raised during the debate about the Mount Gambier exercise—is that of the allowance. The allowance should not be set by the Speaker. The allowance that is paid to go to regional parliaments should be set as the normal allowances are—either by the cabinet or by the Remuneration Tribunal.

I wrote to the Remuneration Tribunal following the Mount Gambier exercise, and they told me that it was a matter for cabinet. If we are going to continue to have regional parliaments, I do not think it is appropriate for the Speaker to make up an allowance or for it to come out of our normal allowances. There should be exactly the same process as for anyone who resides 75 kilometres away from the parliament; the allowances should be treated in the same way. Otherwise, we leave ourselves open to criticism and some form of abuse, and it would be silly for us to do that.

Regarding the member for Flinders’ motion, I support the concept of having a regional parliament in Ceduna. Having been there many times over the last 20-odd years, it is certainly a place worth visiting. It has a lot to offer the

parliament, and I think the parliament would be the better for it.

Mr MEIER (Goyder): I, too, rise to support this motion. Members may recall that my chief objection when we were debating whether or not to go to Mount Gambier was how the Mount Gambier sitting had been determined. Members may recall that the first I heard of the fact that we were going to Mount Gambier was when my wife said to me—I think, it was on a Saturday morning—‘I see you’re going to Mount Gambier.’ I said, ‘No, I’ve got no plans to go to Mount Gambier.’ She said that the paper said we were going there for a sitting. I said, ‘What? I’m sure I have been listening to everything in parliament and I haven’t heard anything. It is the parliament that decides where we go, not some newspaper.’

Of course, it wasn’t the newspaper; it was the Premier who decided to go down there—and we heard more details in due course. So, my principal objection was to why Mount Gambier was chosen. The member for Flinders has done it the right way by bringing in a motion for the next regional sitting to be held in Ceduna so that we as a parliament can decide, not the Premier, not the cabinet or anyone else. I thank the member for Flinders for bringing forward this motion; at least we can give it due consideration.

There is no doubt that there are advantages and disadvantages in taking the parliament to regional areas for a sitting. I was not quite sure how the Mount Gambier sitting would go. I think I indicated that I was worried that the government would take the opportunity simply to hit us around the head even more than they do in this chamber. Thankfully, I was wrong; in fact, they were on their best behaviour in Mount Gambier. I wish that situation could be applied here in this chamber. Yesterday or the day before we saw a classic example with one or two of the ministers absolutely going six guns in a way that was quite unbecoming for the people who were watching from the gallery. No wonder they shake their heads and say, ‘That’s how the little boys and girls behave themselves.’

I hope that one way or another that sort of behaviour will be sorted out in the coming years. I will not see it, I will be gone, but it has troubled me for many years. I will not be here in the chamber, but I hope it will be sorted out, because that sort of behaviour does not need to happen. In fact, when I visited the Swedish and Danish parliaments and pointed out the toing and froing across the chamber that goes on in our parliament, they said, ‘No, it has to be a very orderly procedure. We would not have what you do in Australia.’ One or two of them went a little further and said, ‘It’s absolutely out in our parliament.’ So, members of parliament can behave themselves. Maybe it is because we have a different system, the Westminster system where we sit opposite each other, whereas in their parliaments they sit in a sort of semi-circle and are not necessarily facing each other when they speak—but that is by the by.

I think the member for Flinders’ motion is positive from the point of view that, as Mount Gambier was the first regional sitting and it is at one extreme edge of the state, why not have the next regional sitting at the other extreme edge of the state. That makes a lot of sense. Perhaps the next sitting can be at some halfway house at Port Pirie, Port Augusta or Whyalla. That would also make a lot of sense. I support the member for Flinders’ motion.

Mr KOUTSANTONIS (West Torrens): I am surprised that the member for Flinders is moving this motion, because I remember when it was first touted that we wanted to have a regional sitting in Mount Gambier they all said that we were having it to save the member for Mount Gambier. Is it perhaps that the member for Flinders is worried about the National Party or an Independent down in Flinders? Could it be that she is feeling nervous after the government’s fantastic response to the Eyre Peninsula fires? Could it be that, finally, after all these years she has been shown up? Could it be that local residents are crying out for some leadership and are looking to the National Party? Could it be that a very prominent independent is about to announce their candidacy in Flinders?

Ms CHAPMAN: Mr Speaker, I raise the question of relevance to the motion.

The SPEAKER: Members have had a considerable degree of latitude, which has to be extended to other members.

Mr KOUTSANTONIS: I know the member for Bragg is counting Flinders as a key vote in her leadership ambitions. I understand that ‘Chic’ has been counting numbers consistently over the past couple of weeks. Could this motion be a bit of panic creeping into the camp of Mrs Penfold? Could it be a few nerves?

Ms CHAPMAN: On a point of order, sir: I suggest that the last contribution by the honourable member was imputing improper motive to the member for Flinders, and I ask him to withdraw.

The SPEAKER: I thought the member for West Torrens said something about nerves, but I did not hear anything else.

Mr KOUTSANTONIS: I know that the Liberal Party does not want to accept the fact that it is becoming more and more irrelevant in the regions. The Riverland is non-Liberal, Mount Gambier is non-Liberal, soon to be non-Liberal is Flinders, and that is why we have this motion. Add up the arguments! When the member for Mount Gambier announced we were having a regional parliament in Mount Gambier they said, ‘We are there to save you’. Now the member for Flinders, shaking in her boots, gets up and says, ‘What about me, it isn’t fair, I want my share, get them down here’. Why? Because she is in trouble. The National Party is breathing down her neck and members opposite know that Flinders will be the next seat to fall. Then the Liberal Party will be just as irrelevant in the bush as it is in the city. They have forgotten where they have come from, they no longer speak for regional people, they no longer represent their views and aspirations.

Ms CHAPMAN: On a point of order, sir: I refer to the question of relevance. Metropolitan Liberal Party activities have nothing to do with the regional aspect previously touched on.

The SPEAKER: The honourable member needs to keep within the general ambit of the amendment and the motion.

Mr KOUTSANTONIS: I have been to Ceduna many times and I think it is a wonderful city. I know that the member for Flinders goes there a fair bit too, and you might ask why she goes there so often, why she is so worried about Ceduna. Could it be that she has let them down and wants to show them her commitment?

Mr Hamilton-Smith interjecting:

The SPEAKER: Order! The member for Waite will not be warned again: he will be in serious trouble.

Mr KOUTSANTONIS: Other regional cities should have a regional parliament—perhaps Whyalla, one of our great cities, the second largest city in South Australia. After that we could go to the Riverland, for which I have a great deal of affection. I have many relatives in the Riverland.

Mrs Redmond interjecting:

The SPEAKER: Order! The member for Heysen.

Mr KOUTSANTONIS: There are other regional cities. I cannot believe the hypocrisy of members opposite when they were yelling out that we were moving the parliament to Mount Gambier to save Rory, but when Mrs Penfold asks about it, it is about equity. She is nervous, she knows it, and the Nationals are going to get her.

The SPEAKER: I will put the amendment moved by the member for Giles.

Ms CHAPMAN: I seek clarification, Mr Speaker. Does the member for Flinders have the right of reply?

The SPEAKER: The rule is that, if you want to speak, you need to get the call, or stand to be seen.

Ms CHAPMAN: Indeed, and that is why I rose to do so, given that you moved straight away to put the amendment.

The SPEAKER: Order! The chair is being very tolerant. The member needs to be quick to get the call. Does the member for Flinders want the right of reply?

Mrs PENFOLD: Mr Speaker, perhaps you can clarify this. Do I get a right of reply at the end, or just for the amendment, or is this for both?

The SPEAKER: The member for Flinders will get one opportunity.

Mrs PENFOLD: And this is it?

The SPEAKER: The questions will be put in sequence depending on what happens. This is your one and only opportunity.

Mrs PENFOLD (Flinders): Thank you, Mr Speaker. I will not be supporting the amendment. I can understand why the member for Giles—

Mr Koutsantonis interjecting:

The SPEAKER: Order! The member for West Torrens has had his chance.

Mrs PENFOLD: —is so keen to have it amended so that perhaps they could have it at Whyalla, but I point out that Whyalla is a regional city. It does not have the issues that I have on Eyre Peninsula. Whyalla has a university.

Ms Ciccarello: They have different ones.

The SPEAKER: Order, the member for Norwood!

Mrs PENFOLD: Whyalla has a reliable hospital, reliable water, a dentist, a paid ambulance service, whereas, in my electorate, the whole 45 000 square kilometres has 10 councils and 10 hospitals—and I now understand that only two of those hospitals have full obstetrics, so there are eight hospitals where women cannot have their first babies. There has been a dental crisis, with the people from Ceduna having to travel all the way down to Port Lincoln to have their dental work done. The people from Ceduna have to go to Whyalla or Adelaide to have a lot of medical—

Mr Koutsantonis interjecting:

The SPEAKER: Order, the member for West Torrens!

Ms Breuer interjecting:

The SPEAKER: Order, the member for Giles!

Mrs PENFOLD: When they are travelling between Ceduna and—

Ms Breuer interjecting:

The SPEAKER: Order, the member for Giles will be warned in a minute!

Mrs PENFOLD: They have to go from Ceduna, through to Kimba, through to Wudinna, Whyalla, Port Augusta, Port Pirie and down to Adelaide. If we had it at Whyalla, it would be only half way. There is another 400 kilometres, and during that 400 kilometres people have to travel through towns where the ambulance service is actually manned by volunteer ambulance people, unlike most of the rest of the state. So, if they have an accident near Kimba, as many do, they must rely on the people from the businesses and off the farms to rescue them.

Mrs Geraghty: We have looked after your electorate far better than your government looked after it.

The SPEAKER: Order, the member for Torrens!

Mrs PENFOLD: If they have an accident near Wudinna, the same thing will happen. They will have an ambulance that is manned from the community and not a paid ambulance service. In Ceduna, very fortunately, I have one paid ambulance officer, and the volunteer Ceduna service has to cover the whole of the area between there and Wudinna and across to the border. So, if you have an accident on the way to the Bight, it will be the volunteers from the farms and the businesses in the area who will go to your rescue. I want a real commitment from the government, not a watered down one, and not a commitment like I got for the school at Ceduna soon after the Labor government got in, when it reduced the amount of money for the school. It stopped the tender process, docked it by \$2 million, and it is still not built. I was there only the other day, and I went and had a look. There is still not a sign of any building on the Ceduna site. So, that Ceduna school is still waiting. The water at Ceduna is still hard and unreliable, and the pipes have been bursting.

Members interjecting:

The SPEAKER: Order, the members for Torrens and Wright will be warned, and they will not get another warning.

Mrs PENFOLD: I think it would be a very good idea if the people in this parliament actually went there and had to wash their hair in that terrible water.

Mr Caica interjecting:

The SPEAKER: Order, the member for Colton!

Mrs PENFOLD: So, Mr Speaker, I want a real commitment—not a commitment that is not fulfilled—from this government to have the next sitting of the parliament in Ceduna.

Members interjecting:

The SPEAKER: Order! The house will come to order. The house divided on the amendment:

AYES (23)

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

NOES (17)

Brokenshire, R. L.	Buckby, M. R.
Chapman, V. A.	Evans, I. F.
Goldsworthy, R. M.	Hamilton-Smith, M. L. J.
Hanna, K.	Kerin, R. G.
Kotz, D. C.	Lewis, I.P.

NOES (cont.)

Matthew, W. A.	McFetridge, D.
Meier, E. J.	Penfold, E. M. (teller)
Redmond, I. M.	Venning, I. H.
Williams, M. R.	

PAIR(S)

Stevens, L.	Brown, D.C.
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Majority of 6 for the ayes.

Amendment thus carried.

The SPEAKER: For the benefit of members, the Queensland parliament is convening a regional parliament in Rockhampton in the next few weeks. The other interesting development is that we have been approached by the Western Australian Parliament to see whether they can borrow, lease or hire the surrounds that we had made for Mount Gambier. Coming from a state that has some of the best timber in the country, I think it is a compliment that they want to borrow or lease our timber surrounds.

Motion as amended carried.

HOUSING, REGIONAL AREAS

Mrs REDMOND (Heysen): I move:

That this house calls on the government to immediately address all issues associated with housing shortages in regional areas.

We have been trying to alert this government about this issue since it came to office. The government consistently and habitually fails to address regional issues across a range of portfolios, housing being just one of them. However, as housing happens to be one I shadow, I can say that the motion relates most specifically to that issue. The Leader of the Opposition, Rob Kerin, issued press releases not before the previous budget but the one before that, back in May 2004. In a media release, Rob Kerin said:

Regional and rural South Australians should brace themselves for another year of being left high and dry when the State Budget is released on 27 May.

He went on to say:

Treasurer Kevin Foley's pursuit of a AAA rating for the State will continue to come at the highest cost for country residents.

He pointed out that the government needs to commit to substantial investment in roads and housing in regional areas, because housing in the regions is one of the key issues inhibiting growth throughout the regions of this state. Too often, this government is Adelaidecentric. With the exception of the two Independent members of this government (the members for Chaffey and Mount Gambier), only one Labor member is a rural-regional person, and she is based in another city. This government has consistently failed to address anything to do with housing.

The government did, of course, introduce a housing plan for South Australia earlier this year (in March) but, when I went through it, there were scant references to the need to address regional housing. For instance, the Housing Plan states, 'We need to engage the commonwealth in a dialogue about urban and regional housing policy.' That builds a lot of houses, doesn't it? The plan further states, 'Our plan will deliver regional housing, and deliver appropriate and affordable housing responses in regional communities experiencing economic and social change.' That is nice rhetoric but it does not actually address anything in the plan as to how they are going to achieve it. They talk about maintaining and developing viable regional population levels

for sustainable communities—some of those wonderful bureaucratic words that one comes across often in Labor Party rhetoric.

At the end of the day, it is all rhetoric—there is no substance to what they are suggesting. We have a number of situations in this state where housing is inhibiting the growth of the economy. For instance, the Tatiara meat company advised last year that it could employ 40 to 50 more people tomorrow but for the fact that they would have nowhere to live. They have workers living in caravan parks due to the lack of suitable accommodation and, obviously, unless people are reasonably comfortable, they do not stick at the job for long and, again, that adds to the cost.

A new recruitment company is setting up in the area in Tatiara but, again, the issue is where to accommodate the workers whom they want to bring in. Yet, the Minister for Housing was quoted in the *Sunday Mail* earlier this year as saying that there are Housing Trust houses in Millicent which remain empty for extended periods because there is no demand. That simply is not the case. The demand for housing is huge in places like that. The Tees Brothers in Naracoorte provide another example. They are hoping to put on another shift at the meat works but that means more workers and, of course, that means more need for accommodation.

A representative of a council in a regional area advised that they have a real issue with providing appropriate accommodation for seasonal workers, particularly those in the wine grape and onion industries. Clearly, they are anxious not to create ghettos out in these regional areas, so they do not want to put up shoddy inadequate and inappropriate accommodation, but they do need to put up affordable accommodation so that people moving into the areas can have appropriate accommodation. Years ago, when you think about it, people were putting up shearers' quarters on properties out in regional areas all around this country. I bet that today there would be a lot of problems trying to get approval to put up that sort of accommodation but, in fact, it is that sort of accommodation—and I am not suggesting that we need to put up shearers' quarters—that is needed today. We need to have accommodation which is suitable and available at a reasonable cost with appropriate facilities for people who come into any area, be it in the fruit picking areas of the Riverland or in the wine grape and onion growing areas, as this council was complaining about, where they can have accommodation for seasonal workers. That is clearly not the same as having a three-bedroom brick veneer house that people live in permanently, and it is an issue that we need to address.

As I said, the Leader of the Opposition has been trying to point this out for quite a significant amount of time. In fact, after this year's budget, he issued a further media release on Wednesday 25 April, probably just before this year's budget, in which he said that the Rann government's lack of understanding of the South-East is further highlighted by the fact that the timber industry is not included in a long list of industries which have implications for infrastructure needs. There are numerous areas right around this state on Yorke Peninsula, Eyre Peninsula, the Riverland, the Far North or the South-East where we have the potential to grow and develop, but if we cannot bring in the people and accommodate them, we cannot keep the workers in those areas and, accordingly, they will leave and we will be left with the ongoing problem of the lack of growth in our regional areas.

I believe that a few things could be done to address this issue. For instance, we all know about HomeStart Finance. One of the difficulties with HomeStart Finance in the regional

areas is that to access that particular loan arrangement in the city one only needs to come up with 10 per cent deposit to buy the home. However, in the regional areas you have to come up with 15 per cent of the deposit to be able to obtain the finance, which clearly is a disincentive for people in regional areas. It makes it more difficult for them to access the finance and, therefore, to be able to move into the area. We would all be aware that there are many housing lenders these days who lend all the money, 100 per cent of the valuation of the home, and yet we have a situation in this state where HomeStart finance is available but on a basis that discriminates against the people who live in regional areas. Under the previous (Liberal) government there was a move to change the HomeStart loans criteria to allow business owners to access the loans, so that they could build homes to put their workers in and that would provide at least one mechanism for the business owners to attempt to bring in to their workplace.

As I said, they have a work force need in a number of regional centres. They recognise that that need is directly tied to the lack of accommodation and they want to provide that accommodation, so it was suggested that we change the HomeStart loans criteria to allow not the workers coming in but the people who are providing the work for them to access the HomeStart loan process so that they could provide the accommodation. I think that might well be something that we need to consider again. There was also, at the end of the last government, a \$20 million fund approved to address what is known as the issue of market failure; that is, the lack of accommodation, which is prohibiting and inhibiting the expansion of industries in these regional centres.

They were going to set up a \$20 million fund and it was actually approved under the Liberal government but, as I understand it, events overtook it and it never was utilised. It was to be a revolving fund whereby the capital from the fund would be put up to attract an investor to a regional centre to build new houses and, once built and sold, the capital then went back into the fund so that the fund would be continuously being drawn against but being replenished, and that would enable people to create the infrastructure that is necessary. Clearly, if people are going to live in regional centres they have to have somewhere to live that provides a reasonable degree of the quality that people need and expect but, on the other hand, is not so expensive that everyone moving in, particularly as a seasonal worker into a regional area, has to buy the separate house on a separate block in the township, which is the classic sort of triple-fronted brick veneer home that Australian suburbia has been built on.

It is clearly an issue that this government has simply failed to even come at addressing. As I said, it issued a housing plan earlier this year, but it is full of rhetoric and does nothing to actually address the issue. It does put in some objectives, but it does not actually put into the housing plan how it is going to achieve those objectives. It wants to improve the quality and design, for instance, of government employee housing in regional areas, improve energy efficiency and reduce maintenance. I had a letter recently referred to me by the Hon. Graham Gunn (as member for Stuart) from a constituent in his electorate who was a government employee. I will not name the person or where they were, but they were actually given to live in, and had lived in for some time with a family, a very small fibro house with three bedrooms.

They had four children, so the children were doubled up in the bedrooms, and they were small bedrooms. They had inadequate heating, no airconditioning, and all sorts of

problems. I have actually written to the minister asking what is to be done about this issue of regional housing, particularly for government employees. Just like people who are working in private enterprise, if people who work for the government are going to go and live in the regional areas and carry out the work, whether they be police or other public servants, they have to have some reasonable level of accommodation.

Thus far, this government seems to have completely ignored any obligation to those people or to the broader community to do anything about the regions. It seems to me that it has been a consistent failure across all the portfolios, as I said, but particularly housing. If the government does not understand that housing is fundamental to the growth of sustainable industry in all the regions then it is never going to understand anything—but that is probably true.

Mr Koutsantonis: You are better than that, Isobel; much better than that.

Mrs REDMOND: The member for West Torrens thinks I am better than that, and I am pleased to put that on the record. It is time for this government to wake up—in fact, it is probably too late because it has now delivered its last budget. This government has had the chance but it has missed it. It issued its housing plan in March this year but fails to do anything really constructive about addressing this need, even though it is clear that there has been a significant and ongoing need across not one particular region but all the regions of the state.

We have huge potential in this state—whether that be in mining, aquaculture or the grain industry—and there are all sorts of areas where this state can and should lead not just the nation but the world. Yet without the infrastructure underpinning the development of industries we are never going to succeed. This government has failed to recognise that and failed to take any appropriate action to address the problem, and the purpose of my motion is to try to call the attention of the government to this issue, which I believe it should have addressed before now.

As I said, earlier this year in the *Sunday Mail* the minister stated that there were long term vacancies in Housing Trust properties down in Millicent because there was no demand. I accept what he says to the extent that sometimes there can be a problem for people who are, for instance, in receipt of Centrelink pensions in that if they move from Adelaide to an area which has higher unemployment they will be breached off their pensions. Nevertheless, I am convinced that there are many people who would be quite prepared to move to areas like Millicent to access a Housing Trust home—particularly when we know that the waiting list for this state's Housing Trust properties is something like 25 000. In that group of people there must be some who would be prepared to move to Millicent, so to say that there is no demand is simply not true.

Time expired.

Ms BREUER (Giles): I oppose this motion. As chair of the housing forum in Whyalla I am very aware of the issues that are involved in housing in regional communities. It is a very complex problem and I think that the shadow minister has missed the point on much of this and has used it, I suppose, as a pre campaign speech. I believe that as a government we have done our bit and that we are continuing to do our bit. No-one would ever say that there are no issues and that there are no major problems in regional areas with housing, but at least the Minister for Housing is addressing these. I have found him to be very approachable; he listens

to what we say and is very aware of all the issues in country areas.

The state government has made addressing housing shortages in regional communities a priority and the Housing Plan for South Australia, which was released in March this year, has targets around regional housing including working with private developers to implement regional affordable housing programs—particularly in key regional areas experiencing rapid growth (and there are many of them). The government has identified several locations in the first instance, and these include Bordertown, Port Lincoln, the Barossa Valley, the South-East and Murray Bridge. Market forces alone are unlikely to provide sufficient regional housing unless additional incentives are offered to investors in these markets.

In June 2004, as part of the housing plan development process, HomeStart and the Land Management Corporation gained approval from cabinet to invest up to \$2 million for the construction of housing in 50:50 joint ventures with private sector builders and developers to add some stimulus to market responses to unmet housing demand in regional South Australia. Following an expression of interest process, EMPAC Homes have agreed to a joint venture to deliver affordable regional housing in Naracoorte on a 6.5 hectare site which will yield around 32 lots.

The joint venture agreement will specify a minimum number of houses to be built as part of the joint venture, with additional developed lots being available for purchase on the open market to other builders subject to an encumbrance. This will stimulate diversity and introduce other builders into the marketplace. HomeStart will offer its range of home loans (including low deposit loans) to potential purchasers of the finished houses.

Objectives of the project include incorporating ecologically sustainable development requirements, such as solar orientation water conservation practices (which will include plumbed water tanks) and five star energy rating for construction. The Empak model provides a framework that reduces the level of capital involved and provides the Land Management Corporation with a capacity to develop similar joint ventures in other regional areas. I am very pleased about this, and I will be following it with interest. The Empak model fits with the Land Management Corporation's risk management policies and practices and the commercial benchmarks set for development while delivering broader government policy objectives.

Mrs REDMOND: I rise on a point of order, Mr Deputy Speaker. Earlier today, the Attorney-General raised a point of order against the member for Flinders on the basis that she was reading her speech. I raise the same point of order in relation to the member for Giles.

The DEPUTY SPEAKER: I think that on that occasion the Speaker showed a fair bit of tolerance to the member for Flinders and overruled the Attorney-General. I extend the same courtesy to the member for Giles.

Ms BREUER: If the Land Management Corporation acquired land (which could include potentially surplus government land) in regional locations at an appropriate value (and this is important because many of these values are increasing, as we have seen in recent times) or on a deferred settlement basis, this would be an effective way of introducing developers and establishing a base case without tying up or exposing the LMC to significant capital contributions. Employers with high needs for regional housing would also be encouraged to enter into head-lease agreements with the

Land Management Corporation to develop other regional housing initiatives.

The Major Projects and Infrastructure Cabinet Committee approved in August 2005 a proposed framework for additional Land Management Corporation involvement in regional South Australia. An implementation of the framework involves the LMC's facilitating engagement with other government agencies, with regional councils and regional development boards. Of course, this is very important, because many times in regional communities government agencies are crying out for houses. The framework is based on research undertaken by HomeStart and the Office of Regional Affairs, which certainly knows what it is talking about. I have great admiration for that organisation; I have worked very closely with it. HomeStart has identified market failure in Bordertown, Port Augusta, Murray Bridge, Port Lincoln, Ceduna and the Barossa Valley. In May 2005 minister Weatherill announced projects of approximately 20 houses subject to the local needs and conditions. That will be pursued by the Housing Trust, the Land Management Corporation and HomeStart. The work will commence in Port Lincoln.

The Office of Regional Affairs has identified acute worker accommodation shortages in Murray Bridge, Pinnaroo, Bordertown, Mount Gambier, Naracoorte, Penola, Clare, Spalding, Eudunda, Gawler, Mallala, Two Wells, Kadina and Crystal Brook. Industry expansion is also being constrained in the Port Wakefield/Balaklava area; and, of course, the employers there are the Primo abattoir, Balco and ABB Grain Ltd. An employment survey of the Murraylands undertaken for the Office of Regional Affairs indicates that private and public organisations expect that, given normal conditions, the Murraylands work force will increase by at least 3 184 new positions during the coming three calendar years. About half these positions will be full-time, and nearly two-thirds of this growth is centred on the local government area of the rural city of Murray Bridge. The other four local government areas also anticipate significant growth. At least 50 per cent of industry respondents identified that there was an inadequate housing stock in the region. Most indicated that lack of investment in the housing market was the major problem.

Some 33 per cent of industry respondents indicated that the greatest problem for them was their inability to expand, given that accommodation for staff was unavailable. The issue of regional work force accommodation shortages in Murray Bridge has been brought to the attention of the Economic Development Board. This issue seems to be particularly acute in towns located near meat processing facilities, for example, Naracoorte (Tey's Brothers), Bordertown (Tatiara Meat Works), Murray Bridge (T&R Pastoral) and Port Wakefield/Balaklava (Primo). Planned extensions at these sites are hampered by lack of work force accommodation. Despite sound capital returns and rental income, regional housing markets have failed to respond. The Affordable Housing Innovation Unit's response will be to conduct information sessions in metro and regional areas over October and November; and the regional locations include Berri, Mount Gambier, Port Lincoln, Port Augusta and Port Pirie. The AHU has agreed to lead negotiations for the AHA on the redevelopment of units at Boston Street, Port Augusta.

Land Management Corporation and DTED representatives are intending to discuss potential regional housing opportunities linked to industry attraction and/or expansion with the regional development boards in regional areas during October, including the South-East and the Riverland. The

AHIU information sessions will be via public forums. LMC prefers to conduct the discussions through DTED, regional development boards and the other arms of government, rather than by public forum, so that expectations or uncertainties are not unduly raised amongst local builders, given the likelihood of statements being made by local councils in the regional papers.

The Land Management Corporation and the AHIU have agreed to coordinate activities, wherever possible, sharing the briefings and ensuring the messages are consistent. The Land Management Corporation will also investigate and analyse specific opportunities as they arise and advise the AHIU of any projects under consideration, so that the AHIU can assess what scope there may be for working on joint solutions.

I believe that this motion moved by the shadow minister misses the point. I do believe that our government has addressed and is addressing this issue. We will not solve it overnight: it will take some time. There are some acute shortages in many areas, and people are crying out. I would hate to see industry retarded because of a lack of housing. I would hate to see good public servants not going out into regional areas because of a lack of housing. I think this is a priority for the government, and I am glad to see that it has been addressed so well. I oppose the honourable member's motion. I believe that the government should be recognised for addressing these housing shortages in regional areas.

Motion negatived.

SITTINGS AND BUSINESS

The DEPUTY SPEAKER: All members, particularly the member for Morialta, should be aware that the consequence of her not moving Notice of Motion No. 2 today is that it is withdrawn from the *Notice Paper* in accordance with the Sessional Order adopted by the House of Assembly on 27 October 2004. The withdrawal provision applies to the Notices of Motion for today down to No. 7 as indicated by the three open squares appearing at the end of each of notice.

ROADS, RURAL

Mr BROKENSHIRE (Mawson): I move:

That this house calls on the government to immediately address the chronic deterioration of road infrastructure in regional South Australia.

In addressing the crumbling road problem in South Australia, I do not mean by the proposal of the member for Reynell. We all know that the member for Reynell's proposal was for everyone who lives in Adelaide to buy a four-wheel drive vehicle and use it in low range to drive over all the busted-up roads around the metropolitan area.

Ms THOMPSON: I rise on a point of order, sir. The member for Mawson is quoting incorrectly a statement I made in speaking to an Economic and Finance Committee report.

The DEPUTY SPEAKER: There is no point of order. If the member for Reynell takes issue with what the member for Mawson is saying, she can respond in the course of debate on the motion or seek leave to make a personal explanation.

Mr BROKENSHIRE: Thank you, sir. I understand the member for Reynell is sensitive, but I am only quoting what was in the paper.

Ms THOMPSON: I have another point of order, sir. The member for Mawson said he was quoting what was in the

paper. He was not quoting what was in the paper. What was in the paper was an extract from the Tourism Commission.

Mr Goldsworthy interjecting:

The DEPUTY SPEAKER: Order! There is no point of order. I warn the member for Kavel. I hope he was not reflecting on the chair.

Mr Goldsworthy: Indeed not, sir.

The DEPUTY SPEAKER: My point to the member for Reynell is that, if she disputes what is being said by the member for Mawson, as I said earlier, her option is either to respond in the course of debate or to seek leave to make a personal explanation. But perhaps, in order to move things along, the member for Mawson might return to his motion.

Mr BROKENSHIRE: Thank you for that advice, Mr Deputy Speaker, and I will stick with that advice. I was pleased to be involved in nominating you as Deputy Speaker, and I think it was a wise appointment. The fact is that this government has failed miserably when it comes to addressing what is an ever-increasing backlog of road maintenance in South Australia. Of course, we have been trying to get this message across to the government for nearly four years, and for nearly four years this government has failed to deliver improvements on road infrastructure. In fact, we hear the current Minister for Transport often throwing one liners when he is doing a radio grab that this government is spending more money than did the previous government, and so forth. That is not factually correct. The fact is that this government has had \$5 000 million in additional revenue, in rates and charges, than was projected in the last budget of the former Liberal government in what is known as forward estimates. That is a little more than what it cost us for the State Bank and the interest components of that, and there is little, if anything, to show for it.

At the same time, we have a situation where motorists in South Australia and the freight industry are spending hundreds of millions of dollars—in fact, it is growing now to the point where we are not far away from seeing \$800 million to \$850 million of South Australian taxpayer money coming out of their wallets in the way of registration, other charges, and GST on fuel. What are motorists getting? There are now 4 200 kilometres of crumbling road across metropolitan and rural and regional South Australia, and that is increasing at 375 kilometres a year. Those figures are accurate if, indeed, the transport department is accurate, as I am sure it is. So they cannot be refuted by the government, the minister or any member of the Labor Party.

You only have to drive along these roads to see the deterioration in their condition. You do not have to go very far. You can go down to South Road at the Castle Plaza Shopping Centre or you can go onto Grand Junction Road, Marion Road, South Road or Goodwood Road—pretty well any arterial Transport SA road—and you will see what I mean. If you then really want to find out how bad the roads are in this state, hop in a truck and go for a drive, because I can tell you that you would not have to go on one of those shaker machines or the Mad Mouse roller coaster machine at the showgrounds, because you would feel that through the vibrations of the truck. Of course, safety aspects come into this as well, because we know that you should look after your roads properly—you should look after the road verges, you should have proper guard rails, and you should have good road surfaces—because they can contribute to accidents by up to 40 per cent. I believe one of the basic things that any government should do is ensure that motorists can travel on safe roads.

In fairness, of the roadworks that are happening, there are probably a couple of roads on which this government has finally started to do work of its own planning. However, when you look at what is happening with road infrastructure, the absolute majority of it (and I talk about roads such as Commercial Road at Seaford as an example) was work that was in progress when we were in government. Pretty well wherever you look, whether it is the Port River Expressway, Portrush Road or any of the major roadworks, first, they were roadworks in progress when the Liberal government was in office; and, secondly—and this is very important—most of the funding for those roads came from the federal government. Other than a few black spot signs, if members look at any other road infrastructure improvements in this state, they will consistently see that the project is funded by the federal government and designed by Transport SA.

I want to know what the government is doing with the windfall gains that it is receiving from that revenue. On top of that now, of course, we are seeing this massive windfall gain from GST on fuel. I am happy for the Treasurer to refute this when we have our special day of sitting which we will be debating next week, because, as members know, on behalf of the Liberal opposition, next week I will be moving a motion calling for a special day of sitting to be dedicated to this issue. I will move that the peak organisations for the consumers of fuel and the oil processors attend in the morning to brief parliament and then, in the afternoon, in a bipartisan way, parliament debates the open information it receives from those organisations and then deliberates on how it could help to address the very difficult circumstances that the South Australian community faces because of the Rann government's inaction to do anything about high fuel prices.

For every 10¢ a litre that fuel goes up in this state and if that increase remains for one year, I am advised that it is worth \$20 million in GST, which is a windfall gain to the government. I repeat: my advice from the peak organisations is that for every 10¢ a litre that fuel increases if that price remains for one year, that is worth \$20 million to the state government. That means that, when I bought fuel at \$1.39 a litre yesterday—

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order!

Mr BROKENSHIRE:—which is about 30¢ a litre above what it was a few months ago, and if that 30¢ increase remains for one full year, on the advice I have been given, it means an additional \$60 million windfall to the state government. If that \$60 million additional windfall was put into addressing backlog maintenance on our roads, we would seriously start to address Rann's crumbling roads, because there is between \$160 million and \$200 million worth of crumbling roads in South Australia which need attention right now. If 100 per cent of that \$60 million GST windfall to the state was invested in road maintenance, it would address one-third of that backlog road maintenance. I challenge the government to show proper and due consideration for the community—

Mrs Geraghty interjecting:

The DEPUTY SPEAKER: Order!

Mr BROKENSHIRE:—and allow us as a democratic parliament (hopefully we still are, although I do not see it happening enough these days) to have a special day of sitting to debate this issue and to see what we can do to help the motorists of this state, who are getting angry. They are particularly getting angry at the inaction of the Rann government, at a time when the Rann government should not take

the community of South Australia lightly. They know that the federal fuel excise is capped and that the windfall gains on any taxation benefit are going directly to state governments and that this state government just deflects.

I will now talk directly about roads. When the Liberal government was in office, it had road policy and planning that said that it would seal arterial gravel roads in rural and regional South Australia within a 10-year period. I am happy to report to the parliament that, after being in office for approximately eight years, we sealed all but two of those roads. I refer to vital roads such as the road from Cleve to Kimba and those sorts of roads—and from memory, a road around Morgan—

Mr Venning: The Burra-Morgan road.

Mr BROKENSHIRE: The Burra-Morgan road. I got sick and tired of the member for Schubert continually hammering the importance of that. However, I congratulate that member, who works hard for his constituency, because that road was sealed. This Labor government has since stopped that plan and people are now having to put up with driving on rubble roads. I also refer to the situation up north. We are trying to address the problems we have with exports and with quality accreditation of cattle.

The road trains in the Outback areas of South Australia now have to unhook and pull trailer after trailer through bulldust holes because this government failed to continue to maintain those Outback roads. If those citycentric—

Ms Breuer interjecting:

The DEPUTY SPEAKER: Order!

Mr BROKENSHIRE:—Labor members got into one of the four-wheel drives that is available, got out of the metropolitan area for a while and went out into rural and regional South Australia, they might find that rural and regional people have genuine concerns about the state of their roads.

Ms Breuer: They're happy.

Mr BROKENSHIRE: The member for Torrens said that rural and regional South Australians are happy with the Labor government.

An honourable member interjecting:

Mr BROKENSHIRE: The member for Giles said that. I do not know where the member for Giles has been. She ought to get out and talk to the people in her own electorate, because people are ringing me—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr BROKENSHIRE: Thank you for your protection, sir. I think Coober Pedy is in the member for Giles' electorate; is that right?

Ms Breuer: That's right.

Mr BROKENSHIRE: I had a phone call from a station owner who has a station in the area of Coober Pedy and he said that he is absolutely disgusted with what is happening to the roads in his region. I will be spending some more time with that wonderful pastoralist to obtain better advice on what is needed for regional South Australia.

This morning I went on the radio after doing some homework, because on Sunday the Minister for Transport, with a bit of an exclusive, organised some media and said that the Labor government was putting \$68.3 million into road maintenance this year. For a start, that was just a reannouncement of part of the global budget for transport: about \$120 million a year is being spent all up on new roads, maintenance, shouldering and overtaking lanes. He said that this was a really important announcement because 'This is more money,' or words to that effect (I am paraphrasing). He

said that this is a large amount of money. People copped that, and on Sunday I heard reports and saw in the print media (and the electronic media, I think) that the Rann government was putting in this amount of money. We did some homework on that.

When the Hon. Ms White was the minister last year she put out a press release and said that the government was spending \$71 million on road maintenance. So, at a time when it is cashed up, when it is receiving all this additional money, what is happening? This government is conning the South Australian community and is spending \$3 million less this year. I will repeat that for the benefit of the Labor members, who are quite noisy: the Labor government is spending \$3 million less on roads this year than was spent last year. It is a shame, it is a shambles and it is disgusting that this government is neglecting South Australia's roads, whether they are rural, regional or metropolitan. We will continue to make a big issue of this matter in the lead-up to the election, because the community has had enough of the government's failure to address the issue of roads in South Australia.

Mrs GERAGHTY secured the adjournment of the debate.

Mr GOLDSWORTHY: Mr Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

The DEPUTY SPEAKER: Order! I point out to members that it is against standing orders to leave the chamber when a quorum is being called. I therefore ask members not to leave the chamber while the bells are ringing. There is a quorum present.

Ms CHAPMAN: Mr Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

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

MEMBER'S REMARKS

Mr BRINDAL (Unley): I seek leave to make a personal explanation.

Leave granted.

Mr BRINDAL: Sir, this morning in a ruling to this house you asked me to withdraw and apologise in connection with intemperate remarks which I made in this house at the conclusion of business last night. In fairness, I believe the standing orders allow me to be heard in explanation and apology, and I intend to explain to the house.

Clearly, reflections on members are disorderly. It is stated in Erskine May in a number of places and in the standing orders that it is the province of the chair and those responsible for the keeping of order in this house to protect members. Last night, I was not present in the chamber, I was in my room when I heard the remarks of the member for Hammond, to which I took (and continue to take) grave offence.

I accept the explanation of the Deputy Speaker, whom I have always found to be an honourable person, that that matter was not heard by him or by a number of other people in this place. That meant that it was up to me to come steaming down here and absolutely object to what was said. Rather than deal with it at that time, the Deputy Speaker suggested—I think probably rightly—that the matter should be referred to you. I point out to you, sir—and I know that I do not need to—that on page 119 of Erskine May under the

heading 'Members deliberately misleading the house', it is stated:

The Commons may treat the making of a deliberately misleading statement as a contempt.

And it cites an instance in 1963. The *House of Representatives Practice* (5th Edition) is even more specific about what should happen, but I would like to refer to *Parliamentary Privilege in Australia* by Enid Campbell, who, in writing about this chamber, details a case where somebody in connection with this place was gaoled for a week on the orders of the house, interfering in a matter which was outside the province of the house. She says that the practice of—

The Hon. I.P. LEWIS: I rise on a point of order, Mr Speaker. As I recall, this morning you required me and the member for Unley to withdraw and apologise. The member for Unley stated in this chamber that I had told lies. I had not: I had referred to the intemperate remarks which he had made. You would not allow me to stand in explanation. Indeed, you required me (without qualification) to withdraw and apologise. Why does another rule now apply to the member for Unley for worse?

An honourable member: He has been given leave.

The Hon. I.P. LEWIS: Given leave by whom?

Honourable members: The house.

The Hon. I.P. LEWIS: Then I say in all honesty that that is an abrogation of fairness. I was suspended in my absence without being heard, and this house simply demurred and did so. You, sir, ought to follow that precedent or give reasons why you are not.

The SPEAKER: Order! The member for Hammond is entitled to make a personal explanation. The member for Unley should make his personal explanation, and he is also required to withdraw his statement and apologise, which I understand he is about to do, and not provide a lengthy discourse on the rules and practices of parliament. The member for Unley.

Mr BRINDAL: I believe the standing orders entitle me to be heard in explanation and/or apology. I am explaining to the house. I would appreciate it, sir, if you would protect me from the gaggle opposite, because I must—

Mrs Geraghty interjecting:

Mr BRINDAL: No, I am not talking about across the other side of the chamber. I do apologise to honourable members of the government. Enid Campbell says this:

... an individual member who is free to seek amends in the ordinary courts. Protection of the reputations of individual members (of parliament) is not the business of the Houses of Parliament, and if they extend their punitive jurisdiction thus far, ... if jurisdiction is usurped in this way, the citizen is made to suffer and as a result is without a remedy.

I raise that with the house because what we saw last night was, in my opinion, and this is why I was provoked, a deliberate—

The SPEAKER: Order! I think the member is now canvassing matters which the chair was keen not to—

Mr BRINDAL: Mr Speaker, I am—

The SPEAKER: Order! The chair is speaking. The chair was keen that the member not canvass matters that resulted in inflaming the situation. The member was asked and he undertook to provide an apology and a withdrawal, and I would like him to do that now, and then he can have his personal explanation. Otherwise, the member for Hammond has a point in that the two members are being treated differently.

Mr BRINDAL: Mr Speaker, I am entitled under the standing orders to be heard in explanation. I am endeavouring to explain to this house. That is the absolute right of every member.

Members interjecting:

Mr BRINDAL: Point of order, Mr Speaker: I was just accused of telling lies. I am supposed to apologise for being a liar, and you've got this gentleman standing here saying, 'He's telling lies.'

Mr Hanna interjecting:

The SPEAKER: Order! The chair cannot hear. Is the member for Unley withdrawing and apologising for the remark about the member for Hammond where he said that it was a lie?

Mr BRINDAL: I am trying to explain, sir, because in the public forum, the words of the member for Hammond have been repeated, and I think it is unfair if the words of the member for Hammond may be repeated, and all that is then repeated is that I am expected to apologise for a statement which I do not believe the truth of. There is a quaint custom in this place that no-one can be called a liar and we can, therefore, not say that something is a lie. But if an untruth is spoken in this place, and that untruth has to be withdrawn, to then say that you have to apologise because an untruth cannot be called a lie is, indeed, a quaint usage of this parliament, but one that I acknowledge.

The Hon. I.P. Lewis: By substantive motion.

Mr BRINDAL: Well, we are hearing again—my hearing is defective—about 'by substantive motion'. I have only ever done anything by substantive motion. To save quarrels in this house, can I assure you, I respect every member of this house. I respect the seat that every member holds but from this point forward I have no eyes that see the member for Hammond, no ears that hear the member for Hammond or no tongue that will ever respond to anything that the member for Hammond says again, insofar—

The Hon. P.F. Conlon: I wish I could borrow your ears and eyes.

Mr BRINDAL: And I consider myself, for the benefit of the Leader of Government Business, completely blessed by that statement. Insofar as my remarks are against the orderly procedures of parliament, I apologise, but I ask you again, sir, to look at the provisions that apply in this place for people who deliberately make statements which they from their own mouths utter not to be true. There are remedies which this house can apply, and I ask that in fairness to all members those penalties be now applied.

The SPEAKER: The member for Hammond did withdraw and apologise, and that, I believe, was what was required of him, and he has done that. You have now apologised, and I take it you are withdrawing that reference to the member for Hammond, and I think the house needs to move on. It does not take away the member's right—

Mr Brindal: Well, the house may, sir, but in any other place it would have been a criminal defamation.

The SPEAKER: Order! You do not talk over the chair. It is the member's right to take this matter to the house in other ways—through personal explanation or in a motion—but the member was asked, and said that he would come in and apologise and withdraw, and I believe he has done that, and I think that is where the matter should now rest.

The Hon. I.P. LEWIS (Hammond): I move:

That the member's explanation in apology be not accepted.

The SPEAKER: I am not aware of any procedure that says that that can happen. He was not named: it was a direction from the chair that both of you would withdraw and apologise. I think the house should move on. Perhaps members should reflect on why they are in this place—that is, to represent the people of South Australia—rather than engage in conduct that the public would not be wanting to see. The Leader of the Opposition.

MATTER OF PRIVILEGE

The Hon. R.G. KERIN (Leader of the Opposition): Mr Speaker, I rise on a matter of privilege and ask you to rule whether a prima facie case for misleading the house exists. On 28 August 2005, the Minister for Health attended a meeting at the home of ALP candidate Tony Piccolo. Five people were present at the meeting to hear what the minister had to say about her new model for birthing services at the Gawler Hospital. Those in attendance were the minister, Mr Piccolo and three expectant Gawler women, namely, Mrs Denise Sawyer, Mrs Lynette Marker and Mrs Tabettha Collins.

Since then, the three women present have all given consistent versions of what the minister told them at the meeting. On 31 August, one of the women (Mrs Denise Sawyer) was so disturbed by what the minister had said that she raised the matter on the Leon Byner program on 5AA. Mrs Sawyer told Mr Byner as follows:

Lea Stevens actually told us that there will be a camera link-up with the Women's and Children's for birth. . . to guide them through if they weren't able to get a senior doctor up here in time.

When Mr Byner asked for her reaction to the minister's statement, she said:

I was shocked. I know it takes an hour to get from Adelaide and sometimes it takes more than 15 minutes to get through Gawler, because it's fairly busy. But to have a camera link-up. . . it's just not the same. . . I mean, what if something goes wrong?

Interestingly, the minister chose not to come on air then nor at any time in the next two weeks to deny what Mrs Sawyer had said.

On three occasions in parliament this week, the minister has been asked to explain why she told the women what she did. While the minister has denied in the house that she ever made such statements, the version of events as reported by the Gawler women was supported earlier this week by statutory declarations from two of the three women. Clearly, these statutory declarations support a finding that the Minister for Health has misled the house. The facts are that on Monday 12 September 2005, during question time, I asked the Minister for Health the following:

Why did the minister tell women at a meeting at the home of the Mayor of Gawler, Mr Tony Piccolo, that some births at the Gawler public hospital would be done through video-conferencing, using junior doctors, when that had to be withdrawn within 24 hours by Jim Birch, the CEO of the Department of Health?

By way of explanation, I advised the house that Mrs Denise Sawyer stated on radio that on 28 August the minister told her and two other expectant mothers:

There will be a camera link-up with the Women's and Children's Hospital for birth. . . to guide them [trainee doctors] through it if it wasn't possible to get a senior doctor up there in time.

In response, the Minister for Health replied unequivocally:

Sir, I did not say that at the meeting. No, sir, I did not say that. I certainly did not say anything like what the Leader of the Opposition has suggested.

On the following day (Tuesday 13 September), I asked the minister whether she stood by the statement she had made to the house the previous day. In reply, the minister said, 'Yes, I do stand by those comments.' I then asked the Minister for Health a second question, as follows:

Will the Minister for Health explain why her denial yesterday and again today in the parliament is completely at odds with statutory declarations received by the opposition today from two women who were at the meeting held in Gawler on 28 August 2005?

The statutory declaration made by Mrs Denise Sawyer attests that the minister told the meeting the following:

There would be a registrar/junior doctor at Gawler and a senior obstetrician in the Women's and Children's Hospital who would guide and help the registrar with any birth concerns and could visually see the room which the mother was in on the video link up. This monitoring would occur when there was no senior doctor at Gawler. The senior doctor in Adelaide could see if he/she needed to be involved and go to Gawler.

The second statutory declaration, made by Mrs Lynette Marker, declares the following:

Lea Stevens said that there would be a video link up to a senior obstetrician at the Women's and Children's Hospital to guide the junior doctor at the Gawler Health Service through the procedure, and said this would be in place in January 2006.

In reply, the minister said:

I have no idea why the statutory declarations as read out by the Leader of the Opposition have been put forward. The misconstruction of information that has gone on in relation to the matter is amazing to me.

Today the opposition has been advised that Mrs Tabatha Collins (the third expectant mother at the 28 August meeting) has also made a statutory declaration about what happened at the meeting, and rebutting what the minister said in her ministerial statement yesterday. Her declaration will be forwarded to you, Mr Speaker, for your consideration. All three women present at the meeting of 28 August are outraged by the minister's denials and her attempts to rewrite history. They are clear on what form of words the minister used, and they are clear on the meaning of those words.

From the outset, they were shocked and concerned by the minister's proposal of a camera link-up to guide junior doctors through the delivery of their babies. They are further incensed that the minister has attempted to dismiss the gravity of her actions in the parliament by way of a ministerial statement claiming that they simply misunderstood her. I point out that, in response to my question on Monday in the house, the minister stated that she mentioned to the women:

... just one of the things that would be happening would be electronic technological linkages between the Women's and Children's Hospital and Gawler to enable conferencing, as well as foetal heart monitoring.

All three women refute the minister's claim that she told them the video link-up was to monitor foetal heartbeat. All three say that they had never heard of the term 'foetal heartbeat monitoring' before this week and are adamant that the minister did not use this term. It is important to remember the purpose of the meeting. The minister met with these women specifically to put their minds at rest and to assure them that they would have safe delivery of their babies at Gawler Hospital under her new model of birthing services. The statutory declarations show that one of the women specifically asked the minister what would happen if the obstetrician could not make it from the Women's and Children's Hospital to Gawler in time for her baby's delivery. Mrs Sawyer's declaration states:

We were discussing the distance from Adelaide to Gawler being one to one and a half hours' driving time, and concerns over doctors not being able to make an emergency birth.

All three women say that it was in this context that the minister brought up the subject of a camera link-up to reassure them that, if obstetricians could not get to Gawler in time, the birth would be monitored remotely from the Women's and Children's Hospital and the junior doctor back in Gawler would be safely guided through the delivery. I believe that the truth of the matter can only be determined by the establishment of a privileges committee, which would have the powers of a royal commission for the calling of witnesses. Further, the ruling in this house against Graham Ingerson on a matter of privilege in July 1998 set a precedent to which I wish to draw your attention.

I ask you to note the course of action taken by the then Speaker in that matter. It is vitally important that you speak to the three women and Mr Piccolo. I ask you to rule that a prima facie case of misleading the house has been made, and I ask you to give precedence to a motion to establish a privileges committee to examine the question of whether the Minister for Health deliberately misled the house on 12 and 13 September 2005.

The SPEAKER: The matter raised by the leader will be given full and due consideration, and I will report back as soon as possible.

MEMBERS, SERVICES

The SPEAKER: There is a matter that I want to bring to the attention of the house. From time to time, comments are made about members of parliament, alleging that benefits they receive are overly generous in regard to superannuation, travel, meals, refreshments, accommodation within the building, and the like. It is my intention, wherever possible, to respond to those, because I think that if they go without response people assume they are correct. An article recently implied that meals in this facility are free. That is completely wrong. There is nothing free in here in regard to meals, or even a cup of tea, for any member, including the Speaker or anyone else. There was also a suggestion that accommodation provided to one member under a stairwell was somehow indicative of accommodation. That was not a fair representation of the accommodation provided to that particular member.

Comments have been made about the availability of liquor. Less alcohol is consumed in this parliament than probably ever before in the history of this place. It is not free. Members may have a drink with their meals. I am not aware of any member who abuses that opportunity, bearing in mind that, in effect, members are here instead of being at home, where they would have the right to have a drink with their meal.

In respect of travel, I mentioned that the other day, and I think it was important to put that on the record. Yesterday, the President of the Legislative Council (Hon. Ron Roberts) and I, as members of the Parliamentary Superannuation Board, received the annual report and the financial statements, and I would like to share this with members. I point out that all the liabilities in the fund to which all members contribute are fully funded, something that cannot be said for all superannuation schemes. In fact, the scheme, as a result of your contributions and sound investments, has contributed \$8 million to Treasury over and above meeting its own liabilities.

That will make the Treasurer happy, but I want to make a point which I think puts this whole issue in context. I know that the scheme has been changed, but as at 30 June this year the average pension payable to an ex-member (and this includes former premiers, ministers and speakers, as well as backbenchers) before tax was \$62 675. For spouses (which, in most cases, invariably means widows) the amount is \$31 613. I acknowledge that some members may have commuted some of their entitlement, but the point I make is that, contrary to public perception, the payments are not excessive.

That is under the current arrangements; and, as we know, the arrangements are changing for new members. All members will get a copy of these reports, but it is important that the public understands and appreciates that often what is portrayed in the public arena as fact is not fact, and it does a disservice to the hard-working members of parliament. The Minister for Transport.

SITTINGS AND BUSINESS

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

That the sitting of the house be continued during the conference with the Legislative Council on the Statutes Amendment and Repeal (Aggravated Offences) Bill.

Motion carried.

CHILD ABUSE

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

Leave granted.

The Hon. M.D. RANN: I rise to advise the house of the impact that a series of initiatives in South Australia are having on the effort to weed out paedophiles. It is no secret that South Australians are undergoing a renewed awareness about paedophilia and the trail of tragedy it leaves victims with for the rest of their lives. This awareness has been heightened by:

- parliament's abolition of a statute of limitations that prevented prosecution of sex offences that occurred before December 1982;
- the Bank SA Crime Stoppers' phone-in for victims to report historical sexual abuse held in October 2003; and
- inquiries by the Anglican and Catholic Churches, and now the Mullighan Commission of Inquiry into Children Sexually Abused in State Care.

These events and the publicity they create naturally encourage more victims to come forward. We have contributed an extra \$4 million to double the police paedophile task force so that it can keep up with demand and help victims seek justice. The South Australia police have advised that it has arrested 47 people and reported 40 more in relation to historic sex offences in South Australia. Of those, 20 arrests and eight reports relate to offending within organisations and involve 68 victims. I am told that 11 of those arrested have now been committed for trial, two offenders have died and seven matters have not been proceeded with because of a lack of evidence.

The task force is continuing 58 outstanding investigations in relation to the Anglican Church inquiry, and it has another 186 ongoing inquiries relating to nine other organisations. The Crime Stoppers phone-in attracted almost 400 calls and,

of the accused paedophiles identified by callers, six have now been arrested and five reported in relation to 138 offences against 43 victims.

Separate from these allegations, another 21 people have been arrested and 26 reported for historic sex offences arising from information received by police. The Mullighan inquiry has also referred 53 matters to the task force, with one person already reported for offences between 1985 and 1990. These are more than just numbers: they are victims, victims who have been scarred but who choose to pursue justice after all this time. The results are horrifying, but I hope they go some way to help ease the victims' pain, and I look forward to seeing the perpetrators locked up for their callous actions.

Paedophiles who committed their offences prior to 1982 and who believed that they were off scot free now live in fear of the police knocking on their door and arresting them. We will continue to pursue initiatives against sex offenders, including the government's half-million dollar contribution to South Australia's involvement in the Australian National Child Offender Register. It will give authorities more tools to track the movement of paedophiles by requiring them to report to police where they live, what car they drive and the name, details and nature of any employment, including training or voluntary work. It will be an offence to supply false or misleading information.

The government has introduced a range of measures to help avoid sex offences, pursue perpetrators, protect children and support victims. These include: recruiting 200 additional police, doubling the paedophile task force, increasing the DPP's funding by more than 40 per cent so that this year it will employ 107 staff (compared to 63 in 2002), increasing penalties for those who commit sexual offences against children, giving courts the power to lock up paedophiles for good when they refuse to be rehabilitated, and locking up serious repeat offenders for longer. We have made deterrence and the protection of children a primary consideration in sentencing for sex offences against children.

We have introduced new offences for child pornography and a five-fold increase in penalties. We have provided additional counselling services to adult survivors of childhood sexual abuse. We have had an overhaul of child protection initiatives following a review by Robyn Layton, and we have established a new Department for Families and Communities to drive the government's child protection policy Keeping Them Safe. We have allocated \$210 million for child protection reforms over five years, and we have amended child protection laws to place the interests of children as a primary concern. We have created a Director of Foster Carer Relations position. We have established a Guardian for Children and Young People. We have created a Child Death and Serious Injury Review Committee—

The Hon. I.P. LEWIS: Mr Speaker, I rise on a point of order. Ministerial statements are intended to provide new information to members of the chamber and the public, not for the government to make a self-congratulatory record of everything that it has already announced—none of which it would have done had it not been for my insistence, anyway.

Members interjecting:

The SPEAKER: Order! The member for Unley.

Mr BRINDAL: I have a point of order, sir. Standing orders are quite clear. When a member takes a point of order, he is required to stand and take the point of order, not offer gratuitous advice to the Premier, whose statement we were all listening to.

The SPEAKER: The house has given leave. There is always some degree of latitude. I do not believe the Premier has exceeded that. The Premier.

The Hon. M.D. RANN: The government is concerned about paedophilia, and I want to see perpetrators locked up but, more importantly, children protected in the first place. I look forward to seeing separate Parole Board reforms in effect soon, and they will give victims greater representation on the board and the Parole Board the power to refuse automatic parole for sex offenders.

PUBLIC WORKS COMMITTEE

Mr CAICA (Colton): I bring up the 225th report of the committee on the Willunga Primary School redevelopment. Report received and ordered to be published.

Mr CAICA: I bring up the 226th report of the committee on the Port Elliot Primary School and kindergarten relocation. Report received and ordered to be published.

QUESTION TIME

HEALTH SERVICE, NOARLUNGA

Mr BROKENSHIRE (Mawson): Will the Minister for Health advise what is the truth with regard to the alleged cut in elective surgery at the Noarlunga Health Service? Yesterday, in response to my question regarding the alleged cut, the minister stated:

The member for Mawson has it wrong. There has been no cut in elective surgery.

However, the surgical newsletter that I have received states:

Unexpectedly, and contrary to local Noarlunga Health Service decision, we have been informed by the Regional Executive that part of their solution for budgetary pressures this financial year will be a decrease in Elective Surgical Separations at Noarlunga Health Service compared to last financial year.

It further states:

I am led to believe, at present, that this decision is not going to be reversed.

I am very happy to provide the surgical newsletter.

The Hon. L. STEVENS (Minister for Health): I was disappointed that I could not answer this question yesterday because, of course, the member for Mawson was thrown out of the house in disgrace. If the member would like to refer to yesterday's *Hansard*, he will see the advice that I received from Mr David Swan, the Chief Executive of the Southern Adelaide Health Service. In fact, this was a good news story in terms of the Noarlunga Health Service. I said yesterday in the house that because there had been some staff shortages in a couple of areas—notably, the emergency department and the mental health unit at Noarlunga—they had activity reductions there. That money was shifted to do elective surgery. That was done and, now that those two areas of the hospital have reached their full staff complements, elective surgery is returning to historic levels. If the member checks *Hansard* he will get the answer.

HOON DRIVING

Mr O'BRIEN (Napier): Will the Premier say what impact the new hoon driving law has had in South Australia recently?

An honourable member: Good question, good law!

The Hon. M.D. RANN (Premier): Thank you. Just remember, we were told that the hoon driving laws would not work. We were told that the police would not have any resources. We were told that it was all spin. We were told that the hoon drivers would not be pinged, and that this was all just fluff and bubble. Well, let me just give you the results of the new hoon driving legislation.

South Australia's new hoon driving laws continue to wipe hoons from our streets, with 165 cars impounded in the first four months of operation. These laws are catching South Australia's rev heads in the act, and hoons are learning the hard way that they lose their wheels for drag racing and doing burnouts, donuts or wheelies. Losing their car for 48 hours removes their very tool for the crime and sends a pretty quick message to their mates, too. It is incredible, however, to hear that five hoons have had their wheels impounded twice, but the court's power to remove their cars for up to three months should help them learn.

Burning rubber is consistently the most common reason to impound cars, and accounts for more than half the impoundments each month. Engine and tyre noise has also been responsible for many of the impoundments. The third most common cause is racing or speed trials. While police can impound cars on reasonable suspicion of a hoon driving offence, the driver's action must also warrant a report, the laying of charges or arrest, each of which result in a court appearance.

Police advise that, by the end of August, they had reported hoons for 446 offences—446 in four months. Reports date back to February, when the first phase of the law was introduced. Figures for August alone show that 44 cars have been impounded across the state, and 82 reports. So, in August alone 44 cars were impounded from hoon drivers.

Proactive policing in the South-East has led to the impounding of 10 cars in the local service area in that month, as well as 13 reports. Elizabeth and the Mid-West local service areas have impounded the most cars since the laws were phased in—29 each. So, instead of the Liberal's spin, hoon drivers are losing their cars.

Members interjecting:

The SPEAKER: The house will come to order. Order, the member for West Torrens! Leader, we will wait until the house comes to order. As I said this morning, I think some members may have been drinking cordial with artificial flavouring and colouring, which seems to be affecting their behaviour. Members need to just steady down. The leader.

CAVE, Dr D.

The Hon. R.G. KERIN (Leader of the Opposition): Why did the minister of Health make claims that Dr Cave's leaving Gawler was the reason why contracts could not be renewed? Dr Donald Cave told a public meeting at Gawler last Sunday:

The first bit of misinformation promulgated by at least one Labor Party politician was that I was leaving Gawler anyway.

He goes on to say:

I completely refute that lie, and would be more than happy to challenge publicly who makes the claim.

Dr Cave has stated that he made the decision to accept a job elsewhere only after 22 months of frustration caused by inordinate delays in a contract being prepared and the mismanagement of the issue by the health minister and others.

The Hon. L. STEVENS (Minister for Health): I am not quite sure what the Leader of the Opposition is getting at. I have—

Mr Hamilton-Smith interjecting:

The SPEAKER: Order, member for Waite!

The Hon. L. STEVENS: The facts in relation to this matter have been so well canvassed in this house that I am surprised that anyone has any uncertainty about them. Let me just reiterate them. I have acknowledged previously that there was a protracted process of negotiation with both specialists, and we regret that. The negotiations with the second specialist are still occurring. In relation to Dr Cave, he announced that he would be relocating to Brisbane. I said at the time that I was disappointed that he had made that decision, but that was his decision and, regardless of whether he stayed or went, the services at Gawler would continue. In fact, I gave a clear commitment in May at a public meeting that this would be the case, and that is what we intend to do.

CHRISTIES BEACH WASTEWATER TREATMENT PLANT

Ms THOMPSON (Reynell): My question is to the Minister for Administrative Services. What is intended for the upgrade of the Christies Beach Wastewater Treatment Plant?

The Hon. M.J. WRIGHT (Minister for Administrative Services): The Christies Beach Wastewater Treatment Plant plays an important role in the state's wastewater recycling effort and has served us very well. However, the number of people who rely on the plant is estimated to rise by approximately 70 000 over the next 25 years. Initial planning for a significant upgrade of the Christies Beach plant is under way to ensure that we can meet our vision of supporting growth in the south. This project will deliver a lot of outcomes, but one that I know will particularly please the community is the decision to close the sludge drying lagoons near the banks of the Onkaparinga River. It will take approximately four years to bring the new sludge management system online, which will allow the closure of the lagoons.

A major component of the government's Waterproofing Adelaide strategy is to identify opportunities for additional recycling of treated wastewater, and this will be a key consideration in the Christies Beach upgrade. The shape and scope of the Christies Beach upgrade will be determined after broad community consultation, which will swing into action within the next couple of months. The upgrade of the Christies Beach Wastewater Treatment Plant is great news for residents of our southern suburbs, something for which I know the members for Kaurana and Reynell have been strong advocates.

Mr BROKENSHERE (Mawson): I ask a supplementary question. Will the minister confirm that the funds are available over that period of time to remove the sludge ponds from the Onkaparinga River at Noarlunga?

The Hon. M.J. WRIGHT: Yes, the advice I have received is that the funds are available.

HEALTH SERVICE, GAWLER

The Hon. M.R. BUCKBY (Light): My question is to the Minister for Health. Given that the parliament has been presented with a petition signed by 5 000 residents of Gawler calling for the current birthing services at Gawler to be retained, does the minister agree with the CEO of the Gawler

Health Service that the local community wants a new model of care for birthing services at Gawler? Dr Don Cave said in a speech on 11 September:

We have been told by the CEO of Gawler Health Service that the local community wants a new model of care. She informs us that she gleaned this information from a meeting with various groups in the community after wide community consultation.

The Hon. L. STEVENS (Minister for Health): What I do know about the community of Gawler is that they definitely want local birthing services, and that is exactly what we are putting in place. It is a pity that the member for Light does not get behind the government and actually assist in doing this.

CLIPSAL

The Hon. I.P. LEWIS (Hammond): My question is to the Premier. What steps has the government taken to try to head off the closure of the Clipsal plant at Murray Bridge?

The Hon. M.D. RANN (Premier): I have just had a phone call during the argy-bargy at the beginning of question time to tell me that Clipsal is closing its premises at Murray Bridge. However, according to the phone call I received, the people at Murray Bridge will be offered positions in other parts of the Clipsal empire.

The Hon. I.P. Lewis interjecting:

The Hon. M.D. RANN: I will get a briefing for the honourable member, but I got a phone call at the beginning of question time giving me the details of the Murray Bridge closure. I understand that the organisation had informed the Minister for Industry today.

Mr VENNING (Schubert): I ask a supplementary question. Did they mention the future of (or any problem with) the Nuriootpa Clipsal plant?

The Hon. M.D. RANN: I have just given you the information that I received by way of a phone call from one of my staff following a discussion with the Minister for Industry. As I say, I will get a briefing for honourable members, who I understand have very close contacts with the Gerard family.

SCHOOLS, TELECOMMUNICATIONS

The Hon. P.L. WHITE (Taylor): My question is to the Minister for Education and Children's Services. What impact has the new telecommunications service in government schools had on the learning of South Australian students?

Mr Brokenshire interjecting:

The SPEAKER: Order! I should have thought that the member for Mawson would be very attentive today.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I thank the member for Taylor for her question. I know that she is keenly interested in science and technology, and the use of IT in schools, so she will be pleased to know that the new system has been installed and has been operative since the end of June. It is called Educonnect, and this is particularly important because it delivers faster, more reliable access to the internet and, in doing so, has improved educational opportunities for children across the state, as well as staff who can now communicate with greater ease and with greater facility through the fast connections.

The new service cost \$22.5 million to implement and has been supported by the work of eight service providers, who

have been chosen in a way that integrates and coordinates their provision of services in order to provide the best opportunities across the state at the best price. The sponsorship for this investment has been predominantly by the state government, providing \$17.2 million. The internet band width improvements that have been brought about by this new system have ranged from around 128 and 256 kilobytes up to 2 megabytes, delivering a service which is up to eight times faster, I am informed.

This new service provides many opportunities. In particular, it means that teachers can often communicate between schools, and curricula can be delivered in multiple school settings where there are either too few students or inadequate numbers to provide a teacher for each subject. The schools often work together using these technologies, not only with the internet but also using teleconferencing and, increasingly, (as many of the members who visit those schools will note) they are using interactive whiteboards.

These facilities are a new technology which really respond to a range of classroom settings. It means that students at a number of schools can actively contribute in real time, respond to questions and parts of the course work—

The Hon. M.R. Buckley interjecting:

The SPEAKER: Order, the member for Light!

The Hon. J.D. LOMAX-SMITH: —and class activity, and it means that children in multiple locations can be engaged in the same lessons simultaneously. This is a great step forward and would not have been possible without the expansion of band width and the new internet system installed in our schools.

Mr BRINDAL (Unley): I have a supplementary question. Some time ago, in acknowledging the developing needs of young adults, such facilities were put in schools and, in order to protect those young people from undesirable sites on the internet, filters were put in, the result of which was that sites could—

The Hon. I.P. Lewis: Question!

The SPEAKER: Order! The member for Hammond has called 'question'.

Mr BRINDAL: I am coming to the question, sir. Some sites could not be—

The Hon. I.P. Lewis: Question!

The SPEAKER: Order! The member for Unley needs to put his question.

Mr BRINDAL: I am trying to do so, sir, but there is someone barking saying, 'Question, question, question.' I am trying to ask it. Some sites could not be accessed. I therefore ask—

The Hon. I.P. Lewis: Question!

The SPEAKER: Order! The member for Unley sought leave to explain. The Minister for Education has the call.

Mr BRINDAL: —whether anything has been done to ensure that young people can access legitimate sites—

The SPEAKER: Order! The member for Unley will be named in a minute. You were defying the chair. The member for Hammond withdrew leave, so the question is put immediately. The Minister for Education and Children's Services.

The Hon. J.D. LOMAX-SMITH: Thank you, sir. I will attempt, through you, to answer the question asked by the member for Unley. I think he was discussing internet bars to access certain sites, and he has been concerned that although those systems were put in place at some time in the past this new system may allow access to inappropriate sites. That being the case, I think that those bars are still in place, and I

think I can reassure him that there are still checks and balances within our schools. However, I will speak to the honourable member afterwards and ascertain the exact nature of the question, because I may have misinterpreted what he was attempting to ask under very difficult circumstances.

The SPEAKER: I point out to members in this house that the question comes first and then leave is sought to explain. If members prefer the alternative model, the other place has a different approach, and they may consider one day going to that place.

ATTORNEY-GENERAL

Ms CHAPMAN (Bragg): My question is to the Attorney-General. What documents were contained in the package of material seized by police from the Attorney-General's home? In public evidence to the select committee on 19 August 2005, Superintendent Peter Simons stated that police seized documents comprising 20 to 30 pages and placed them in an envelope which was sealed. He further said that the police could not see these documents, as legal professional privilege was claimed by the Attorney-General.

The Hon. M.J. ATKINSON (Attorney-General): I do not recall any documents being seized from my home.

MENTAL HEALTH, FACILITIES

Ms BEDFORD (Florey): Can the Minister for Health advise this house what steps this government is taking to improve mental health facilities in the north-eastern metropolitan area?

The Hon. L. STEVENS (Minister for Health): I am very pleased to talk about this issue, particularly in response to a question from the member for Florey, who has advocated very strongly in relation to Woodleigh House. Mental health reform is a major priority for the government. We are undertaking a major rebuilding program to provide South Australia with the mental health facilities which it requires and which are long overdue, courtesy of the previous government. We have an ambitious capital improvement program, and major redevelopment of Woodleigh House is planned for 2008. In the meantime, \$700 000 has been committed and spent to ensure that the current facilities are up to standard. This money has enabled the refurbishment of Woodleigh House.

I recently had the pleasure of inspecting the final stages of the \$700 000 refurbishment of Woodleigh House which, as people would know, forms part of the Modbury Hospital. This funding has enabled a complete rebuild of the living quarters and the creation of a new outdoor courtyard space. The upgrade includes a new reception area, a nurses station and new interview rooms to give patients and psychiatrists privacy during inpatient and outpatient appointments. The lounge, dining and day areas have also been improved, including the provision of new furniture and equipment for the day area. This refurbishment has created a noticeable change in the environment at the mental health unit.

I was very pleased to see a marked change in Woodleigh House since my last visit there last year. The living areas upstairs have been repainted and recarpeted, and the entire space has a bright and open feel, which is more comfortable for the people staying there. Four and two-bed bays have largely been replaced with single rooms, which give a better level of privacy and dignity to people receiving treatment. Security cameras have been installed in the common area, and

these enable staff to view many areas of the unit from within the nurses station. The refurbishment takes into account patients and staff safety while at the same time considering that this is a living space for up to 20 people at a time. The courtyard will give people an extra outdoor environment, and it includes outdoor furniture, which adds to the atmosphere and makes the unit more homely.

This refurbishment will provide much improved facilities for clients and better working conditions for employees over the next few years when the major redevelopment of Woodleigh House is planned to commence. The redevelopment planning will commence in 2007-08, with construction from 2008 and expected completion in 2009-10. Finally, this refurbishment of Woodleigh House is part of the AAA dividend—the \$25 million that was poured into health last year. I must say that this is a fantastic improvement on what was there before, and I congratulate everyone who was involved in putting it together, spending the money quickly, efficiently and with a fantastic result.

CONFIDENTIALITY

The Hon. M.R. BUCKBY (Light): Will the Premier assure the house that, when a member of parliament writes to or contacts a minister's office regarding a constituent and their issues, the information provided remains between the member of parliament and the minister? I am aware that specific concerns I raised in confidence with ministers of this government were then allegedly leaked to the Labor candidate for Light.

The Hon. M.D. RANN (Premier): I know that the honourable member is seen in his electorate, and if he provides me with the material I will investigate the matter sine die.

GRAFFITI, PREVENTION STRATEGIES

Ms THOMPSON (Reynell): My question is to the Minister for the Southern Suburbs. Given this government's major effort to reduce graffiti in the southern suburbs, what has been the success of those prevention strategies that have been implemented so far?

The Hon. J.D. HILL (Minister for the Southern Suburbs): I acknowledge the member for Reynell's strong interest in this issue. She, the member for Mawson and I met with local police and local councils some year or so ago to try to develop an anti-graffiti strategy for the southern suburbs, and I am pleased to say that that strategy has now been working for about a year with very pleasing results. We have established a graffiti removal contract to remove graffiti in the northern region of the City of Onkaparinga, and I am delighted to announce that this has resulted in a 16 per cent reduction of visible graffiti across the area. Five SA Police operations between January and July this year in the south have targeted graffiti, resulting in 14 graffiti-related apprehensions and the bona fide checks of 287 other individuals.

The program is also enabling the police to undertake community service orders with known graffiti offenders, which I understand is also a very successful program. Sir, 4 850 metres of vulnerable fence lines have been covered with new screening plants, and the plants reduce the amount of available graffiti canvas and contribute to the aesthetics of the area. Plantings have occurred at approximately 50 sites, and approximately 250 more people have volunteered to beat graffiti. That includes in the City of Onkaparinga 47 new

graffiti removal volunteers and 136 new corporate and residential volunteers who have agreed to remove graffiti from their own properties. Onkaparinga now has 2 500 anti-graffiti volunteers.

The strategy has also included juvenile offender programs, business partnerships, mural programs, anti-graffiti paint trials and area adoption programs. The government is committed to funding this program for another two years, and this month I expect to sign off on the next round of projects to be funded by the strategy. I would like to congratulate the Office of the Southern Suburbs, which has been coordinating this; the cities of Marion and Onkaparinga, which have been participating; and the local volunteers, for their hard work in the success of the strategy to date. I should say that, if I recall, sir, you were also at that earlier meeting with the other members, and I apologise for leaving you out.

CHELTENHAM PARK RACECOURSE

Mr HAMILTON-SMITH (Waite): Does the Minister for Families and Communities stand by his accusation that the federal Labor member for Port Adelaide, Rod Sawford, orchestrated a Liberal Party stunt at Cheltenham racecourse? It has been publicly reported that the minister 'stormed out' of a community meeting over the Cheltenham Park racecourse development. The minister interrupted the meeting, saying to the federal ALP member, Rod Sawford:

This is ridiculous. It's an absolute stunt and you're part of it.

The media report went on to say that Mr Sawford was perplexed by the minister's behaviour and said:

To sit down here and have your state colleague say to you that you have orchestrated a stunt with the Liberal Party, he does not know very much about Rod Sawford or the Liberal Party.

The SPEAKER: Order! The minister is not responsible for Rod Sawford or the Liberal Party, so he needs to bear that in mind when he gives his answer.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): It is clear that the member for Waite is not accepting the remarks that were made by his colleague in the upper house, that is, that they would not be chasing cheap votes in Cheltenham. That was the remark: they would not be chasing cheap votes in Cheltenham by intervening to prevent the sale of the Cheltenham Park Racecourse into the hands of developers—

Ms Chapman interjecting:

The SPEAKER: The member for Bragg will come to order.

The Hon. J.W. WEATHERILL: —thereby defeating the interests of the local community. That was the statement that was put on the public record. I will fight anyone to defend my local community.

MITCHELL PARK URBAN RENEWAL

Mr KOUTSANTONIS (West Torrens): My question is to the Minister for Housing. What is the status of the Housing Trust's urban renewal of Mitchell Park?

The Hon. J.W. WEATHERILL (Minister for Housing): I rise to celebrate another Labor success story: the first urban renewal project—

Members interjecting:

The SPEAKER: The house will come to order first. Does the member for Unley have a point of order?

Mr BRINDAL: Yes, sir. My point of order is that this house does not recognise political parties: it recognises

governments and oppositions. It might well be a government victory, but it is certainly not a Labor victory, and I ask you to ask the minister to correct the record.

The SPEAKER: That is not a point of order.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. I rise to celebrate, as I said, a Labor success story, that is, the urban regeneration—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Well, it was commenced by a Labor government—of the Mitchell Park area of this state. It was the first substantial urban regeneration project in this state. I am delighted to announce that the \$30 million Mitchell Park urban renewal project has been completed. This is a very significant achievement. I was very proud to host the official closing ceremony, which marked both the efforts of the Housing Trust and the local Marion council in driving the project, and also the patience, assistance, strength and resilience of the local community in ensuring that this development was brought to its end.

We had stirring speeches delivered by the Mayor of Marion, Felicity-Ann Lewis, and local residents, including the very well-respected, magnificent local community member Marlene Littlewood, a tremendous advocate for Housing Trust tenants in her local community. Mitchell Park is, of course, an area in the inner southern suburbs; and, in the past, it had many of the social and community problems that we are now seeing in some of our high concentration Housing Trust estates. It was established 50 years ago, and had a 75 per cent ownership of public housing authorities.

Of course, the suburb fell into the decline with which we have become familiar. Since 1986, the Mitchell Park project has seen the demolition of 225 pairs of double units, the extensive renovation of another 50 pairs, 210 new properties built for Housing Trust properties and another 425 allotments sold. A stained glass mosaic, representing the traditional custodians of the land, was designed by the local artist Terry Beaton, and marks the entrance to the development off Sturt Road. Mitchell Park has now been revitalised with a range of upgraded community facilities, new homes, improved reserves, better streetscapes, and a much more sustainable mix of public and private housing.

Our housing plan identifies urban regeneration as one of its five priority areas, and we will be continuing to reinvigorate neighbourhoods around the state as we move through those areas. This is a tremendous credit to the South Australian Housing Trust and the local community in Mitchell Park, and demonstrates leading best practice in urban renewal of our neighbourhoods.

COURTS, SENTENCING

Mr GOLDSWORTHY (Kavel): Will the Attorney-General explain why convicted South Australian criminals are 20 per cent more likely to receive a fully suspended gaol term than the national average? Figures from the Victorian Sentencing Advisory Council indicate that nearly four out of 10 convicted criminals in South Australia walk free and do not spend any of their sentence in gaol. This is 20 per cent higher than the national average.

The Hon. M.J. ATKINSON (Attorney-General): This is really quite an extraordinary question coming from a political party which did not want Paul Nemer to serve a day in gaol. It is a remarkable—

The SPEAKER: Order! There is a point of order. The member for Finniss.

The Hon. DEAN BROWN: Under standing order 98, clearly the Attorney-General is debating the answer.

The SPEAKER: The Attorney should answer the question or sit down.

The Hon. M.J. ATKINSON: I am pleased to answer the question, because this is the same political party which went to extraordinary lengths—almost to the point of a constitutional crisis—to get Stephen McBride out of gaol. Because this government was elected, McBride, Watson and Ellis are still behind bars. Should the government change on 18 March (it is most unlikely), all those three offenders would be released under the policy of the Liberal Party.

Mr BROKENSHIRE: Mr Speaker, it was a specific question. We deserve a specific answer. The minister strayed right away from the question, in contravention of standing order 98. We want an answer why the government is soft.

The Hon. M.J. ATKINSON: Sir, I will be happy to look into the statistics which the member for Kavel raises, but let it remain on the record: the member for Heysen, on the Liberal Party front bench, opposed the government's intervention in the Nemer case.

Members interjecting:

The SPEAKER: The house will come to order. The member for Enfield.

POLICE DRUG DIVERSION INITIATIVE

Mr RAU (Enfield): My question is to the Attorney-General. Can the Attorney-General inform the house how the Police Drug Diversion Initiative, which has been operating in South Australia for more than 3½ years, has achieved its intended objectives?

The Hon. M.J. ATKINSON (Attorney-General): The Police Drug Diversion Scheme has been the subject of a long-term evaluation conducted by the Office of Crime Statistics and Research. Findings of the evaluation suggest that the objectives of the initiative are being achieved. The objectives of the Police Drug Diversion Initiative are to:

- increase the number of illicit drug users diverted into drug education, assessment and treatment;
- ensure access to timely and appropriate assessment;
- provide treatment and support services for all people diverted;
- bring about a reduction in the number of people appearing before the courts for possessing small quantities of illicit drugs;
- increase Aboriginal acceptance of and participation in diversion schemes; and
- increase the percentage of illicit drug users apprehended by police who successfully complete diversion.

Mrs Redmond interjecting:

The Hon. M.J. ATKINSON: Well, I am coming to the outcome. In line with the objectives of the initiative, drug assessment and treatment services have been expanded across the state. Most people comply with the diversion requirements by attending for an assessment. As a result, the number of charges for simple possession drug offences proceeding to court has decreased. Preliminary findings from the evaluation are that—

The Hon. D.C. Kotz interjecting:

The Hon. M.J. ATKINSON: Hark! —since the initiative's inception in September 2001, 4 323 individuals have been diverted on 5 109 occasions. That is to say, it is an initiative that commenced under the aegis of the member for Mawson and the Hon. K.T. Griffin.

Mr Brokenshire: Correct.

The Hon. R.G. Kerin: Of respected memory!

The Hon. M.J. ATKINSON: Well, the Leader of the Opposition says 'of respected memory', although he sacked him. Some 60 per cent—

The Hon. R.G. Kerin: He was about to retire.

The Hon. M.J. ATKINSON: He was about to retire. Well, who else is about to retire? Of those individuals diverted, 60 per cent are youths and 40 per cent are adults. Both adults and youths were less likely to have a drug charge as the major charge in a criminal event in the period after the diversion. The percentage of adults who offended after their involvement with the police drug diversion initiative was lower than their pre-contact period, that is, 31 per cent compared with 38 per cent. Individuals who have been diverted most often report that attending the health assessment was a positive experience and that they would be likely to return to the health agency if they needed help in the future for drug or other issues.

For the benefit of the member for Newland, from those individuals interviewed as part of the evaluation there is some evidence that their level of drug use decreased in the period after the diversion, and most individuals reported improvements in at least one area of their lives—health, relationships or emotional wellbeing. Overall, these findings suggest that the initiative—a Liberal government initiative—has been useful. I expect that the final evaluation report will be submitted late this year.

FAMILIES AND COMMUNITIES DEPARTMENT

Mrs REDMOND (Heysen): Is the Minister for Families and Communities aware that officers of his department routinely downgrade the level of notifications made due to inadequate resources to address them? A constituent of mine has provided information that, when making a report about a child being beaten (and he was at pains to stress that the child was being beaten, not just smacked), he was advised by the child, youth and family services officer that, although it should be reported as a tier 2 notification, it would not be addressed due to high workload, so it would be recorded as a tier 3 notification.

The Hon. J.W. WEATHERILL (Minister for Families and Communities): I will take that question on notice if the honourable member can assist me with a few more details than the ones she has provided. We tend to find that, when we look at the full details, it is not quite the picture that is being painted. I think what needs to be said by way of background is that of the order of 26 000 child protection notifications are made to our system each year. The threshold for making those notifications is extremely low; in other words, anyone can decide to make a notification to the child abuse hotline—and, indeed, we encourage that. The legislation presently before the house will encourage even more people to be mandated to make those notifications.

However, the capacity for the child protection agency to take action to intervene involves a very different threshold of intervention. It requires a finding, for instance, in the most extreme case, that the children be removed. It requires a very serious finding of abuse and an inability of the parents to parent. So, there is this mismatch, if you like, with respect to what the child protection agency can do and all the information that it receives. This means that that gap in the middle needs to be dealt with through a range of other ways, and that involves engaging other agencies, not just child protection

agencies, whether they be health agencies, education agencies, non-government agencies and some of the other resources that already exist within families and communities to keep children safe. This is the essence of the child protection reform agenda.

I am not surprised that those opposite do not understand it, because they utterly neglected this field of social endeavour for the 8½ sad years they were in government. What we have seen under this government is a commitment to reform and a commitment of \$210 million additional resources into this system. We are reconfiguring the system. We have to design a system which is not deluged by child protection notifications. That means that we can—

The Hon. D.C. KOTZ: I rise on a point of order. The minister was asked a very specific question. We are listening to a diatribe that has nothing to do with the question. He knows he does not have the answer to it and has already taken it on notice.

The SPEAKER: Order! the minister, I think, has concluded the answer. The minister is debating the question. He needs to conclude.

The Hon. J.W. WEATHERILL: I am sorry, sir, if I have made this too complex for some of those opposite, but it is a difficult issue. I know that those opposite have never had their heads around it. We have to design a system which is capable of that rapid response to the most severe cases and which does not get swamped with the deluge of notifications that our system brings in, and that is the essence of the challenge in child protection.

The Hon. D.C. KOTZ: I rise on a point of order.

The SPEAKER: That is the answer, I believe. I think the minister has finished now.

HOUSING, AFFORDABILITY

Ms RANKINE (Wright): My question is to the Minister for Housing. How is the government responding to the need for a comprehensive plan to address housing affordability?

The Hon. J.W. WEATHERILL (Minister for Housing): In addition to the state government's \$145 million state housing plan, we have always understood that there is a critical role that the federal government can play in this debate in relation to affordability.

Members interjecting:

The Hon. J.W. WEATHERILL: Sir, those opposite must be the only people in any nation state in the world who do not believe that national governments have a role.

Mr WILLIAMS: I rise on a point of order, Mr Speaker. The minister has just said that this seems to be the fault of the federal government, so I do not know how he is responsible to the house for it.

The SPEAKER: Order! I remind members that when they take a point of order we do not need a lengthy discussion or lecture. The point of order is relevance, is it?

Mr WILLIAMS: It is relevance, sir. He obviously does not have the responsibility to the house for this matter. He is answering a dorothy dixer by saying it is the federal government's responsibility.

Members interjecting:

The SPEAKER: Order! The minister needs to have the opportunity to at least answer the question, but he obviously does not have responsibility for what the federal government does or does not do. The minister.

The Hon. J.W. WEATHERILL: No, sir. But what I can of course do is go to the meetings of national housing

ministers and ask what passes for a federal housing minister to adopt federal policies that will complement state policies. Any intelligent commentator in this field—including, indeed, I must say, industry representatives such as the HIA and ACTU in a very broad coalition—

Members interjecting:

The DEPUTY SPEAKER: Order! The Deputy Leader.

The Hon. DEAN BROWN: I rise on a point of order. The question related specifically to what the state government was doing, and all we have heard from the minister is a debate about the federal government. Therefore, on relevance, I would ask you to ask the minister to sit down or answer the question.

Ms RANKINE: I rise on a point of order, sir. I am happy to repeat the question. The opposition clearly did not listen to it and does not understand it.

Members interjecting:

The DEPUTY SPEAKER: Order! Has the minister finished his answer?

The Hon. J.W. WEATHERILL: I actually have not started, sir.

The DEPUTY SPEAKER: If the minister could come back to the text of the question. The minister.

Mr BRINDAL: I rise on a point of order, Mr Deputy Speaker: I seek your guidance. As anyone can call out 'question', can one of us call out 'answer' to spare us any more of this?

The DEPUTY SPEAKER: The minister has the call.

The Hon. J.W. WEATHERILL: Those opposite may think it is funny, but there are a lot of people who cannot get their own homes these days, and what we are doing is asking the commonwealth to be a partner with us.

Members interjecting:

The SPEAKER: Order! The house will come to order! Would the minister like to wind up his answer?

The Hon. J.W. WEATHERILL: I most certainly do, sir. I would like to convey some information to the house. Work has begun on a very historic change of direction, that is, an affordable national housing plan. It is the first time that the commonwealth has actually acknowledged calls by states and territories across the nation—not just South Australia—to actually work together with us to prepare an affordable national housing plan. That involves its bringing to the table a number of the levers it has in its tool kit, which includes the first home owners grant, which is presently an untargeted grant.

A billion dollars worth of funds go into the First Home Owner Grant each year, but a millionaire is as entitled to it as someone who is looking for a very modest home. This is a very important and sensible first step to take when thinking about affordable housing. We miss out on something like \$42 million that would otherwise come into South Australia if we got our fair share of the commonwealth rental allowance. We are locked out of that because of the size of our public housing stock and, of course, public housing stock does not attract the commonwealth rental allowance. These are just two issues on which the commonwealth could talk to us without having to put an extra dollar on the table, and it could make a massive difference in relation to affordable housing.

Of course, there are many more things that could go on the table. The commonwealth government's policies around HECS debts create tremendous barriers for young people trying to get into home ownership. The commonwealth's taxation policy also drives affordable housing and investment

decisions, and its capital gains tax drives decisions regarding investment in affordable housing. We have heard quite a lot of good sense from the commonwealth housing minister, a lot more than we have heard from members opposite. She recognises that the commonwealth government does have a role to play and that there are sensible and productive discussions that can be had with state and territory governments, and we are getting on with the business of creating a new framework for a national affordable housing agreement, which will come into effect when the Commonwealth-State Housing Agreement expires in about 2008.

ION ENGINEERING

The SPEAKER: The member for Hartley.

The Hon. M.J. Atkinson: Hear, hear! This will be good. Are you against translations again today?

The SPEAKER: Order! The Attorney is out of order.

Mr SCALZI (Hartley): I should have thought that on Citizenship Day the Attorney would be less cynical.

The SPEAKER: Order! The member for Hartley.

Mr SCALZI: My question is to the Treasurer. How much money is the government making available for special assistance for the 200 ION Engineering workers who will lose their jobs as a result of Holden's decision to source parts elsewhere? On 30 August on ABC radio, the Premier said:

The government will make available, as we did to the Holden workers, special assistance to assist with retraining, with financial planning, adjusting from one job to another.

The Hon. K.O. FOLEY (Treasurer): I thank the honourable member for his question. The government obviously was disappointed with the announcement that ION Engineering would have to lose 200 jobs from its plant. I will get to the substantive nature of the question, but the good news about the ION issue is that a large proportion of jobs (some 420 of the remaining work force) will be retained. In my opinion, the receiver has done a very good job of managing what has been a very difficult and delicate piece of corporate restructuring. Although the company will lose the Holden's work, that was the least profitable part of its work, and it will be phased out over a six to eight month period. Holden's comprised 25 per cent of the work undertaken at Plympton and was responsible for a large part of the environmental issues at the site, and I know this has been an ongoing issue for many years for the local members.

It should be noted that the reason ION Engineering was in receivership was not because of the economy or the market but because of extremely poor leadership by the management of that particular company. It was a classic case of a good business being bought by another company which expanded and invested beyond its ability to manage. In fact, my understanding is that it overcapitalised extensively on the plant that it built and purchased throughout parts of Australia. We moved very quickly. We sought the services of Bruce Carter, a noted receiver in South Australia, to assist us to understand how a receiver would be likely to approach this particular failure, and we had very strong support from the unions involved, in particular, the Australian Workers Union.

The Hon. I.F. Evans: Did they go to the Premier seeking money?

The Hon. K.O. FOLEY: Yes, they did, and it is not unexpected or unreasonable that a union would ask for financial support of some magnitude. We did not agree with

the magnitude of support that was sought by the union, but it would be less than diligent in its job if it did not do that.

The Hon. Dean Brown: The question was how—

The Hon. K.O. FOLEY: I am getting there. I thought it was worthy of a comprehensive answer. I am trying to be of assistance to the house.

Mr Brokenshire interjecting:

The Hon. K.O. FOLEY: Thank you. We have announced our commitment to the work force which includes workers accessing the same training package that was announced by our government for the Holden's workers. We will make that package available for the ION workers. It will be administered through the Department of Further Education, Science and Technology and industry groups, and it will be specific and targeted training for workers to assist in gaining employment opportunities. Assistance will be provided prior to termination to prepare the employees for new job opportunities and fast track them into new jobs. It should be said that the existing enterprise, we are advised, provides excellent prospects for sale, and I should put on the public record that the support of Harley Davidson for the remaining ION operation has been extremely important in this being a business suitable for sale.

The Hon. I.F. Evans: Have you talked to any intended purchasers?

The Hon. K.O. FOLEY: I will come to that question. The government and the administrators have had a very good relationship with Harley Davidson. The Premier has visited Harley Davidson in Milwaukee, and I think I have met with them once, perhaps twice. The Premier has met with Harley Davidson—

The Hon. R.J. McEwen interjecting:

The Hon. K.O. FOLEY: The member for Mount Gambier rides a Harley—

Mr Venning interjecting:

The Hon. K.O. FOLEY: —as does the member for Schubert. All the old blokes ride Harleys, sir. Sort of a mid-life crisis thing, was it guys? Rory and Ivan and their mid-life crisis, a pair of Harley riders.

The Hon. P.F. Conlon: I have a Jason recliner.

The Hon. K.O. FOLEY: The Minister for Infrastructure has a Jason recliner. Seriously, Harley Davidson's support for ION Engineering is extremely important because it could not have been on-sold as a major business. The important thing is that the job market in South Australia, under the excellent work of this government, has never been stronger. Unemployment is about 4.7 per cent; there are great job opportunities for workers who are transitioning from ION back into the work force; and we are confident that the ION workers, like the Holden's workers, will be eagerly sought by the buoyant manufacturing sector that we have here in South Australia.

The SPEAKER: I do not know whether the Premier is considering a Harley Davidson as an option under the MP's vehicle scheme, but it could be considered.

PUBLIC TRANSPORT: YACKA TO CLARE

Mr VENNING (Schubert): My question is to the Minister for Transport—and it is not about Harley Davidsons. Will the minister advise the house why the government has not kept its promise to provide regular daytime public transport services for the Yacka community to and from Clare? The Yacka residents raised their need with the government for equitable daytime public transport services to and from Clare in early 2003. After almost two years of

phone calls and letters to the government, meetings with departmental staff and a petition presented to the parliament, the former transport minister stated in a letter dated 2 November 2004, 'I am pleased to advise that a regular once a week service linking Yacka and surrounding communities with Clare is planned for early 2005.' There is still no sign of progress towards the provision of a weekly, subsidised, wheelchair-accessible passenger transport service for the Yacka community.

Members interjecting:

The Hon. P.F. CONLON (Minister for Transport): I am sorry, sir, but we are getting ragged about this. This is a government that has had community cabinets in every significant regional centre in South Australia and has spent more time in the regions than any government previously. We know that John Olsen would prefer to be in a five-star Paris hotel than at Ceduna. My Premier has been there; he has been to every regional centre. Don't come the onions with us.

Members interjecting:

The Hon. P.F. CONLON: If you don't like it, don't interject.

Mr BROKENSHIRE: I rise on a point of order, Mr Speaker, and refer to standing order 98, relating to relevance. This is about hard yacka for the people of Yacka, with no bus service.

The SPEAKER: Order! The Minister for Transport.

The Hon. P.F. CONLON: Thank you, sir. I apologise for responding to interjections, but they do interject a lot. It sits ill in the mouth for them yesterday to talk about double standards, seeing the behaviour in here today. Why can't they all be like me, sir—perfect in every way? I will look into the question raised by the member for Schubert. It took me a little time to understand precisely what he was saying. I am more than happy to meet soon with the member for Schubert and discuss the issue to see what we can resolve; it is the approach I take.

NRM LEVY

Mrs PENFOLD (Flinders): Will the Minister for Environment and Conservation explain why his ministerial colleagues are informing land-holders that the NRM levy could be used to fund existing positions currently being funded by the Rann government? Last week, the Minister for Agriculture, Food and Fisheries told Riverland Media that he would no longer fund an existing farm advisory service in the area and that the new NRM levy was a possible alternative funding source, which is just what we all expected.

The Hon. R.J. McEWEN: On a point of order, Mr Speaker, the quote attributed to me is totally false. Therefore, the—

Members interjecting:

The Hon. R.J. McEWEN: The point of order is that the question is not valid or relevant.

The SPEAKER: The Minister for Environment and Conservation can answer the question if he wants.

The Hon. J.D. HILL (Minister for Environment and Conservation): I am happy to answer the question in general terms. However, since it is based on a false premise, it makes it difficult to give the member the details she wants. She is saying that one of my colleague has said something and asks whether that is true and whether I agree with it. Well, the minister says that he did not say it. So, clearly, there is no question to answer. However, what I can say is that the NRM arrangements being put in place are being rolled out very

successfully in South Australia and, over the next year or two, the new NRM boards that have been established will develop their own NRM plans for their regions, and they will develop some strategies and put a budget in place. They will work out for themselves what their priorities are, and they will work with their communities to deliver those priorities.

EASTERN MOUNT LOFTY RANGES

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

Leave granted.

The Hon. J.D. HILL: I am pleased to inform the house that the government has taken action to safeguard the water resources of the Eastern Mount Lofty Ranges by prescribing the surface waters, water courses and wells in the area on 8 September this year. This decision follows extensive consultation with the community, as well as economic and environmental investigations. As members would be aware, the water resources of the Eastern Mount Lofty Ranges are vital to that region's prosperity. They sustain important agricultural production, with an estimated farm gate value of around \$56 million, as well as supporting industrial use, domestic use, towns and important rural environments, including providing fresh water flows to the River Murray.

Prescription establishes a system for water resource planning, allocation and management to ensure that our precious water resources are not over-used and that we have ongoing access for irrigated agriculture, the environment and for other uses. The South Australian Murray-Darling Basin Natural Resources Management Board will now begin preparing a water allocation plan to guide the allocation, transfer and management of water. This will be done in close consultation with water users and the community and will be based on best available scientific knowledge.

Most people who take water for irrigation, commercial or industrial use will now be required to obtain a water licence that gives them a secure access right to take water. People who are classified as existing water users will need to apply for their water licence by 8 March 2006. Anyone who only uses SA Water mains water or water solely for stock watering and around the home does not need to apply for a water licence. I underline for members of this house that that date is 8 March 2006, and I encourage members who represent that area to get that information out to their constituents. Clearly, the department will be writing to them, but it is always good to get the information out by a variety of sources.

In response to community feedback that stock and domestic water use should not be licensed but still require some level of management, we are investigating how permit policies could be used more effectively to manage the development of new stock and domestic dams. A temporary moratorium on new or additional water use will continue to apply and will likely remain in place until the water allocation plan is adopted. However, the moratorium has been varied to bring it into line with prescription to no longer apply to dams larger than two megalitres that are used only for stock and domestic water use. To ensure that all water users are informed and understand what prescription means for them, the Department of Water, Land and Biodiversity Conserva-

tion will mail information directly to affected water users as well as providing information through key industry and community groups.

The department will also host open house forums across the Eastern Mount Lofty Ranges in October this year. The Eastern Mount Lofty Ranges will now join 23 other prescribed areas across the state where water is managed to help secure ongoing access for irrigated agriculture and other uses. These include prescribed water resource areas such as McLaren Vale, the Barossa Valley, the Northern Adelaide Plains and the Angas Bremer that have benefited from sustainable water resource planning and management.

MEMBER'S REMARKS

Mr BRINDAL (Unley): I seek leave to make a personal explanation.

Leave granted.

Mr BRINDAL: In the argy-bargy before question time, I was rightly directed by you to address the matter before the chair, and I did. Therefore, I now wish to make a personal explanation about remarks that were made in this house last night. I preface my remarks by apologising sincerely to every member of this house in so far as my actions in the past few weeks have caused embarrassment to me and, by implication, to others who are my colleagues and friends. Having said that, the explanation I wish to offer is this. The allegation has been made that a male person with whom I freely admit that I was involved had an intellectual age of eight, nine or 10. The man in question is 24 years old.

The man in question has been interviewed by the police and I am not at liberty to go down that track, but I believe that he has been treated by the police as a 24 year old adult male. The man in question has held down regular employment in the state of South Australia. The man in question holds an advanced certificate in first aid with the St John Ambulance Service and last Wednesday night, between 8.45 and 8.50, was on patrol in the Wayville Showgrounds in the vicinity of the amusement park in his St John uniform with his complete kit and in the company of a person. I do not think that any person in this house would doubt that St John is a good organisation that would not allow people who were not competent to be serving the interests of the public health of South Australia.

I am tired of this issue. It probably occupied a few hours of my life in the last few months but, subsequently, I have paid a penalty that has occupied too much time in this place, too much time for my family and my friends and the people that I love. I wish to move on. But I will not cop anyone standing up and suggesting in this house an act which basically is heinous and criminal. If the person involved had an age of eight, nine or 10, the imputation is that it is an act of paedophilia and a predatory act of the worst nature. I will not cop that. I invite any member who wants to continue with those sorts of sentiments to express them outside, because I think that they would find themselves answerable to the courts in the manner in which other people peripherally associated with this chamber are now finding themselves. Look at the servants to understand the master.

FARM ADVISORY SERVICE

The Hon. R.J. McEWEN (Minister for Agriculture, Food and Fisheries): I seek leave to make a personal explanation.

Leave granted.

The Hon. R.J. McEWEN: During question time, the member for Flinders said in her explanation to a question, 'Last week the Minister for Agriculture told Riverland media that he would no longer fund an existing farm advisory service in the area, and that the new NRM levy was a possible alternative funding source.' The first half of that quote is not accurate. First, I pointed out that, at this stage, the position is funded until the end of March 2006. I said that the position is valuable and that a range of sources of funding would be considered. This position is part of a tri-state service to dryland farming, and it has been particularly valuable in demonstrating new technologies (particularly no-till technologies) to the whole Mallee. I have since then advised my department that I see the position as a very high priority and that I wish to see the service maintained. I am awaiting advice from the department as to how this can be done.

SECURITY, PARLIAMENT HOUSE

The SPEAKER: Before calling on grievances, I point out that, as members may know, we have had difficulty with some of the electronic doors as a result of maintenance. One honourable member put to me that the doors were inoperative at a particular time. I understand that many of them were inoperative from about 1.10 p.m. I understand that they are now functioning. I can assure members that there was no intention to exclude anyone or to engage in any purpose to which someone might take exception.

GRIEVANCE DEBATE

HOON DRIVERS

Mr BROKENSHIRE (Mawson): The reason I rise in this grievance debate is to put on the public record a matter with respect to the Premier's spin and the fact that the Premier is always there for the good news. Also, I want to advise the media that, on a regular basis, the Premier will come out every time there are further arrests with respect to the hoon legislation and claim the credit. He will repeat statistics that go back to the beginning of the actual implementation of the legislation. It is important to remember that this is just one example of what we see the Premier and his government doing on a regular basis, that is, spinning a story that is not necessarily accurate. I want to put the facts on the public record with respect to what did happen around hoon legislation. I will be careful not to hold it up, but I do want to read from a document. The fact is that a document called 'State Election 2002' talks about the justice policy—'a just and safe society'. Page 6 of that document has the heading, 'New offence of serious misuse of motor vehicles'. The document talks about the then Liberal government bringing in hoon legislation.

Further to that, after the election, the now Attorney-General said to me—and I believe that he has appeared in the media saying this—that that was very good, innovative legislation by the Liberal Party, and that it was legislation that he wished his party had thought of. He acknowledged that, in its entirety, the hoon legislation was initiated in this state by the former Liberal government. Also, I have a draft bill entitled Summary Offences (Misuse of Motor Vehicles) Amendment Bill 2002. That bill is dated 13 June 2002 (11.30 a.m.). That is when I, through parliamentary counsel, had the

bill drafted, which I subsequently tabled. This is the relevant point.

In fact, Mr Speaker, further down the track you also tabled a similar bill because you had an interest in hoon driving legislation. Subsequently, eventually, and only late last year or early this year, a bill was finally passed by parliament—and that bill was not a government bill: it was a bill of the Speaker. But the point I want to put on the public record is that the bill of the Speaker that was tabled was a parallel bill to that which I tabled in early 2002.

The Labor government refused to allow me, in private members' time, to debate and put the bill through the House of Assembly. It continually postponed it for over two years. Why did it do that? It did so because it was more about spin and trying to claim credit than about acknowledging that other parties and other members of parliament other than the Rann government can have good ideas. As a result of that, the constituents in Mawson and in every other electorate in this state have had to put up with over two further years of atrocious hoon driving, of burnouts, of high radio noise keeping them awake at night and risking the lives of their families. That is the truth of this matter. So I say to the media, 'Don't buy the Premier's line about how good it is that he is responsible for all these cars being put into a pound,' because they delayed this for two years.

Further, I would like to say that hydroponic cannabis zero tolerance legislation was put through by the Liberal opposition a couple of years ago under my name, and recently I saw the Labor government taking credit for that. There was a series of press releases when I was police minister calling on the then leader of the opposition (now the Premier) to support our legislation and call for zero tolerance on hydroponic cannabis, and the media and then Liberal government could not get the Premier even to engage in debate. Yet, now that they want to be tough on law and order and for the community of this state, the Premier and the government are claiming credit for that bill also. It is an outrage, and people need to realise that they are full of spin.

Time expired.

NORTHERN EXPRESSWAY

Mr O'BRIEN (Napier): During the recess, the Rann Labor government announced plans to construct a six lane northern expressway that could cut travelling time from the northern areas of Adelaide to the city and Port Adelaide by up to 20 minutes. This project is of particular interest to me both as the member for Napier and the parliamentary secretary to the Minister for Transport because of the benefits this expressway will create for the residents of the Elizabeth area and the state as a whole. The Northern Expressway will essentially be a 22 kilometre extension of the Sturt Highway. It will run from just outside Gawler to the intersection of Port Wakefield Road and Waterloo Corner Road. The existing stretch of Port Wakefield Road to Waterloo Corner Road will be upgraded. This will mean that the new expressway will connect to the new Port River Expressway and South Road. Costing over \$300 million to construct, the Northern Expressway will be the largest road construction project in South Australia for over 40 years. This expressway, it should be noted, will also travel in both directions at all times.

The benefits to the state will be enormous. Together with the Port River Expressway, the new expressway is expected to save the freight industry around 20 minutes in travel time between Gawler and Port Adelaide, given that transport

vehicles will no longer have to travel the existing route via Main North Road and Grand Junction Road.

As a total package, the Northern and Port River expressways will provide a direct link to the major port and rail facilities at Port Adelaide for agricultural producers in the Riverland, Gawler and Barossa Valley, as well as a direct route to Port Adelaide from the main national highways to Perth, Darwin and Sydney. Manufacturers in the Edinburgh Parks precinct will equally benefit from time and money saved when transporting goods to Port Adelaide. The travel efficiency generated by the Northern Freeway will also greatly contribute towards achieving the economic goals set out by the South Australian state strategic plan.

The benefits for the residents in my electorate will be twofold. Firstly, residents will be able to use this new expressway when travelling to the city, Port Adelaide or the beaches of Adelaide rather than using the existing Main North Road route. Motorists travelling to the city could save themselves in excess of 20 minutes and make considerable fuel savings because they would not be stopping and starting at traffic lights. Depending upon where motorists join the expressway, they could potentially avoid 18 sets of traffic lights.

With respect to South Road, the state government will be spending \$122 million on a major tunnel which will be longer than the Heysen Tunnel and which will go under the railway and Port Road and Grange Road. Further along South Road, a \$65 million underpass will be built under Anzac Highway. These tunnels will enable motorists to avoid the most heavily congested traffic lights on South Road.

The second benefit for residents in the electorate of Napier will be that heavy freight vehicles will be diverted from the local arterial network, particularly Heaslip, Angle Vale and Main North roads, which are not equipped to deal with the weight of the traffic to which they are currently subjected. Diverting traffic from those roads will make them safer and lessen the noise and air pollution currently inflicted upon residents in the area.

Careful consideration will be given to noise and air quality issues when planning the new expressway. The minimisation of noise and air pollution is more effective when it is integrated in the design of a new expressway rather than when an existing problem is being patched up.

The exact route of this expressway will be determined in consultation with industry, landowners, freight groups and the local community. A stakeholder reference group already has been established to fully consider input from interested parties before the project launches its concept and design stage. It is not envisaged that land acquisition will commence before 2007, with construction scheduled for 2008.

The new Northern Expressway is an exciting project which will benefit many residents in my electorate and will also benefit all South Australians by contributing to the state's economic growth through improved efficiencies in transport, and this will make South Australia's exports more competitive.

ENTERTAINMENT CENTRE AND FESTIVAL THEATRE

Mr HAMILTON-SMITH (Waite): I want to raise a matter of concern regarding the Entertainment Centre and the Festival Centre, and I think it is a matter that should be the focus of every member's attention. I draw to the attention of the house the fact that government members of the Economic

and Finance Committee opposed a proposition that witnesses be called and evidence given in regard to the privatisation and outsourcing of the Entertainment Centre's ticketing operation to a private organisation (in fact, PBL's interstate-based Ticketek operation, which is in Melbourne), work which was previously performed by the government-owned BASS operation, which operates under the auspices of the Festival Centre.

Why should this be a concern? For a start, the BASS operation largely depends on business from the Entertainment Centre for its viability. In fact, the BASS operation provides about \$800 000 per annum, or thereabouts, to the Festival Centre in order to support the Festival Centre. Without this business from the Entertainment Centre, there is a very real risk that BASS will collapse. Most importantly, it raises questions about the future of BASS. This is a matter that ultimately could have a considerable financial impact upon the state, and it is a matter that should, quite rightly, be investigated by the relevant committee, and that is the Economic and Finance Committee. I am very regretful that government members blocked that measure.

I note that we received some correspondence from the Minister for Tourism (who is the responsible minister) talking about the process, and the point was made that it was the board of the Entertainment Centre that made the decision to go to Ticketek. I commend the members of the board of the Entertainment Centre, many of whom I know. It is an outstanding board, and the Entertainment Centre has undergone somewhat of a renaissance. It has really gone forward under this board. It is quite right to make a decision that is in the best interests of the board and the Entertainment Centre. But that decision has gone to State Supply and it has gone to cabinet for approval. My concern is that cabinet, in agreeing to one measure, has given with one hand and taken away with the other. It might be an advantageous arrangement for the Entertainment Centre, but it is at a cost to the Festival Centre and the arts budget. I wonder whether the government really knows whether the left hand has any idea what that right hand is doing. This decision hangs like the sword of Damocles above BASS. Its other customers include the AAMI Stadium—we had the finals on last weekend—the Clipsal 500 and many others.

The question is: will BASS remain viable now that the Entertainment Centre business has gone? Not only that; a confidential report given to the government back in 2002 indicated that 60 to 70 per cent of BASS' business was contestable. The government has invited one of BASS' major competitors, Ticketek, into South Australia. Obviously, it will now contest the remaining business at BASS. I want to know from the government whether there is a secret agenda here to sell BASS or to outsource its businesses and collapse it. We were promised by this government—in fact, it pledged—that there would be no more outsourcing and no more privatisation. Now, we have measures starting to fall into line that are clearly leading to some form of privatisation or outsourcing of BASS.

The Festival Centre, which is another issue, is operating under the enormous weight of massive debt. It is millions. Borrowings from government are in the order of \$27 million to \$28 million. It needs this revenue. The Economic and Finance Committee is again being used by the government to close down inquiry, to close down scrutiny and to keep the facts from people. All it has to do is allow openness to go ahead and witnesses to be called from both the tourism and arts portfolios so that the public of South Australia can know

what is going on. News is information that someone somewhere wants to keep secret; the rest is advertising. This is news. We need to know the government's agenda in regard to this decision. It is not the fault of the board of the Entertainment Centre; it has done a good job. But government should have an overview across government. What is the impact going to be on BASS? There are people whose jobs and families depend on its future. What is the impact going to be at the Festival Centre? We need to know.

Time expired.

WESTERN COMMUNITY GROUPS

Mr KOUTSANTONIS (West Torrens): I rise today to congratulate three groups within my electorate. The first one, of course, is the Western Suburbs Residents Environment Association, otherwise known as WSREA. This group has been working tirelessly to combat emissions and noise emissions from Castalloy, now known as ION in North Plympton, which is in my electorate. I have been working very closely with the group on this issue, and it has been concerning to see some of the remarks made by the union affected by this and, of course, some local Liberals.

The Western Suburbs Residents Environment Association (WSREA) has distributed a letter to their members of which I am one, which states:

Dear member,

You would have probably seen media reports regarding some changes at Castalloy/ION, and are wondering what is happening. Ed Woltynski—

who is a committee member—

has represented the community and this group in a very protracted court case of 18 months—

with, of course, the EPA. The letter continues:

The result has been good for the community in that by the middle of 2006 the company has committed to reduce odour level from its current measurement of about 40 odour units to 2 (a level barely detectable). This is a very significant reduction and should see some vast improvements in air quality. It seems that the result will be achieved by a combination of shutting down some of the worst parts of the plant . . . and sending the gases to a higher level and wider area using a few tall stacks. We lobbied—

that is, the community group—

for a capture and destroy mechanism but this was not taken up due to the expense. The night time noise level will be reduced from about 60 dBA (current) to 54 dBA by mid 2006. This is a reduction in intensity of four times. By mid 2007 the night noise level will be reduced further to 50 dBA which is over eight times less than the current level and about the same as traffic on Mooringie Avenue.

The community has endorsed what the EPA and local residents have done. They have taken the company on and made this company accept its responsibilities to be a good neighbour, because thus far it has not been. They have let down, misled and lost the trust of the local residents and me. The EPA stepped in. The administrators have agreed to licensing conditions which I believe are the strictest in the state. Only one person thinks this is not good enough. It is not the local residents and it is not the local member; it is the local Liberal candidate. He is unhappy with this. He has not spoken to WSREA, the local residents or the local community group, yet he is using his position on the council to attack WSREA and the result. I find this quite alarming for the Liberal Party. How can one person be so out of touch?

As I said, the new licence sets strict guidelines. If they break these guidelines, the EPA will revoke the licence. It is that simple. These people are on notice. I want to put on the

record my congratulations and thanks to the Minister for Environment and Conservation (Hon. John Hill). The minister is the first of any minister who has held this portfolio to hold regular meetings with the residents and me to consult with and to listen to their concerns (whether good news or bad).

That is the great thing about this government: we do not claim to get everything right all the time but we listen and we try to do our very best. I just wish someone would tell the local Liberal candidate the facts on this issue, because we in the southern suburbs have put up with a lot. What we will not put up with is people who are out of touch with the local community. WSREA, the EPA and I are happy. We will keep an eye on this company. If they break their conditions, they can kiss their licence goodbye.

AUSTRALIAN CITIZENSHIP DAY

Mr SCALZI (Hartley): As I did last year, I rise today to celebrate Australian Citizenship Day. The Minister for Multicultural Affairs has not mentioned that today. The only time he makes a contribution is with gibes across the chamber about translations and how good he is because he writes to all the different groups in their own language. Perhaps we should also celebrate Citizenship Day. I am disappointed that Citizenship Day has not been brought up today. Last year, there were about 72 000 eligible South Australians who could have applied for Australian citizenship, and no doubt there is about the same number today. Today, I was fortunate to attend a special citizenship ceremony at Campbelltown council in my electorate.

Ms Ciccarello: Is that why you weren't here this morning?

Mr SCALZI: The reality is that I have tried to attend every citizenship ceremony that has taken place since I have been a member, and I will continue to do so because I believe it is important that we celebrate what binds us together as a nation. Members would be aware that the Citizenship Act 1948 (which was enacted in 1949) celebrated 50 years of Australian citizenship. Prior to that we were regarded as British subjects.

Ms Ciccarello interjecting:

Mr SCALZI: I don't know why the member for Norwood is interjecting. She could have been at the ceremony today, if she wished. I commend the Campbelltown council for giving a special memento to the citizens who took up Australian citizenship today. I also commend the Norwood, Payneham and St Peter's council and the Burnside council for the way in which they conducted their citizenship ceremonies. These ceremonies are very important occasions, and I am glad that they are being conducted at the local level by the mayors, because that makes them non-political occasions, which is consistent with our continued commitment to citizenship.

As I have stated on many occasions, I believe that members of parliament should set an example and be committed to Australian citizenship first and that the law with regard to state members of parliament should be the same as applies federally: that is, that members of parliament have only one citizenship. However, that is a debate for another day. I note that the Attorney decided not to respond to that. Perhaps he is beginning to be convinced. I hope that one day he will see the light.

Citizenship and multiculturalism, as I have said on many occasions, represent two equal sides to one coin. To promote

one without the other is to devalue us as Australians. Today I commend the federal Minister for Citizenship and Multicultural Affairs (Hon. John Cobb) for his commitment to citizenship. I understand that he will propose some changes to enhance the Australian Citizenship Act. However, the important thing in all this is to realise (especially in these difficult times) that multiculturalism is not limited only to culture and ethnicity and the freedom of expression but also to the many different faiths. Whether it be God, Jesus, Jehovah, the Lord of Heaven, or Allah, we as Australians have the right to worship in whatever way we see fit, and we can do that equally as Australian citizens.

Time expired.

AUSTRALIAN LACROSSE TEAM

Ms CICCARELLO (Norwood): I do not know whether I should comment on the member for Hartley and his contribution but, with regard to citizenship, I can say that I am truly blessed because I have been the product of two cultures, both the Australian culture and the Italian culture, and I am very proud of that. I have no problem with people having dual citizenship and where their allegiances might lie.

Today, I would like to take this opportunity to reflect on something that I think is fairly important, and that is a tremendous performance by the Australian Lacrosse Team, particularly the South Australian team members, in winning the World Cup final over the United States recently. With the United States having dominated the event since 1986, I am sure that this year's victory was a particularly satisfying result for all the Australian team members.

Australia ended the United States' winning streak with a resounding 14-7 victory in the final at Annapolis, Maryland, after the teams had drawn 7-all in the minor round. The final score was the biggest winning margin in the history of the event, and was seen by an audience of, I understand, of over 70 million on cable television. When one considers the sheer size of the participation base for women's lacrosse in the United States (some 70 000 women players compared with in the vicinity of 1 500 women players in Australia), the Australian World Cup victory is, indeed, an outstanding achievement. When you add to that the fact that half the team had been affected by food poisoning leading up to the event, it becomes an even more remarkable victory.

Between 1986 and 2005 there have been some very close losses for Australia in the World Cup finals, making this year's win especially satisfying. Of the eight South Australian representatives in the 2005 Australian team, three are current SASI scholarship holders: Sascha Newmarch, Hannah Nielsen and Casey Magor. The remaining five South Australian representatives are Courtney Hobbs, Tess McLeod, Jen Adams, Sarah Falcione and Sonia Judd. Seven of the eight players have also had the opportunity of developing their playing careers further whilst holding lacrosse scholarships based at United States universities.

For two of the players, Sarah Falcione and Jen Adams, this is their second world championship success. Both were members of the Australian Under 19 Lacrosse Team, which won the world championships in 1995. Australia also had four players named in the All World team, with two from South Australia: Sonja Judd and Jen Adams.

I am aware that the Minister for Recreation and Sport (Hon. Michael Wright) recently spoke at a function, acknowledging and praising the achievement of the South Australian players in their great victory in the United States. Congratula-

tions to all the South Australian team members for their outstanding success at the 2005 International Federation of Women's Lacrosse Associations World Cup in the United States.

Congratulations also to the staff who have provided support to these players. In particular, I would like to acknowledge the efforts of Kylie Taylor, one of the assistant coaches, who twice represented Australia in world cup lacrosse competition, and also Martin Kiploks who officiated during the world cup event. So, on behalf of the government and the South Australian community, I would like to extend congratulations to this wonderfully successful team.

MINING (ROYALTY No. 2) AMENDMENT BILL

The Hon. K.O. FOLEY (Deputy Premier) obtained leave and introduced a bill for an act to amend the Mining Act 1971. Read a first time.

The Hon. K.O. FOLEY: 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.

This Bill amends the *Mining Act 1971* to provide a new approach in relation to the assessment and payment of mineral royalties under the Act.

The Bill establishes a fairer and more equitable assessment of royalty by valuing minerals at the mine gate, using a market value-based approach. At the same time, the setting of a royalty base rate of 3.5 per cent, up from the current range of between 1.5 per cent and 2.5 per cent, will increase in the financial return to the community for the exploitation of the State's non-renewable mineral assets.

The shifting of the assessment of royalty from the current methodology of Ministerial assessment to that of the ex-mine gate value of the minerals (which consists of the genuine market value of the minerals less prescribed costs incurred in delivery of the minerals to the point of sale) brings the assessment of royalty in the State in line with that of other States. It also provides for a more accurate assessment of royalty.

A key strategy of this Bill is to encourage investment in the development of new mines, leading to a targeted increase in mineral production in the State to \$3 billion by 2020. To do this, the Bill introduces a discounted royalty rate for new mines of 1.5 per cent for the first 5 years. This will encourage the development of new mines, as the lower royalty rate will improve the viability of a mining operation in the early years of development, when operators are under pressure due both to the large set-up costs and a restricted cashflow until production tonnages increase. There are a number of potential new mines in South Australia that will benefit and this may assist in their development.

Equally importantly, the development of regional populations and economies will be stimulated through new mineral discoveries encouraged by the reduced rate of royalty payable in relation to new mines.

These amendments will assist in achieving strategic targets set for mineral production, processing and exports by encouraging investment in new mines in remote areas of the State.

For mines that are in existence at the time this Bill comes into operation, a transition period for phasing in the changes to the royalty assessment regime is provided. The currently methodology for assessing royalty is preserved by the inclusion in the Bill of a table setting ex-mine gate values for certain minerals. These ex-mine gate values reflect the values currently used to assess royalty in relation to those minerals, and will expire on 31 December 2008. Similarly, an agreement between the Minister and a person liable to pay royalty will continue (subject to any necessary or prescribed modification reflecting the amendments made by the Bill) until the agreement expires, or is brought to an end in accordance with its terms or by agreement. Thereafter, the new methodology will apply.

The Bill increases penalties for non-compliance with the royalty assessment and payment provisions, and also for non-compliance with the provisions relating to returns. These amendments will significantly increase the timeliness and efficiency with which royalty is paid and returns provided by industry, and will ensure that the finalisation of the State's mineral production statistics can be produced within a reasonable timeframe.

The Bill also makes amendments of a minor "housekeeping" nature, particularly in the area of retention of records under the Act.

The South Australian Chamber of Mines and Energy along with many mining industry operators and organisations (including the Cement, Concrete and Aggregates Association and the Australian Mining and Petroleum Law Association (SA Branch)) were consulted during the preparation of the Bill. A position paper advising of the proposed changes to Act was also circulated and responses sought from, and provided by, the mining industry.

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 *Mining Act 1971*

4—Substitution of section 17

This clause repeals section 17 of the principal act and substitutes the following clauses:

17—Royalty

This clause replaces the current royalty provision, although the minerals on which royalty is payable is unchanged. The royalty in relation to extractive minerals is unchanged. Subject to the transitional provisions of this measure, royalty on non-extractives will be equivalent to 3.5 per cent of the value of the minerals. The value of the minerals will be the ex-mine gate value, and the clause sets out matters relevant to determining that amount, including defining the concept of "contract price" to include consideration other than simply the cash price of the minerals. Prescribed costs, to be set out in the regulations, are not included in the ex-mine gate value.

The clause continues the ability of the Minister to waive or reduce the royalty rate in certain circumstances, and also to enter an agreement with a person liable to pay royalty on minerals (other than extractive minerals) that royalty will be payable according to the weight or volume of minerals recovered or some other basis.

17A—Reduced royalty for new mines

This clause provides that a new mine (declared by the Minister by notice in the Gazette) will pay a reduced royalty rate of 1.5 per cent for the first 5 years of its operation.

The clause sets out factors the Minister may have regard to when determining whether a mine is to be declared a new mine.

17B—Assessments by Minister

This clause enables the Minister to make an assessment of royalty if he or she is of the opinion that a person liable to pay royalty has not made the necessary payment when due, or has not paid in accordance with the royalty assessment principles under proposed section 17 (or with an agreement or determination under proposed sections 17 or 17A), or has not paid royalty in accordance with any other relevant requirement.

An assessment under this proposed section will be taken to be a new assessment.

The clause sets out procedural matters regarding such an assessment, including providing a right of appeal to the ERD Court.

17C—Recovery of royalty where appeal lodged

This clause provides that the fact that an appeal has been lodged under section 17B but not yet determined does not in the meantime affect the assessment to which the appeal relates, and the amount of any royalty or civil penalty amount determined as being payable under the principal Act as a result of the assessment may be recovered as if no appeal had been lodged.

17D—When royalty falls due

This clause sets out when royalty falls due, including a power for the Minister to exempt a person from the operation under proposed subsections (1) or (2).

17E—Penalty for unpaid royalty

This clause sets out a penalty regime in the case where royalty is not paid on time. The penalty amount is \$1 000 plus the prescribed amount for each month for which the royalty remains unpaid. The formula for calculating the prescribed amount is set out in the clause.

17F—Processed minerals

This clause provides that, in relation to royalty, a reference to minerals includes a reference to processed minerals.

17G—Means of payment

This clause provides that royalty must be paid in accordance with any requirement prescribed or authorised by or under the regulations.

5—Amendment of section 73E—Royalty

This clause makes a consequential amendment.

6—Substitution of section 76

This clause substitutes section 76 of the principal Act, increasing the penalties for false returns and non-compliance with the proposed section to a maximum fine of \$5000. The clause also corrects obsolete references in the current section, and provides that the regulations may exempt a person or class of persons from the requirement under proposed subsection (1).

7—Amendment of section 77—Records and samples

This clause amends section 77 of the principal Act to enable the Director of Mines, or a person acting under his written authority, to specify a place where records etc required to be produced under that section are to be produced.

The clause also inserts a new subsection (2a), allowing the Director of Mines, or a person acting under his written authority, to make copies or take extracts of such records.

8—Insertion of section 77A

This clause inserts new section 77A into the principal Act, requiring records under section 77 to be kept for 7 years, and setting out procedural matters related to such keeping of records.

Schedule 1—Transitional provisions

1—Interpretation

This clause sets out definitions used in the Schedule.

2—Continuation of existing arrangements

This clause provides for the continuation of arrangements relating to the ex-mine gate value of certain minerals. The minerals, and their respective values, are set out in the table provided. This continuation of existing arrangements will end, subject to some other agreement being entered under the principal Act as amended by this measure, on 31 December 2008 with the expiration of the clause.

3—Agreements

This clause provides that an agreement under the principal Act relating to royalty on any minerals between the Minister and a person liable to pay the royalty in force immediately before the commencement of this Act will continue to have effect after the commencement of this Act. The agreement may be subject to any modifications that may be necessary in the circumstances or that may be prescribed by the regulations (and on the basis that the agreement will cease to have effect in any event when the agreement expires, or is brought to an end in accordance with its terms or otherwise by agreement between the parties).

Ms CHAPMAN secured the adjournment of the debate.

RETIREMENT VILLAGES (MISCELLANEOUS) AMENDMENT BILL

The Hon. J.W. WEATHERILL (Minister for Families and Communities) obtained leave and introduced a bill for an act to amend the Retirement Villages Act 1987. Read a first time.

The Hon. J.W. WEATHERILL: I move:

That this bill be now read a second time.

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

Leave granted.

In response to calls from residents for greater transparency in the industry's financial management and operational practices, a number of legislative amendments to the *Retirement Villages Act 1987* (the *Act*) came into operation on 1 July 2002 (*Retirement Villages (Miscellaneous) Amendment Act 2001*).

At the time the amendments were passed, Members acknowledged that these new measures were significant in addressing the issues first raised, but urged a review of the Act in its entirety, given the changing nature of consumer demand and industry developments.

A full review was subsequently approved.

A series of public consultations was conducted in 2002, to elicit issues associated with the Act. These issues were summarised in the paper *Foundation Document for the Development of Legislative Amendments to the Retirement Villages Act 1987* (September 2003), which was available on the Internet and provided to all interested parties for comment. A second round of public consultations followed in October/November 2003 to receive feedback on suggestions for addressing the identified issues.

Following those consultations, a second report was prepared which provided a summary and analysis of feedback from respondents and recommended the development of legislative amendments and/or administrative changes in relation to the Act (*Progress Report: Summary of Responses to Foundation Document*) (July 2004).

A Retirement Villages Review Reference Group (the *Reference Group*) established from the outset of the review, was an integral forum for consultation. The Reference Group included representatives from peak retirement village resident, consumer and industry groups, as well as an academic, and departmental administrative and legal staff.

All the recommendations put forward in the July 2004 Progress Report were agreed to following discussion with the Reference Group.

The *Retirement Villages (Miscellaneous) Amendment Bill 2005* directly reflects and addresses the recommendations which resulted from the review of the Act.

Major amendments

The following are some of the main features of the Bill.

- A number of definitions that currently create considerable confusion for residents and administering authorities will be clarified;
- The responsible agency will have increased capacity to investigate situations where legislative non-compliance is evident and to enforce more effective operator practices;
- There will be a requirement for all retirement villages to be registered. Registration of retirement villages will allow for residents and prospective residents to ascertain whether a particular village is covered by the Act and will enable the responsible agency to more easily monitor compliance with the Act and collect data for trend analysis (which will be of particular interest to the industry and Government);
- Minimum requirements for the content of a residence contract—the most critical of all documents for residents and administering authorities alike—will be set out in the Act;
- Required documentation for prospective residents will be streamlined;
- The circumstances under which, and time within which, an early refund of a refundable premium may be sought will be clarified;
- Also clarified will be the obligations of administering authorities in relation to the preparation of financial statements, and the rights of residents to access invoices related to the expenditure of resident generated funds;
- Included will be a new section requiring administering authorities to consult on any planned redevelopment of the retirement village—directly addressing a recently emerging issue for the industry;
- There will be clarification of those costs that may not be charged by administering authorities against resident funds—an often contentious issue for residents;
- Principles of disclosure and resident involvement in matters that could have a significant impact on their financial affairs, the amenity or their way of life will be reinforced wherever appropriate in the Bill;

- An alternative process for the termination of a retirement village scheme where residents are in agreement for this to occur will be included.

In effect, the passing of this Bill should result in—

- increased financial and operational transparency in both documentation and practice for administering authorities;
- enhanced resident access to financial and operational information, clarification of their rights and responsibilities and facilitation of informed decision making by residents; and
- a significant increase in the capacity of the responsible agency to monitor compliance with the legislation.

This Bill reflects the Government's commitment to ensuring—

- that administering authorities enhance their operational practices and do the right thing by their residents; and
- that residents have access to an appropriate level of legislative protection to safeguard their rights.

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 *Retirement Villages Act 1987*

4—Insertion of section 2

2—Object of Act

New section 2 provides that the object of the Act is to provide a scheme under which a balance is achieved between the rights and responsibilities of residents of retirement villages and the administering authorities of retirement villages.

5—Amendment of section 3—Interpretation

This proposed amendment inserts a number of definitions of words and phrases used for the purposes, and to clarify provisions, of the Act).

6—Insertion of Part 1A

Part 1A—Administration

Division 1—Registrar

5—Appointment of Registrar

New section 5 provides that a Public Service employee is to be appointed by the Minister to be the Registrar for the purposes of the Act.

5A—Registrar's functions

New section 5A imposes on the Registrar the functions of gathering and maintaining current information about retirement villages and retirement village schemes in a confidential manner, advising the Minister on the administration and operation of the principal Act and any other function assigned to the Registrar by the Minister.

5B—Registrar's power to require information

New section 5B provides that it is an offence (carrying a maximum penalty of \$750, expiable on payment of \$105) if a person fails to give the Registrar information reasonably required by the Registrar for the purposes of enabling the Registrar to carry out his/her functions.

5C—Registrar's obligation to preserve confidentiality

New section 5C imposes on the Registrar an obligation to preserve the confidentiality of information gained in the performance of the Registrar's functions that could affect the competitive position of the administering authority or is otherwise commercially sensitive.

5D—Delegation

New section 5D empowers the Registrar to delegate his/her powers or functions.

5E—Annual report

New section 5E imposes on the Registrar an obligation to provide the Minister with an annual report on the Registrar's work and operations each financial year that must be tabled by the Minister in Parliament.

Division 2—Registration of retirement village schemes

5F—Register

This new section provides that the register (to be maintained by the Registrar) will contain the following information:

- (a) the name and business address of the administering authority of each retirement village;
- (b) in respect of each retirement village—
 - (i) the name and address of the village; and
 - (ii) the references for the certificates of title of the land used for the village; and
 - (iii) the name, address and contact details of the person managing the village for or on behalf of the administering authority;
- (c) any other information that the Registrar considers appropriate.

5G—Notification of information required for register

New section 5G provides that the administering authority of a retirement village established after the commencement of the section must provide the Registrar with the information required for the register within 28 days after the first person is admitted to occupation in the village. The administering authority of a village is also obliged to provide the Registrar with details of any change in such information. The penalty for failure to comply with this new section is a fine of \$2 500, expiable on payment of a fee of \$210.

Division 3—Authorised officers

5H—Appointment of authorised officers

This new section provides that the Minister may appoint suitable persons to be authorised officers for the purposes of the Act.

5I—Identification of authorised officers

New section 5I provides that authorised officers must be issued with identity cards showing any conditions of appointment.

5J—General powers of authorised officers

This provision grants authorised officers powers in the usual terms for such officers.

5K—Offence to hinder etc authorised officers

It is proposed under this section to make it an offence, carrying a penalty of \$2 500, for a person to hinder, etc, an authorised officer.

7—Substitution of section 6

Current Part 2 is to be divided into Divisions and sections re-ordered so as to assist in understanding.

Division 1—Creation and exercise of residents' rights

6—Residence contracts

New section 6 recreates much of the current section 6 but requires additional information to be included in residence contracts. Residence contracts must be written documents and must comply with this new section and any relevant requirements of the regulations. Residence contracts must include the information as set out in new subsection (2) and, before a person enters into a residence contract, new subsection (3) lists the documents that must be provided to the person by the administering authority.

8—Amendment, redesignation and relocation of section 7—Termination of residents' rights

The majority of amendments proposed to current section 7 are consequential on the changes to defined terms, such as the use of "residence" instead of "residential unit" and the use of the term "residence contract", and make no substantive changes to that section. It is proposed to relocate the section so that it follows section 13 and redesignate it as section 13A.

In addition, a new divisional heading is to be inserted before this section in its new location to be headed "Termination of residents' rights" (see clause 24).

9—Insertion of division heading

It is proposed to insert the following heading before section 8 (Premiums):

Division 2—Matters relating to premiums

Sections 8 and 9 will comprise that division.

10—Amendment of section 8—Premiums

A number of the proposed amendments are consequential on changes in terminology. Substituted subsection (4) will

provide that a prospective resident who decides not to enter into occupation in a retirement village is entitled to the refund of the premium within 10 business days of giving written notice of that decision. The disposal of interest and accretions arising from investment of the premium has not been altered.

11—Amendment of section 9—Contractual rights relating to repayment of premiums

Following the passage of this measure, there will be no references in the legislation to "service contracts". Any additional service offered (for a fee) to residents would have to be described in the residence contract (see clause 7—new section 6). Thus subsection (1) is to be repealed. Other amendments are consequential.

12—Insertion of division heading

Division 3 (to be comprised of sections 9A and 9B) is to be entitled "Arrangements if resident is absent from or leaves retirement village".

13—Amendment of section 9A—Arrangements if resident is absent or leaves

The amendments proposed to this section are consequential.

14—Insertion of section 9B

9B—Arrangements if resident leaves to enter residential aged care facility

New section 9B is inserted to provide specifically for arrangements for repayments of refundable premiums when a resident has to leave a retirement village to enter into a higher level of residential aged care. If a resident who has been approved under the *Aged Care Act 1997* (Cwth) for entry into approved residential aged care for which he or she must pay an accommodation bond and he or she does not have ready access to funds for the bond, the resident may apply to the administering authority for repayments of so much of the refundable premium previously paid for payment of the bond. The administering authority must repay the necessary amount to the resident within 60 days after receiving any such application.

15—Insertion of division heading

Sections 10 to 14 are to come under the division heading of "General matters".

16—Amendment of section 10—Meetings of residents

The proposed amendments to this section are to aid clarity in interpretation.

17—Amendment of section 10AAA—Interim financial reports

It is proposed to substitute subsection (1) so as to clarify the rights of residents to request and receive an interim financial report from the administering authority of the village. Such a report may incorporate 1 or more of the matters listed in the subsection as requested. In addition, if requested, the administering authority must include as part of an interim financial report the invoices substantiating expenditure for the period covered by the report.

18—Amendment of section 10AA—Meeting with new administering authority

The proposed amendment extends the period of notice to be given to residents when convening a meeting to meet with a new administering authority from 7 days to 14 days.

19—Insertion of section 10AAB

10AAB—Consultation about village redevelopment

New section 10AAB provides that it will be a term of every residence contract that residents of a retirement village must be presented with a plan of, and report, on any prospective redevelopment of the village before the redevelopment can begin. In addition to the consultation, redevelopment cannot occur unless due consideration has been given to a resident's rights arising from the residence contract and reasonable arrangements put in place with respect to the provision of alternative accommodation for the resident during the redevelopment.

If redevelopment that would have a significant effect on a resident's rights arising from his or her residence contract occurs without compliance with the term referred to above, the administering authority is guilty of an offence and liable to a penalty of a fine of up to \$10 000.

20—Amendment of section 10A—Certain taxes and fees must not be charged to residents

Proposed new subsection (3) provides that a resident of a retirement village is not, generally, liable to pay costs incurred by the administering authority in obtaining legal advice or undertaking legal proceedings relating to the retirement village unless the residents, by special resolution, approve payment.

21—Amendment of section 12—Documents to be supplied to residents

This proposed amendment makes it clear that documents required to be given to residents under this section are to be provided free of charge.

22—Insertion of section 12A

12A—Information about manager to be supplied to residents

If the administering authority of a retirement village employs or engages a person to manage the village on his or her behalf, the administering authority must, by written notice provided in accordance with the regulations, inform each resident of the village of the manager's name and contact details and change in such details. The penalty for non-compliance with this proposed section is a fine of \$2 500.

23—Amendment of section 13—Residents' committees

These proposed amendments make it clear how a meeting is to be convened between the administering authority of a village and the residents' committee.

24—Insertion of division heading

New Division 4 (Termination of residents' rights) will be comprised of section 13A.

25—Insertion of division heading

Section 14 will make up Division 5 (Resolution of disputes).

26—Amendment of section 14—Resolution of disputes

27—Amendment of section 15—Endorsement of certificates of title

The amendments provided for in these clauses are consequential.

28—Amendment of section 16—Lease of land in retirement village

It is proposed to extend the period for a lease of or licence to occupy land in a retirement village from 2 years to 5 years.

29—Amendment of section 17—Termination of retirement village scheme on application to Supreme Court

These amendments are consequential.

30—Insertion of new section

17A—Voluntary termination of retirement village scheme

New section 17A provides for a scheme by which the Minister may terminate a retirement village scheme if satisfied that all residents of the scheme wish to do so.

31—Amendment of section 23—Regulations

The proposed amendments make additional provision for the regulations.

32—Repeal of Schedules 1 and 2

These schedules are otiose.

33—Renumbering

When all provisions of this amending measure have been brought into operation, the sections and Parts of the *Retirement Villages Act 1987* are to be renumbered in consecutive order (with necessary consequential changes to cross-numbering).

Schedule 1—Transitional provision

This Schedule make provisional arrangements for existing retirement villages giving them 6 months from the date of operation of this Schedule to comply with new administrative arrangements.

Schedule 2—Statute law revision amendments of Retirement Villages Act 1987

This Schedule makes minor amendments of a statute law nature in line with current drafting practice.

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

**CRIMINAL LAW CONSOLIDATION
(INSTRUMENTS OF CRIME) AMENDMENT BILL**

Adjourned debate on second reading.

(Continued from 6 July. Page 3147.)

Ms CHAPMAN (Bragg): I indicate that the Criminal Law (Instruments of Crime) Amendment Bill 2005 will be supported by the opposition. This bill was introduced on 6 July this year by the Attorney-General and relates to the crime of money laundering. In April 2002, at a summit of leaders on terrorism and multi-jurisdictional crime, the Prime Minister and premiers reached an agreement, which included that the commonwealth and the states would:

Reform the law relating to money laundering, including a possible reference of powers to the commonwealth, if necessary, for effective offences.

Essentially, what has occurred since that time is that the commonwealth has claimed that, in order to enact fully comprehensive money laundering offences, it will be necessary for the states formally to refer law making power to the commonwealth. However, the working group disagreed with the commonwealth and has argued that the individual states could achieve the same objective. It may be well known to the house, although I suspect not, that the Criminal Code Act 1955, which is the commonwealth legislation in this regard, although quite verbose, is very comprehensive in relation to money laundering, including provision for crime in relation to an instrument of crime. It provides:

Money or other property is an instrument of crime if it is used in the commission of or used to facilitate the commission of an offence that may be dealt with as an indictable offence (even if it may, in some circumstances, be dealt with as a summary offence).

However, the commonwealth still objected and suggested that the states improve their situation or transfer power. Various-ly, other states have dealt with this matter, and I will refer shortly to how the Victorians have attempted to remedy this impasse.

This bill introduces two new offences into our Criminal Law Consolidation Act. The first offence is to knowingly and dishonestly deal in instruments of crime, which attracts a maximum imprisonment term of 20 years or a fine of \$600 000, if a corporation has committed the offence. That is new section 138A(1). The second offence is dealing dishonestly in instruments of crimes in circumstances where the person ought reasonably to have known they were instruments of crime. That is new section 138A(2). The instrument of crime is defined as follows:

- (a) property that has been used or is intended for use for or in connection with the commission of a crime; or
- (b) property into which any such property has been converted.

That is slightly different from the definition I read out from the Criminal Code Act 1955, but the import is the same.

It is not readily apparent to the opposition under what circumstances this legislation would be necessary. Whilst the commonwealth has claimed that there is a potential loophole to be closed, and the states have apparently acknowledged in their agreement that something needs to be done, it is still not entirely clear to us in what circumstances this would be necessary. However, it is fair to say that, because the new offence proposed in this bill requires both the person knowing that the property is an instrument of crime and deals in it and that that person's conduct is dishonest, it creates a very high threshold upon which to be guilty of such an offence, and similarly, to some degree in relation to the 'reckless' clause,

if I can describe it as that, where there is a lesser penalty for all the same thresholds, save and except that they ought reasonably to know, rather than have known, specifically that it was an instrument of crime.

There is some safeguard for the opposition in the caveat that we put on our support for this legislation. In essence, we are not certain what loophole it would be necessary to cover. We are satisfied that there is a very high threshold to get over in any event. If there is such a circumstance that it would be necessary to cover, we certainly do not want to be obstructive in the government's intention to try to cover a foreseen possible loophole. So, if there was a situation we certainly would not want to be responsible for allowing a prevailing situation to continue where someone could escape.

Although it is not immediately transparent that the present law relating to money laundering, which was only enacted here in 2002, is deficient, and although no actual fact situations or cases have been sighted to justify this new provision, the states and commonwealth essentially have got together and said, 'Let's just make sure that there is no possibility that this could happen.'

One has to wonder, given the Victorian example, whether the confidence in the efficacy of laws of this type is somewhat undermined when we look at the case of *R v Beary*, referred to in the Attorney-General's contribution to the house (a Victorian Supreme Court decision of 15 December 2004). It is a decision where a persistent shoplifter, who had stolen goods in a regular and systematic manner, was charged with money laundering. The court noted that the plea of the shoplifter being charged with money laundering was surprising, given the usual connotations of the offence. However, the Victorian definition was held to be sufficiently wide to cover the situation. Although the Victorian definition is different from what is used in the Criminal Law Consolidation Act, it is possible that the new section will have a similarly wide and perhaps unexpected application.

The important new protection, as vindicated in one of these thresholds, is that the new offence requires the prosecution to prove that the dealing is dishonest. *Beary's* case does highlight how you could end up capturing a situation of someone being prosecuted with something. It is a bit like using a sledgehammer to kill an ant.

There is no doubt that this was a case where the appellant was truly described as a serial thief. For a period extending over several months there is cogent evidence of thefts committed at the rate of six to a dozen or more times a day, largely from supermarkets or other stores. The object was to take the property for her own purposes, but by good fortune (or, more likely, because she was very efficient in her shoplifting) she made an arrangement on a continuous basis for converting the stolen goods into money she needed for her day-to-day purposes. The joint owners of three service stations offered to, and did, pay her one third of the retail price of the goods supplied by her to them. It was so well organised that cartons of shoplifted goods were taken two to four or more times a day directly by car to the handlers, who paid her the agreed sums. This placed her in the advantageous position that she did not have to keep any of the stolen goods for a significant time but, more importantly, she was able to obtain ready cash for her own purposes. One might have thought, apart from its efficiently systematic implementation, that the arrangement, the related thefts and handling by both the appellant and the purchasers would be far removed from what law enforcement officers viewed as money laundering. It is hard to believe that even the systematic disposition of

stolen property in this way could be intended to render the thief liable to a penalty twice that applicable to the principal offence.

On the face of it, someone who has repeatedly shoplifted, handed on the goods, acquired a third of the value, gone off and used it for their ordinary living expenses is surely a far cry from what anyone in this chamber would imagine we are talking about in relation to money laundering.

The other interesting thing in this legislation is the crimes to which it relates. Proposed new section 38A(3) of the bill, which is a definition subsection, provides:

Crime means—

(a) an indictable offence against the law of the state or a corresponding offence against the law of the commonwealth, another state or a territory, or a place outside Australia;

So, we clearly understand that they are very serious offences, indictable offences, and they can be placed before a judge or jury. We understand the seriousness of that. The other categories are:

(b) any of the following offences:

(i) a serious drug offence;

For the benefit of the house, that is less than indictable but still in the serious category. Then we have the offences under section 68(3) of the Criminal Law Consolidation Act, which relate to the offences that prohibit a person having an arrangement with a child who provides commercial sexual services under which the person receives, on a regular, systematic basis, the proceeds or shares of proceeds of commercial sexual services provided by a child, or the exploitation of a child, and various penalties if they are under the age of 12 years. That category of offences is in this area, and the third area of the other offences, other than indictable, is the Summary Offences Act under section 28(1)(a), which is for the keeping or management of a brothel or assisting in the keeping or management of a brothel.

They are the categories that we are dealing with today in the definition of crime: an indictable offence; a serious drug offence; dealing with a child in relation to procurement for sexual activity or money they earn from it; and the obtaining or management of a brothel. That seems to me a fairly limited definition of crime if we are talking about money laundering, and I wonder how much consideration has been given to areas such as identity theft and fraud, which may not fit into the indictable offence category. The Attorney-General may be able to clarify whether offences in that category could all be treated as indictable.

They certainly cannot be under the 'other offences' definition, but it would seem to me that, if we were serious about looking at an offence such as this, which is to punish people for knowingly dealing with instruments of crime, then one of the most logical instruments of crime today is computers, the access to and use of them for illegal purposes, not the least of which is identity theft and identity fraud. The sale of identity for funds and the like is something that occurs frequently with the use of computing equipment. Therefore, I wonder at the limitation of the crime here. It may be that there could be sufficient definition under 'indictable offences', but it does concern me as to how selective that is. Nevertheless, the thresholds are there, as I have said.

We are still not convinced that the federal position is defensible. They are over there saying, 'To comply with recommendation 14 under our agreement you should transfer this power,' and, quite rightly, the states are saying, 'Hang on a minute before we do that: we don't think that's necessary. We will tidy up our own.' This is the South Australian

formula as to how we are going to tidy up our own so, in the absence of any known case of that being necessary—and frankly I do not see the Victorian example, even though the court determined that it was within the definition, as something necessary to bring repeated shoplifters under the money laundering requirements. It is a bit beyond me as to how that can be justified.

In any event, there is one matter that I think should be pursued, and that is the question of where the crime includes offences against laws of places outside Australia, which is not defined. Whilst we do not wish to delay the passage of the bill, perhaps they are both matters that the Attorney could give consideration to as this matter is between houses.

Mr BRINDAL (Unley): I think that the Attorney should be commended on the bill, as it probably goes some way to providing cover for what may well be an area of law that has previously not been addressed. I note that an ‘instrument of crime’ is property that has been used, or is intended for use, for or in connection with the commission of a crime. So, it is both previous and prospective use, and I find that interesting. As I said, the Attorney should be commended on the bill. However, one issue that may be of worry is how a reasonable person can determine whether something may well be an instrument of crime, and I will give the house an example.

I live in Kings Park on a suburban block. If I were to purchase a 100-kilogram bag of an agricultural chemical, which would be enough to kill everything on my property for the next thousand years—

Mrs Geraghty: And the rest of Kings Park.

Mr BRINDAL: And the rest of Kings Park as well, as the member says. It is not an illegal substance, and it is quite permissible for the member for Schubert, or somebody else, to buy it in that quantity or greater. When and how is somebody supposed to reasonably know that the reason I am purchasing it is to use it to manufacture methamphetamine? Quite clearly, if the person who sells it to me knows that I will create methamphetamine from it, then, the way I read the bill, it is an instrument of crime.

The problem I see is that maybe it will be very difficult to achieve a prosecution for a lot of offences under this bill. I am saying that in a constructive way, as I think the measure could be very useful. However, I wonder whether there is a better way of ensuring a greater likelihood of successful prosecution and putting more responsibility on the person who sells the chemical, for example. I say that in this context: as we live in a free enterprise society, most people are quite anxious to sell product and often, especially if their figures are down for the month, they may not be as scrupulous as they should be—as good corporate citizens and as good citizens of the state—about whom they sell the product to or the purpose for which it will be used. Therefore, I think that a law such as this needs to have as many teeth as it can in respect of putting responsibility on these people.

I would be very happy if the Attorney addressed this issue at the conclusion of this debate or at the committee stage and consider any of these points, if they have any validity at all, between the houses. I will not rush over and ask parliamentary counsel to draft some half thought-up amendment on the spur of the moment. However, perhaps between the houses, the Attorney might—

The Hon. M.J. Atkinson: Very restrained of you!

Mr BRINDAL: It is unusually restrained for me.

The Hon. M.J. Atkinson: Yes; I was going to say that, but I did not want to be rude.

Mr BRINDAL: I remind the Attorney of this. I do not know whether this is the measure, as I am waiting for it to come in, but he has promised that he will do something about a problem I have raised previously in the house—that is, the production of methamphetamine.

The Hon. M.J. Atkinson: Yes; we discussed it on radio. It is in the serious drugs bill.

Mr BRINDAL: In which bill?

The Hon. M.J. Atkinson: The serious drugs bill I will introduce next week, I think.

Mr BRINDAL: That is fine, because I am waiting for the—

The Hon. M.J. Atkinson: Precursors.

Mr BRINDAL: Thank you; it is on the matter of precursors. We are being very disorderly. I would be happy if the Attorney could address this issue, but I think he already has done so. This is not about the precursors: it is a slightly different measure, and that satisfies me. I accept that this government has made a meal of being strong on law and order; it is one of the things that this government will hitch its flag to when it seeks re-election. What has upset me is the Attorney and some of the actions. If he comes in with the precursor stuff, I will acknowledge that it is a good issue, because what strikes me about efforts to be tough on law and order is that sometimes we miss the vital opportunities. I think that, at present, one of the most heinous crimes perpetrated in our community is the trade in drugs, and that is why I think that measures such as this are timely and, if anything, need strengthening.

I commend to the house last week’s *60 Minutes* program. I do not know how many people watched it, but anyone who is roughly my age will know that when we grew up many of us tried marijuana—

Ms Chapman: Not me.

Mr BRINDAL: Not many are, but the member for Bragg shouldn’t smile, because she isn’t—

Ms Chapman interjecting:

Mr BRINDAL: Yes, all right, that’s fine. I thought that the honourable member was saying that she is a whole lot younger than me. She is younger than me, but not that much.

Mr Goldsworthy interjecting:

Mr BRINDAL: You? You are only a child, so you should keep quiet. The point is that people of around my vintage will know that when we were at university lots of us tried marijuana. First, it was not considered particularly bad; and, secondly, most of us tried it and went past that stage in our lives. It did not become addictive and, maybe (you hope), did not do too much harm. But, we then tend to carry that impression forward into our middle age and our legislative years by thinking, ‘Oh, well, it’s not a desirable substance, but it doesn’t do a whole lot of harm.’

Since then, those of us who have paid attention will realise that a lot more work has been done on the long-term effects that marijuana can have in terms of potential psychological disorders, and that it is much more harmful than we realised when we were in our 20s. What frightened me even more was the revelation on last Sunday’s *60 Minutes* program that, with selective breeding, the THC levels in marijuana plants are now at a point where it is a seriously dangerous drug and can have horrific consequences as a result of using too much of it.

Where it was a lesson to me—and I commend this to the house—was that you grow up in your life with certain predispositions, and, sometimes, you must take stock that the predispositions with which you grew up are not necessarily

immutable in the course of your life, and that marijuana as a dangerous substance has moved considerably, I think to the dangerous end, and needs therefore stronger remedies. I therefore say, in the context of this bill, that this seems to be going in the right direction. I will be interested if the Attorney can address any methods by which it can perhaps be made apparent to people who deal in instruments of crime that it is being taken seriously and that they will not be able to get over the law with some mealy-mouthed excuse.

Having said that, I commend the Attorney for his efforts, and I suggest that, if he spent more time on this sort of legislation and less time on Bob Francis, this house might be better served.

The Hon. M.J. ATKINSON (Attorney-General): I am delighted that the Liberal Party is still green with envy about my 13-year stint as a regular on the Bob Francis program. I note that none of them seek to match me before that vast audience. In response to the member for Bragg, identity theft offences are indictable.

In response to the member for Unley, the honourable member is quite right to say that the possible application of the offences would be prospective. He is also right to say that, in such cases, there may be problems of proof, but that is the way of serious criminal offences. The less serious of these is exceptional in that it imposes an objective test of liability. As it is, in this bill it follows the existing proceeds of offences and, in this respect, national models. I commend the bill to the house.

Bill read a second time.

In committee.

Clause 1.

Mr BRINDAL: Does this apply to real estate? I heard the member for Bragg talking about brothels. Say, for instance, that a premises is used as a brothel, does it apply to property as in real estate or is it more in connection with hydroponic equipment, implements and chattels?

The Hon. M.J. ATKINSON: Yes.

Clause passed.

Clause 2.

Ms CHAPMAN: I raised a question in the second reading debate about the applicability outside of South Australia. Could the Attorney elaborate?

The Hon. M.J. ATKINSON: Extraterritorial application of our criminal law is governed by section 5E of the Criminal Law Consolidation Act. It is an existing section which applies generally; I refer the member for Bragg to it.

Clause passed.

Remaining clauses (3 to 5) and title passed.

Bill reported without amendment.

Bill read a third time and passed.

ECONOMIC AND FINANCE COMMITTEE

Ms THOMPSON (Reynell): I seek leave to make a personal explanation.

Leave granted.

Ms THOMPSON: This afternoon, in the grievance debate, the member for Waite said:

I draw to the attention of the house the fact that government members of the Economic and Finance Committee opposed a proposition that witnesses be called and evidence be given in regard to the privatisation and outsourcing of the Entertainment Centre's ticketing operation to a private organisation.

He further stated:

I am very regretful that government members blocked that measure.

The unconfirmed minutes of this meeting show that Mr Hamilton-Smith stated his wish to speak to a relevant ministerial or departmental officer regarding this matter. There followed debate on the ability of the committee to inquire into financial dealings involving statutory authorities. The committee asked Mr Hamilton-Smith to provide a letter or statement of the issues he wished the committee to inquire into and said that it would be considered at the next meeting. In fact, as you are aware, sir, there is some lack of clarity with regard to matters that the Economic and Finance Committee can inquire into relating to statutory authorities. The member for Waite had no precision in what it was that he wished to inquire into and, as chair, I asked for these matters to be provided to the committee so that we could identify whether or not they were within our province to inquire into.

There is a further matter. In *The Advertiser* today, an article by Greg Kelton reports the following:

Liberal MP Martin Hamilton-Smith said the committee's deliberations on the report had been postponed because a Labor member of the committee was not available yesterday. He said he had been asked to prepare a list of those matters contained in the draft report with which he was not happy. 'We (the Liberal MPs) are pretty disappointed it has been postponed,' he said. 'We want the report finished and brought before parliament.'

The minutes on this matter show the following:

The committee indicated their intention to provide comment on the draft in some detail. The matter was held over for a week for members to consider possible areas of amendment, and the secretary was asked to find a convenient time for a further meeting in late September/early October to devote to examining the draft.

Sir, in fact, as you know, all members of the committee were present yesterday. There was a request from you, sir, that the matter be delayed until later in the meeting when you were able to attend but, in the event, the other members of the committee who were present indicated that they preferred this process; and, while it is not recorded in the minutes, my recollection, and that of the member for Taylor, is that it was the member for Davenport who suggested this process.

ADJOURNMENT

At 4.49 p.m. the house adjourned until Monday 19 September at 2 p.m.