

HOUSE OF ASSEMBLY

Tuesday 29 November 2005

The **SPEAKER (Hon. R.B. Such)** took the chair at 2 p.m. and read prayers.

EGGS

A petition signed by 3 700 residents of South Australia, requesting the house to urge the government to facilitate a 'Buy South Australian Eggs Campaign' and seek assistance from the Australian Competition and Consumer Commission to investigate the practice and food safety of dumping interstate eggs in South Australia, was presented by Mr Broken-shire.

Petition received.

HOSPITALS, NOARLUNGA

A petition signed by 203 residents of South Australia, requesting the house to urge the government to provide intensive care facilities at Noarlunga Hospital, was presented by Mr Brokenshire.

Petition received.

REPLIES TO QUESTIONS

The **SPEAKER**: I direct that the written answers to the following questions, as detailed in the schedule that I now table, be distributed and printed in *Hansard*:

CONSULTANTS

In reply to **Dr McFETRIDGE** (Estimates Committee A, 22 June).

The **Hon. T.G. ROBERTS**: I advise that:

In 2004-05 the Department of Aboriginal Affairs and Reconciliation expended sums greater than \$5 000 on consultants as follows:

Description of Services	Consultant	\$	Method of Appointment
Prepare analysis of Power Generation market and provide report and advise regarding preparation of Aboriginal Lands Electricity Generation Licensed Operator contract	Key Energy Resources	7 229	Single quote

APY LANDS

In reply to **Dr McFETRIDGE** (Estimates Committee A, 22 June).

The **Hon. T.G. ROBERTS**: The Minister for Families and Communities has advised me of the following:

Budget Paper 4, volume 1, page 1.16 concerns allocations to the Department for Aboriginal Affairs and Reconciliation and, as such, is not specific to the funding for the Family Support Program.

During 2004-05, the Department of Health was responsible for an Early Intervention Program which provided family support services across four communities on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands. The communities were Kalka, Ernabella, Amata and Watarru.

The Early Intervention program was operational as at 30 June 2005 with:

Kalka:	Funded for 1 full-time equivalent (FTE), three Anangu women were employed sharing this position.
Ernabella:	Funded for 1 FTE, 2 Anangu women were employed sharing this position.
Amata:	Funded for 1 FTE, two Anangu women previously employed had resigned. The 1 FTE was not filled at 30 June 2005.
Watarru:	Funded for 1 FTE, two Anangu women were employed sharing this position.

From 1 July 2005 the Department for Families and Communities through Indigenous Services, APY Lands Team has responsibility for a Family Support Program.

The previous Early Intervention workers will be employed in the, Family Support Program and a review of the previous program is being undertaken.

A total of \$439 100 is allocated from funding sourced from Treasury for the Family Support Program for 2005-06. This level of funding is an increase from the 2004-05 allocation of for the Family Support Program.

ATTACHMENTS:

Extract from budget paper 4, volume 1, Page 1:16.

Agency: Premier and Cabinet

Program Information

Program 3: Aboriginal Affairs and Reconciliation

Description/

Objective: Provide strategic policy advice, across government coordination and monitoring, development and implementation of action zones, protection of Aboriginal heritage and culture, provision and maintenance of essential services and community infrastructure and support the State's landholding authorities.

Summary statement of financial performance

Program 3: Aboriginal Affairs and Reconciliation	2005-06 Budget \$000	2004-05 Estimated Result \$000	2004-05 Budget \$000	2003-04 Actual \$000
Expenses from ordinary activities				
Employee expenses	4 129	3 758	3 318	3 802
Supplies and services	4 316	4 121	3 006	4 110
Grants and subsidies	4 645	4 227	4 289	3 762
Depreciation and amortisation	230	240	240	185
Other	-	-	-	3
Total expenses from ordinary activities				
Revenue from ordinary activities				
Sale of goods and services	-	-	-	945
Interest	48	46	-	
Commonwealth revenue	661	389	798	633
Other	316	904	300	603
Total revenue from ordinary activities				
Net cost of services from ordinary activities				

In reply to **Mr SCALZI** (Estimates Committee A, 22 June).

The Hon. T.G. ROBERTS: I advise that:

The Department of Further Education, Employment and Training (DFEEST) has advised that in 2003, APY Lands TAFE in collaboration with the Anangu education organisation Pitjantjatjara Yankunytjatjara Education Committee (PYEC) developed a five year rolling Strategic Plan. The Plan describes community training needs, identifies strategies to meet those needs, sets targets and performance indicators and is formally updated annually in consultation with PYEC.

The plan includes a number of long term goals that require attention to the structural and governance issues within Communities and on a regional level. A major element of the current plan is to address these issues through a long-term training and support program. A proposal to implement this training and support program is currently being considered by DPC and DFEEST.

The APY Lands TAFE program is evaluated on an ongoing basis and adjusted as and when required to meet changing community needs.

In reply to **Mr SCALZI** (Estimates Committee A, 22 June).

The Hon. T.G. ROBERTS: I advise that:

The Department of Further Education, Employment and Training (DFEEST) have advised 10 full-time TAFE staff are based on the APY Lands and two full-time staff members are based in Adelaide.

Staff are based at Ernabella, Indulkana, Mimili, Fregon, Amata, Palyatjara and Kalka.

The two Adelaide based staff travel to the Lands on a regular basis to deliver training to trainees in a range of work sites.

APY Lands TAFE staff deliver programs to an average of 170 students and trainees on a weekly basis.

There are a number of processes in place to measure the effectiveness of TAFE efforts on the Lands:

APY Lands TAFE work closely with the Anangu education organisation Pitjantjatjara Yankunytjatjara Education Committee (PYEC), the Department of Education and Children's Services (DECS) and community councils to ensure that TAFE programs meet Anangu needs.

DFEEST representatives on the Education, Employment and Training subgroup of the Aboriginal Lands Task Force report on community training needs and initiatives undertaken by TAFE to respond to those needs. APY Lands TAFE will be in a position to offer a wide range of programs as a result of the recent restructure of TAFE SA through which APY Lands TAFE joined the TAFE SA Regional network.

MEDICAL RECRUITMENT, OVERSEAS

In reply to **Hon. DEAN BROWN**.

The Hon. J.D. HILL: I am advised that:

1. The Department of Health provided \$130 000 from January to December 2004 to the Rural Doctors Workforce Agency (RDWA) for the Overseas Trained Doctors Program. Additional funding was provided for other programs operated by RDWA to support doctors in rural South Australia, including those trained and recruited from overseas. This includes funding to provide locums to enable doctors to take necessary breaks from work, funding to support continuing education and funding to enable all overseas trained doctors to undertake an Emergency Medicine course within the first six months of their appointment.

The Department did not provide any funding for the recruitment of overseas trained nurses, but provided each region with funds for supporting ongoing education and development of nurses at a rate of \$700 per head for nurses employed in community health settings and a total of \$900 per head for nurses employed in hospital settings. This funding may have been used to provide support to any overseas trained nurses who were employed in country South Australia.

2. The RDWA uses state and commonwealth funding to deliver a comprehensive support program to overseas trained doctors for their assessment, recruitment, orientation and integration to rural communities. RDWA also provides support to local Divisions of General Practice to provide orientation and support to overseas trained doctors within local areas. In 2004, RDWA ran three educational forums for overseas trained doctors. The agency operates a family network for families of doctors in rural areas which is available to overseas trained doctors if they wish.

CORPORATION OF THE CITY OF WHYALLA ANNUAL REPORT

The SPEAKER: Pursuant to section 131 of the Local Government Act 1999, I lay on the table the annual report 2004-05 for the Corporation of the City of Whyalla.

DIRECTOR OF PUBLIC PROSECUTIONS

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

Leave granted.

The Hon. M.D. RANN: Following inquiries made by my office today with the Criminal Registry of the Supreme Court, I am informed that a notorious convicted paedophile was granted bail by the Supreme Court yesterday. I am told that this particular paedophile has a long and infamous history of breaching parole conditions. The paedophile has been charged with nine counts of indecent assault and procuring an act of gross indecency. The alleged offences arise from conduct dating back several decades.

The paedophile, whose name is suppressed which prevents me from revealing his identity, appeared before the Adelaide Magistrates Court on 16 November this year and was refused bail by that court. He subsequently appealed to the Supreme Court. I am advised that bail was not opposed by the prosecution, which was represented by the Office of the DPP. Bail was therefore granted on condition that he report regularly to the police, and that he not be in the company of any child under the age of 16.

The opposition spokesman on legal affairs, Robert Lawson QC, has alleged that the release of this paedophile on bail is a result of the so-called failure of the government's bail laws. This paedophile was not released because of our bail laws, he was released in spite of them. In fact, Mr Lawson should go back to being some kind of conveyancing clerk—I would not have him as a JP. This morning, if he had bothered to check with the registry, he would have found something different.

This morning, the Attorney-General sought an explanation from the DPP as to why that office would agree to letting this paedophile back on the streets. At this time, I have not had the opportunity to view or let alone consider the DPP's response to that request. It will be very interesting to see what the DPP says in terms of his reasons, but I am extremely disappointed—

Mr BRINDAL: Mr Speaker, I rise on a point of order. I understand that it has been a longstanding convention that we do not comment in this house on matters that are before the courts. It sounds to me from what the Premier is saying, sir, that this is a matter—

The Hon. M.J. Atkinson: It's bail and it is complete.

Mr BRINDAL: Bail is a matter before a court.

The Hon. M.D. Rann: No, it's not. It has been completed.

Mr BRINDAL: This is a matter before a court, Mr Speaker, and it should not be discussed in this place.

The SPEAKER: Order! I do not believe it comes under the same category as prejudicing a trial. Also, the Premier should not engage in debate when he is making a ministerial statement.

The Hon. M.D. RANN: Thank you, sir. I am extremely disappointed that, by not opposing bail, the office of the DPP has effectively prevented any appeal from being lodged with the Supreme Court against bail continuing. The mere fact that

a condition of this man's bail was that he not be in the company of any child under the age of 16 strongly suggests there are ongoing concerns and fears about this man's conduct. Quite frankly, letting this man out on bail beggars belief. I cannot believe that he can be allowed to go free.

Mr Brindal: How can he get a fair trial with that sort of stuff?

The SPEAKER: The member for Unley will come to order!

The Hon. P.F. Conlon: Because no-one knows his name.

The Hon. M.D. RANN: Because we haven't revealed his identity.

Mr Brindal interjecting:

The SPEAKER: The member for Unley will restrain himself.

CHILD ABUSE

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

Leave granted.

The Hon. K.O. FOLEY: On 2 June 2004, the Leader of the Opposition asked a question of me alleging that police had 'failed to follow up serious allegations of child sexual abuse and the death of a person in institutional care'. On 3 June 2004, I gave a ministerial statement where I stated:

The account given by the complainant does not leave the sphere of being a 'nightmare'. There was no factual basis to the account given.

On 4 June 2004, the Leader of the Opposition stated publicly that he was not prepared to accept the word of the Police Commissioner that this case had been adequately investigated.

Following this, I met with the Commissioner of Police, the Assistant Commissioner (Crime) and Detective Inspector John Venditto, then Acting Officer-in-Charge of Major Crime. Detective Inspector Venditto had recently completed a review of the case file. At that meeting, I was advised that the allegations were based on a recurring dream and all avenues were quickly exhausted, concluding the allegations had no substance. On the weekend of 27 and 28 June 2004, advertisements for the *Today Tonight* program on Channel 7 raised an allegation that, by referring to police advice on this matter, I had misled parliament—see what the lawyers think. In response to this, the Commissioner of Police instigated a further review of the case, including a reinterview of the complainant, by Superintendent Paul Schramm. The Schramm review was completed on 1 July 2004 and a version tabled by me in this house.

This review found that, on the basis of the police interpretation of events, there was insufficient evidence on which to launch a homicide investigation. However, the review found that, in order to enable closure for the complainant, the investigational undertakings given by the investigating officer should have been exhausted, clarified or negotiated. In the interests of maintaining public confidence in our police, the Police Commissioner then initiated a complete reinvestigation of the original complaint. The investigation team was oversighted by Superintendent Schramm and led by a detective inspector.

Following the completion of the reinvestigation into this matter, my office was provided with an initial report in October 2004. Subsequent to this, the Commissioner of Police resolved that further work, including a forensic

examination, would be conducted to ensure that all possible avenues of investigation had been exhausted. This work has now been completed and today I table a version of the final report that has been amended to protect the privacy of individuals. Perhaps the last word on this should be from the member for Mawson who said on radio on 2 July 2004 in regard to this matter:

Well at times we do. . . when we get it wrong, myself or anyone else, you've got to come out and say we got it wrong.

I call on both the *Today Tonight* program and the Leader of the Opposition to now admit that they got it wrong.

The Hon. R.G. KERIN (Leader of the Opposition): Sir, I seek leave to make a personal explanation.

Leave granted.

The Hon. R.G. KERIN: The Deputy Premier has just alleged that certain claims were made by me. The questions that were asked in relation to this matter were not about the matter itself. The questions were about emails from policemen about the fact that they had insufficient resources to investigate certain cases. The emails were about—

Members interjecting:

The SPEAKER: Order! The leader has sought leave. He should focus on how he has been misrepresented.

The Hon. R.G. KERIN: Yes, sir. The question was asked about emails in which commitments were made by police that certain investigations would take place. The emails then followed as an explanation as to why those commitments had not been carried out, which was to do with a lack of resources. The question was purely about the lack of resources, and what the Deputy Premier has said is totally misleading.

The SPEAKER: Order! The leader, if he is—

The Hon. K.O. FOLEY: Sir, if I have misled the house, the leader must move a substantive motion.

The SPEAKER: Order!

The Hon. K.O. FOLEY: I ask the Leader of the Opposition to withdraw that remark immediately.

The SPEAKER: Order! The leader must deal with that issue by way of substantive motion. He must withdraw the allegation of misleading, unless he wishes to—

The Hon. R.G. KERIN: Sir, perhaps not misleading, but they are incorrect.

The SPEAKER: I take it that the leader is withdrawing that allegation.

PAPERS TABLED

The following papers were laid on the table:

By the Treasurer (Hon. K.O. Foley)—

Regulations under the following Acts—
Emergency Services Funding—Private Roads Remissions
Superannuation—Transferred Contributors

By the Attorney-General (Hon. M.J. Atkinson)—

Legal Practitioners Conduct Board—Report 2004-05

By the Minister for Health (Hon. J.D. Hill)—

Social Development Committee, Response to Inquiry into Multiple Chemical Sensitivity (MCS)

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

Regulations under the following Acts—
Natural Resources Management—
Refund of Levies
Environmental Donations Licence

By the Minister for Employment, Training and Further Education (Hon. S.W. Key)—

University of South Australia—
Financial Statements 2004
Report 2004

By the Minister for Education and Children's Services (Hon. J.D. Lomax-Smith)—

Development Plan Amendment Reports—
Alexandrina Council—Strathalbyn Township Local Heritage
City of Campbelltown—Local Heritage Places
Town of Gawler—Gawler Urban Boundary

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

Advisory Board of Agriculture—Report 2004-05
Chicken Meat Industry Act—Report 2003
Dairy Authority of South Australia—Report 2004-05
Phylloxera and Grape Industry Board of South Australia—
Report 2004-05

By the Minister for State/Local Government Relations (Hon. R.J. McEwen)—

Local Government Activities—Report 2004-05
Local Government Association of South Australia—
Report 2004-05
Local Government Superannuation Board—Report
2004-05

By the Minister for the River Murray (Hon. K.A. Maywald)—

Murray-Darling Basin Commission—Report 2004-05.

Mr BRINDAL: Mr Speaker, I rise on a point of order. A number of ministers have laid papers on the table that they claim are according to statute. I have reason to believe that they are not timely and that they are in violation of the statute. Would you please inform the house whether they are laid on the table according to statute or whether, in fact, the ministers are doing what they normally do, that is, bringing them in at the last minute other than by statute?

The SPEAKER: The chair will have a look at the matter and report back to the house.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

Ms BREUER (Giles): I bring up the 57th report of the committee, entitled 'City of Adelaide: Central West Precinct Strategic Urban Renewal Plan Amendment'.

Report received and ordered to be published.

VISITORS TO PARLIAMENT

The SPEAKER: I indicate that at varying times today we will have visitors from the Department of Education and Children's Services, accompanied by the Education Officer, Ms Penny Cavanagh; government officials from Flinders University; Indonesian government officials, accompanied by the member for Davenport (Hon. Iain Evans); the Italian Australian Association, hosted by the member for Hartley (Mr Joe Scalzi); and officials from the Ministry of Regional Administration and Local Government Administrative Works from Tanzania. We welcome those visitors.

QUESTION TIME

ATTORNEY-GENERAL

Mr WILLIAMS (MacKillop): Following the Attorney-General's admission to the house on 24 November that he telephoned a talkback radio caller after an on-air altercation on 7 April this year, will he inform the house whether there have been other occasions when he has telephoned members of the public and made demands or issued threats against them after they had made comments about the Attorney-General on talkback radio?

The Hon. M.J. ATKINSON (Attorney-General): None spring to mind; none at all. What is remarkable about the particular caller whom the member for MacKillop mentions is that he invited me on air to ring him.

Mr Williams: He did not invite you to threaten him!

The Hon. M.J. ATKINSON: Mr Speaker, I ask that that be withdrawn.

The SPEAKER: I did not hear what the honourable member said.

The Hon. M.J. ATKINSON: Well, the member for MacKillop has just accused me of threatening someone. I have threatened no-one.

Mr Williams: I did not say that.

The Hon. M.J. ATKINSON: You said that I threatened him: I did not.

Mr Williams: I did not say the Attorney-General threatened him.

The Hon. M.J. ATKINSON: You did!

The SPEAKER: If the member for MacKillop said that, he should withdraw it. The chair did not hear it.

Mr WILLIAMS: Sir, I did not say that the Attorney-General threatened him.

Mr Koutsantonis interjecting:

Mr BRINDAL: I rise on a point of order, sir.

The SPEAKER: Order! The member for Mackillop should resume his seat. He should not say it or imply it.

Mr BRINDAL: I have a point of order, sir. During that debate the member for West Torrens accused someone on this side of being a liar. I ask that he withdraw that comment.

The SPEAKER: Order! The house needs to come to order. Generalised remarks are inappropriate and interjections are out of order. If the member for West Torrens said that, it is out of order. If he did not direct it at a specific person the chair cannot take much action.

Mr WILLIAMS: I have a point of order, Mr Speaker. The words I heard the member for West Torrens say were 'you are a liar'. While the member for Unley was taking his point of order, the member for West Torrens smiled and pointed at me; so I think he was directing the comment at me. I am offended by the comment and ask him to withdraw.

The SPEAKER: Members' behaviour yesterday was probably the best it has been all year. It should not degenerate today. The Attorney-General.

Mr BRINDAL: I have a point of order, sir.

The SPEAKER: Order! If the member for MacKillop said or implied a threat by the Attorney-General, he needs to withdraw it. If the member for West Torrens said someone was a liar, he needs to withdraw it.

Mr WILLIAMS: Mr Speaker, I did not say that the Attorney-General threatened the man. What I said was that the caller to talkback radio did not invite the Attorney-General to threaten him. That is what I said.

The SPEAKER: By way of interjection, did the member for MacKillop suggest or imply that the Attorney-General threatened a caller?

Mr WILLIAMS: Mr Speaker, the Attorney said that I said that he threatened the man. I did not say that. If the Attorney takes offence at my interjection following his statement that the man invited him to ring back (my interjection that the man did not invite him to threaten him), I withdraw.

The SPEAKER: The member for West Torrens will withdraw his suggestion.

Mr KOUTSANTONIS: I wholeheartedly withdraw.

The SPEAKER: The house will now settle down and get on with business. The Attorney.

The Hon. M.J. ATKINSON: Mr Speaker, that this could be the first opposition question on the last sitting Tuesday of a parliament is extraordinary. The reason that the opposition raised this matter is because my wife, child and I went to mass—

Mr BRINDAL: I rise on a point of order, Mr Speaker. There is no standing order that allows for the attribution of motive to the opposition for the asking of questions. The Attorney is required to answer the question, not ascribe motive.

The SPEAKER: Order! The Attorney will answer the question.

The Hon. M.J. ATKINSON: The facts of the matter are these: my wife, my 10-year old son and I, not having been to mass together on a particular Sunday, went to mass at the cathedral at 6 p.m., as we are wont to do.

The SPEAKER: Order! The member for MacKillop has a point of order.

Mr WILLIAMS: My point of order relates to relevance. My question was whether the minister had—

The SPEAKER: Order! The honourable member has made his point. The minister is allowed to put it into context, and that is what it should be; but be brief.

The Hon. M.J. ATKINSON: The context is this: on public radio I was defamed and smeared by a caller who claimed that, by lighting a votive candle on the western extreme of the cathedral, I had scandalised the Catholic faith and, moreover, that I had brought a video camera to the cathedral for the purpose of filming myself at public worship. The member for MacKillop's raising this is designed to get that filthy sectarian smear on the parliamentary record.

BUSINESS TRIP INDEX

Ms CICCARELLO (Norwood): Will the Premier outline the findings of the Business Trip Index as compiled by the Intelligence Unit of the internationally-recognised business publication *The Economist*?

Ms Rankine: What about Gerard?

The Hon. M.D. RANN (Premier): What about Gerard? Well, he owns his mansions, he owns his horses, he owns his boats and he owns his own political party. I am told that the South Australian branch of the Liberal Party is a sort of Rob Gerard franchise—this opposition brought to you by Rob Gerard!

The SPEAKER: Order! The Premier will address the question.

The Hon. M.D. RANN: *The Economist's* intelligence unit has developed a new way of assessing and comparing the desirability of locations for the business traveller. It takes into consideration factors including crime, health care, infrastruc-

ture and culture. The index looked at 127 cities worldwide. Adelaide ranked fourth. This is the highest ranking of all Australian capital cities. Brisbane ranked sixth, Perth eighth, Melbourne ninth and Sydney 12th. Adelaide ranked higher than all surveyed US and European cities, such as Pittsburg, Boston, Washington, Zurich, Geneva and London. Presumably, it was even ahead of Paris.

This confirms international accounting firm KPMG's finding that Adelaide is the most cost-competitive city in Australia and the Asia Pacific in which to do business. It follows on from the report produced by the Australian Industry Group, which confirmed Adelaide as the most competitive city in Australia for manufacturing businesses. This is a fantastic result for South Australia. Results like this put South Australia on the map for international companies looking to do business in a competitive and business-friendly environment. If the survey is not enough to convince members, then they should look at the facts.

The government has regained a AAA credit rating after 14 years and produced consistent budget surpluses after four years of Liberal deficits, totalling \$1.2 billion. Economic growth has outstripped the nation in 2004-05—SA growth of 2.6 per cent in real terms compared to a national figure of 2.3 per cent. We have reduced government debt, I am told, by around \$1.2 billion to almost zero. Unemployment remains at historic low levels, 4.8 per cent in trend terms while the national figure is 5 per cent. We have created over 50 000 jobs since coming to office. This is breaking news. We embarked on a huge infrastructure plan to revitalise our state, with over \$20 billion of works in the pipeline: \$121.7 million, I am told, for the South Road tunnel; \$175 million for stages 2 and 3 of the Port River expressway; and \$64.9 million for the Anzac Highway underpass at South Road. We have OneSteel's \$250 million, I think now \$300 million, Project Magnet—

The Hon. P.F. Conlon: \$350 million.

The Hon. M.D. RANN: \$350 million. I have just been told. We have the \$1 billion Port Adelaide foreshore redevelopment and, fantastically, bridges over the Port River on which we are proud to honour our promise, because it was quite clear that the Liberal Party did not intend to honour its promise. There is the proposed \$350 million Prominent Hill development and the planned \$4 billion Olympic Dam extension, with around 10 000 jobs. Business investment continues to outgrow the nation, with the June quarter recording SA growth of 7.1 per cent, outstripping the national figure of 6.8 per cent. Access Economics notes:

Business investment in SA is higher as a share of output than its Australian equivalent, a position it has occupied for four years consistently now, that has continued far too long to be considered just a flash in the plan.

Business and consumer confidence levels remain high. We are committed to over \$1.5 billion of tax cuts by 2010-11, with cuts to land tax, payroll tax, mortgage duty and rental duty. We have abolished debits tax worth \$60 million a year and abolished a range of nuisance taxes and charges such as lease duty, cheque duty, share duty and a range of business stamp duty. Together with the ASC we secured the \$6 billion air warfare destroyer contract that will deliver thousands of jobs to South Australia. Come on: where are your cheers for that one? I cannot hear you.

We have fostered a huge increase in mining exploration across the state. We are absolutely delighted that *The Economist* has found Adelaide fourth in the world and highest in Australia as a place to do business.

Ms CHAPMAN (Bragg): I have a supplementary question.

The SPEAKER: The house will come to order first. Yesterday the behaviour of the house was about the best. Today it has degenerated again. The member for Bragg has a supplementary.

Ms CHAPMAN: My supplementary is to the Premier. If Adelaide is such a fabulous destination, why are we losing a net 3 000 people a year to other states and Queensland has a net 15 000 positive?

The Hon. M.D. RANN: Here we go: she was the Liberal Party President during the Catch Tim scandal. Do we remember that? Do we remember what happened then and Mr Rob Gerard's involvement with that issue?

Mr BRINDAL: On a point of order, these are the standing orders of the House of Assembly. They clearly require that ministers asked questions answer the questions. I know that you give them—

The SPEAKER: Order! The member has made his point.
Members interjecting:

Mr BRINDAL: You are not answering the question and you are abusing the rules.

The SPEAKER: The member for Unley will not give a tirade. The Premier will address the question.

The Hon. M.D. RANN: I am sure that the honourable member who almost became the Deputy Leader of the Opposition would now want to disagree with not only *The Economist* and KPMG but also with the Australian Industry Group and with Business SA's survey of business confidence. She is not in good company, which is why she does not have the support of her colleagues.

ATTORNEY-GENERAL

Mr WILLIAMS (MacKillop): Notwithstanding the Attorney's previous answer, did the Attorney-General phone a talkback caller on the evening of 30 August 2005 and demand that the caller publicly retract his comments about the Attorney from talkback radio that morning? By way of explanation, I will read extracts from a statutory declaration that has been provided to me, as follows:

I phoned the Leon Byner program on 5AA to express my ongoing frustration following a road rage incident in which I was the victim. I could not get any information regarding where the case against the driver was going. I said that I had given the report numbers to Michael Atkinson in January but had no response to the state of the charges. That evening, between 5.20 p.m. and 6 p.m., I received a phone call from Michael Atkinson. He said that I had made defamatory remarks about him on the radio that day. He also told me to be careful what I said as our conversation was being recorded and that he would have a record of everything. Michael Atkinson told me that I would have to go on 5AA the next morning and retract any statements I had made in regards to him, Michael Atkinson. He told me that if I didn't go on radio first thing the next morning, he would have his solicitors issue a suit for damages against me. He reiterated that the conversation was being taped. The conversation caused me significant anxiety. I did not want to be involved in a lawsuit against the Attorney-General. I am a pensioner who has had two triple bypass operations and I agreed to his demand.

The Hon. M.J. Atkinson: That's it?

Mr WILLIAMS: That's it.

The Hon. M.J. ATKINSON (Attorney-General): Fancy me, having a conversation with my constituents. The first thing to say is that the conversation was not recorded. I merely had my staff with me in the office, and there is nothing wrong with that. The second thing to say is: let's have a look at the merits of this.

Members interjecting:

The SPEAKER: Order! The Attorney will take his seat. The house will come to order. Members ask a question and everyone wants to hear the answer. It is impossible to hear. The Attorney has the call and he will give the answer.

The Hon. M.J. ATKINSON: A claim was made on radio that was demonstrably false—I repeat, demonstrably false—

Mr Venning interjecting:

The SPEAKER: Order, the member for Schubert!

The Hon. M.J. ATKINSON: —namely, that a constituent, someone who lived at Ridleyton in my electorate, had approached me and asked me to intervene in a criminal matter before the courts. As the Attorney-General of this state—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. M.J. ATKINSON: —I do not tell the police what cases to prosecute and what cases not to prosecute, and I will never do it. A second thing to say is that, as a matter of fact, within the law and within the bounds of propriety, we took up that man's case—

Mr Williams interjecting:

The SPEAKER: I warn the member for MacKillop.

The Hon. M.J. ATKINSON: —with the authorities, and there is a whole paper trail which I am happy to show the opposition to demonstrate that we did take up that man's case. When it was drawn to his attention by me personally, after his statement on Leon Byner's program, that it was not true that I had done nothing, he came on radio the next day and he retracted—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

The Hon. M.J. ATKINSON: —because that was the right thing to do.

Members interjecting:

The SPEAKER: The Attorney will take his seat. The next member who defies the chair will be named. The member for Mawson had better watch it. The member for MacKillop is on very dangerous ground. There will be no more tolerance given. The Attorney has the call.

The Hon. M.J. ATKINSON: All of us in this house who are attentive to our constituents come across difficult constituents who will misrepresent their dealings with members. It happens to us and it happens to you. This is a very dangerous path that the member for MacKillop is going down. It is another decline in the civility of this parliament. The last time that the Liberal Party ran this kind of line against me, it was a non-constituent who came to see me—a cab driver who had been charged with anally raping one of his disabled clients.

Mr Koutsantonis interjecting:

The SPEAKER: Order, the member for West Torrens!

The Hon. M.J. ATKINSON: He was on a charge of anal rape and Legh Davis attacked me—

Mrs REDMOND: I rise on a point of order.

The SPEAKER: Order! The Attorney will take his seat.

Mrs REDMOND: My point of order is under standing order 98 regarding relevance.

The SPEAKER: I think the Attorney needs to wind this up.

The Hon. M.J. ATKINSON: Yes, I will wind up. This is on the *Hansard* record. Legh Davis attacked me because I told that man I would not write to the passenger transport authority and asked it to reinstate his taxi licence while he was on charges of rape.

Mrs REDMOND: I rise on the same point of order as previously regarding the relevance of the answer.

The SPEAKER: I think the Attorney is trying to draw a parallel with another example, which is within order.

Mr BRINDAL: Mr Speaker, on a matter of privilege, I ask you to examine the first answer given to this house today by the Attorney-General where he clearly said, 'No instance springs to mind,' and yet a matter of seven minutes later he is detailing to this house the very answer that he could have given to the last question. I ask you to consider that matter and as to whether he may have misled this house.

Members interjecting:

The SPEAKER: Order! I do not believe it is a matter of privilege. An answer can be in two parts. The Attorney.

The Hon. M.J. ATKINSON: I am one of the most accessible members of parliament.

Mr WILLIAMS: On a point of order, sir, the Attorney had already finished his answer and now he has stood up again and is responding to the member for Unley.

The SPEAKER: I do not believe he has, but he is winding it up.

The Hon. M.J. ATKINSON: I am one of the most accessible local members of parliament in this state. Until recently, although I was Attorney-General, I had my home number in the telephone book. I still have my home number on letterhead and on calling cards. I call on thousands of people every year on my bike. All of us deal with difficult constituents. This constituent of mine made a demonstrably false claim on radio. I did not—

The Hon. M.D. Rann: It was a malicious claim.

The Hon. M.J. ATKINSON: Yes, it was a malicious claim. I did not raise my voice. I did not use bad language, but I pointed out that the material was false and I asked him to correct it, and he did. Now, having been caught out, he has had his revenge.

CLIPSAL 500

Mr O'BRIEN (Napier): Will the Treasurer provide details of the recognition the Clipsal 500 event has received for its ongoing success?

The Hon. K.O. FOLEY (Treasurer): I am happy to acknowledge Rob Gerard and the outstanding support and sponsorship of the Clipsal 500. Following on from the Premier's earlier contribution about how well the economy is going in South Australia, this question from the member for Napier fits very well. The Clipsal 500, as we know, has been in operation since 1999—and I give full credit—

Members interjecting:

The Hon. K.O. FOLEY: Just wait. I give full credit to former premier John Olsen for his courage and vision to—

Members interjecting:

The Hon. K.O. FOLEY: Well, maybe courage—to establish the Clipsal 500 V8 supercar race back in 1999. The Clipsal 500 has received the AVESCO Event of the Year award every year since its inception; every year since its inception. Last night I had the pleasure of representing the government at the AVESCO awards night, where the Clipsal 500 was inducted into the AVESCO Hall of Fame. That is a privilege normally kept for great drivers such as Peter Brock, Allan Moffatt, of course, Dick Johnson—

The Hon. P.F. Conlon: Tom Koutsantonis.

The Hon. K.O. FOLEY: Tom Koutsantonis. Poor old Tom has been a bit slow since the hoon driver legislation came into play.

The Clipsal 500 has been, and is, an outstanding success. Since 1999 some \$130 million of economic activity has been

generated through the Clipsal and I would like to put on the record again our government's appreciation for the work of Roger Cook and the board at the Motor Sport Board, Andrew Daniels, the chief executive officer, and his outstanding and hardworking staff. As I said, of course, premier Olsen was the architect of it back in 1999.

The Hon. M.D. Rann: And you and I being petrolheads.

The Hon. K.O. FOLEY: The Premier points out that the he and I, being strong petrolheads, along with the member for Waite—

Mr Venning: You lost the Grand Prix.

The Hon. K.O. FOLEY: We lost the Grand Prix?

The Hon. M.D. Rann: I think that was under Dean Brown's premiership.

The Hon. K.O. FOLEY: That's right. Let us not forget that the Grand Prix was lost when the member for Finnis was premier of this state. I remember that: I remember the last Grand Prix that occurred under a Liberal government.

The Hon. P.F. Conlon: What about the race of a thousand years? That happened once in a thousand years.

The Hon. K.O. FOLEY: Well, the race of a thousand years—

The SPEAKER: Order!

Mr BROKESHIRE: On a point of order: relevance, No. 98, sir. It was Mike Rann in government who lost the grand prix and caused the State Bank problem.

The SPEAKER: Order! The Treasurer needs to finish his answer.

The Hon. K.O. FOLEY: He said relevance, No. 98: I think he meant standing order 98. I cannot talk about the race of a thousand years—the Le Mans event that the member for Morialta got for our state—because we are currently in the courts being sued for the failure of that event, another indication of the appalling economic management of the Liberal Party when it was in office. In conclusion, can I—

The SPEAKER: Order! The Treasurer—

Mr BROKESHIRE: On a point of order, under standing order 98. Can we get some equity in this house, please, sir?

The SPEAKER: Order! The Treasurer needs to wind up his answer, and stick to the question.

The Hon. K.O. FOLEY: The yapping dog is still biting at our heels.

The SPEAKER: Order, the Treasurer!

The Hon. D.C. Kotz: I thought you might like to rewrite history just a little bit more.

The Hon. K.O. FOLEY: Very clever. Enjoy your retirement, Dorothy, after your great contribution to the house. I put on the record our government's appreciation, support and pleasure in seeing Russell Ingall winning the V8 supercar series this year. He grew up in Elizabeth, of course, along with that other great South Australian of Scottish extract, Jimmy Barnes—two great South Australians coming from Elizabeth. As I said, last night was a very good night, and a great award win for our state. It continues to show that, under this government, things just keep getting better and better.

ATTORNEY-GENERAL

The Hon. R.G. KERIN (Leader of the Opposition): Is the Attorney-General now aware that a Telstra bar was placed on phone calls made by the Attorney to the member for Florey's electorate office? I have been advised that it was an electorate staff member at the member for Florey's office

who physically rang Telstra on behalf of the member to arrange a bar on calls by the Attorney-General to the electorate office, and to the member for Florey.

The Hon. M.J. ATKINSON (Attorney-General): I would like some evidence of this, but I suspect that I know who unilaterally decided to do that. It might just happen to be Gary Lockwood—wouldn't it? I have looked at my phone records, and I can recall that the evidence of those records is that I have rung the member for Florey only twice this year, once in April and once in August.

ASHBOURNE, CLARKE AND ATKINSON INQUIRY

Ms CHAPMAN (Bragg): My question is also to the Attorney-General. Given that Edith Pringle did contact the Anti-Corruption Branch to provide information to police in July 2003, just days after the Attorney and Randall Ashbourne stood down pending a police investigation into corruption allegations, will the Attorney-General correct what he told the house last week? On 24 November 2005, the Attorney made a ministerial statement in which he attempted to discredit Mrs Pringle and her evidence to the Ashbourne, Clarke and Atkinson select committee inquiry, when the Attorney said:

I did not offer Ralph Clarke, directly or indirectly, any board or committee positions. If Mrs Pringle had any knowledge as she now claims, she should have come forward to the police and the Office of the Director of Public Prosecutions. Mrs Pringle is without credit.

The opposition has now been informed that Mrs Pringle spoke to the acting officer in charge of the Anti-Corruption Unit of the South Australia Police Force at 1.37 p.m. on 4 July 2003, and also contacted the Office of the DPP during the subsequent Ashbourne corruption trial.

The Hon. M.J. ATKINSON (Attorney-General): I was interviewed at great length by officers about this matter in July 2003. Those interviews are available to everyone because the select committee had made them available to the public. You will see, if you refer to those records, that nothing Mrs Pringle may or may not have alleged was put to me in the course of those interviews. I do not know how I could possibly be aware of that, given that I had dealings with those officers. If police inform me that the allegation by the member for Bragg is correct, I will be happy to correct the record, but I think the opposition is in for a very big shock.

HOSPITALS, WAITING LISTS

The Hon. D.C. KOTZ (Newland): My question is to the Minister for Health. Will the minister explain to the house why a Newland constituent will have to wait almost five—

Mr Koutsantonis: Actually found your office, did they?

The Hon. K.O. Foley interjecting:

The SPEAKER: Order! The member for West Torrens and the Treasurer will come to order!

The Hon. D.C. KOTZ: I consider the question serious, even if you don't. Will the minister explain to the house—

Mr Koutsantonis interjecting:

The Hon. R.G. KERIN: Mr Speaker, I rise on a point of order. The member for West Torrens is defying the chair. You have told him to keep quiet about three times.

The SPEAKER: The member for West Torrens will abide by the standing orders or he will be in trouble. The chair is trying to hear the question.

The Hon. D.C. KOTZ: Will the minister explain to the house why a Newland constituent will have to wait almost 5½ years for a hip replacement? Freedom of information papers received in March this year advised that the orthopaedic surgery waiting lists were 12 to 18 months. A Newland constituent, after waiting for nearly three years to see an orthopaedic surgeon, was advised recently that he would now have to wait at least a further 2½ years for hip replacement surgery. This means that this gentleman, who is suffering from increasing pain and decreasing mobility, will have waited 5½ years for his hip replacement.

The Hon. J.D. HILL (Minister for Health): The issue to do with waiting lists is one that is problematic for all governments at all times and in all places. We have a very good health system in South Australia. It provides an excellent service. It is a free service. It provides excellent health services: 2.4 million people want to use it each year. From time to time, people have to queue because many people are trying to get in for this free service. There are issues in relation to the training of specialists. Decisions about where individuals are placed on the waiting list are made by doctors and clinicians. I do not know the details of the particular case to which the member refers. Our priority as a government is to try to get the waiting times down, and we have made some big achievements in that area. I would be happy to look at the particular case, if the honourable member would like to give me the details.

PUBLIC SERVICE CODE OF CONDUCT

The Hon. W.A. MATTHEW (Bright): My question is to the Premier. Will the Premier advise the house whether he is committed to upholding the government's public sector code of conduct? The Office of Public Employment's code of conduct states:

Public sector employees must not bully or otherwise harass other employees or members of the public.

Behaviours that characterise bullying may include victimisation and unwelcome, offensive, abusive, belittling or threatening behaviour directed at another person or a group of people.

It further states:

Managers and employees must take action to address and prevent bullying and harassment.

Behaviour that amounts to bullying or harassment may be an offence under the Occupational Health, Safety and Welfare Act 1986, and, in some circumstances, can also be the subject of criminal and/or disciplinary proceedings.

The Hon. M.D. RANN (Premier): I have not been given evidence of the bullying that the honourable member has referred to, nor any information about such bullying. However, I do take bullying seriously, and I am considering setting up a special 0055 hotline, which I hope the honourable member might, in retirement, help us staff.

ATTORNEY-GENERAL

The Hon. M.J. ATKINSON (Attorney-General): Mr Speaker, I seek leave to make a personal explanation.

Leave granted.

The Hon. M.J. ATKINSON: Earlier in response to an answer from a question from the opposition, I mentioned how many times I had rung the member for Florey. I do not recall ever ringing her electorate office, but the number was three, not two. They were April, July and August.

Mrs HALL (Morialta): Will the Minister for Police inform the house whether the member for Florey did go to the police and have them record issues about the Attorney-General's treatment of her without laying a formal complaint? On Thursday 24 November, the minister made a ministerial statement in relation to allegations that the member for Florey had raised certain members with the South Australia Police. In the statement he said: 'The Anti-Corruption Branch is not aware of any formal complaint being made.'

The Hon. K.O. FOLEY (Minister for Police): I am not quite sure of the purpose of that question. I could not have been any more clear in my statement to the house last week, which was on advice from the Police Commissioner.

Mr Brokenshire interjecting:

The Hon. K.O. FOLEY: Sorry?

Mr Brokenshire interjecting:

The SPEAKER: Order, the member for Mawson!

The Hon. K.O. FOLEY: Unlike members opposite, as police minister, I operate at arm's length on operational matters. Unlike the member for Mawson, I have not received or sought crown law advice as to what powers I have to interfere in the operation of the police. The former police minister wanted to find every possible way that he could interfere and intervene with respect to the operation of the police. I do not do that. The question was asked in this house by the member for Morialta, from memory. As is standard procedure in my office, the question was sent to the police. The Police Commissioner provided me with an answer. That answer was, from memory, that no formal complaint was lodged.

Members interjecting:

The Hon. K.O. FOLEY: If opposition members are trying to turn something into something from nothing, they are making a very poor effort. I would have thought that, if a member of parliament makes a complaint to the police, it is nothing about being informal; that is about as formal a complaint as one can get.

Mr Brokenshire interjecting:

The Hon. K.O. FOLEY: Sorry?

Mr Brokenshire: You know how they can sit there—

The SPEAKER: Order, the member for Mawson!

The Hon. K.O. FOLEY: Sorry, sir. The member for Mawson just said that I know how they can sit there for a day or so.

Mr Brokenshire: Another day.

The Hon. K.O. FOLEY: Another day. Honestly! The Police Commissioner has advised that no complaint was made. I take that as formal or informal, because I cannot envisage a situation where a complaint by a member of parliament against the state's Attorney-General would be nothing but formal. The Commissioner has said that no complaint was lodged. There is only a couple of days to go in this parliament before the next state election, and all we are having is recycled garbage like this. I say to members opposite: if this is the best they can do, God help South Australia come the next election.

Mrs HALL: Sir, I have a supplementary question. My question is again directed to the Minister for Police. Will the minister check this matter with the Anti-Corruption Branch and report back to the house before the end of the week?

The Hon. K.O. FOLEY: Mr Speaker, I will not, because I do not check anything with the Anti-Corruption Branch of the police. I do not go directly to the Anti-Corruption Branch. Unlike this member for Mawson, I do not pick up the

telephone and ring police officers. That is not how I operate. Like every question in this place from a member of parliament, it will be referred to the Police Commissioner for a response. However, I want to reiterate and make the following point very firmly. A question was asked: did the member for Florey lodge with police a complaint against the Attorney-General? The response from the Police Commissioner was no.

NO-CONFIDENCE MOTIONS

The Hon. I.F. EVANS (Deputy Leader of the Opposition): My question is to the Premier. Is it part of the government's agreements with the member for Mount Gambier and the member for Chaffey that the two members are prohibited from supporting any no-confidence motion moved against a government minister?

The Hon. K.O. FOLEY (Deputy Premier): Fair dinkum—this is the quality of questioning, with only two or three days left to go!

The Hon. R.G. KERIN: Sir, I rise on a point of order. I ask that you pull the deputy leader up, because he is constantly dodging the question by just throwing abuse around.

The SPEAKER: The chair cannot compel him to answer.

The Hon. K.O. FOLEY: There is no such agreement.

AGRICULTURE, FOOD AND FISHERIES MINISTER

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: My signed agreement with the government is a public document.

EDUCONNECT

Ms CHAPMAN (Bragg): Is the Minister for Education and Children's Services aware that, despite her statement to the house on 24 November 2005 that 'we have invested \$22.8 million in Educonnect to make sure that every school in our state has the best bandwidth possible,' the system is not reaching many country schools? The opposition is advised that Outback schools, such as Mintabie, Oodnadatta, Coober Pedy, Marree, Yalata, Anangu and Point Pearce cannot get a clear signal because there is no ground station in South Australia; and they rely on a satellite transmission via Newcastle, New South Wales. Further, the modems at each school site are incompatible with the equipment and, as a result, the video conferencing equipment and the smartboards are sitting idle.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): The member for Bragg does find issues with some of our schools. I do not know whether she has visited them all. I admit that I have not visited Point Pearce school. In my visits to all those schools within the past 12 months there have been no complaints, but, if the member has complaints, I am happy to look into them.

Ms CHAPMAN: I have a supplementary question. In relation to those schools, will the minister undertake to ensure that before 2006 they are connected and that they have the service which was promised to them?

The Hon. P.F. Conlon interjecting:

The SPEAKER: The Minister for Transport is out of order.

The Hon. J.D. LOMAX-SMITH: I point out that the assertions of the member for Bragg have not always been accurate, so I will not give any commitments until I get the facts.

Ms CHAPMAN: Will the minister explain how the contract to install the \$22.8 million Educonnect system allowed a ground station in Newcastle, New South Wales, to be used when the tender specifications required the station to be situated in South Australia?

The Hon. J.D. LOMAX-SMITH: My last answer is similar to that which I will give again. I do not always take the assertions of the honourable member at face value, and I will get the facts.

Mr WILLIAMS: That is totally out of order. It is outrageous that this minister, every time she gets to her feet, questions the motives—

The SPEAKER: Order! Does the member for MacKillop have a point of order?

Mr WILLIAMS: Yes, sir, relevance. Every time this minister gets up to answer a question, she questions the motives of the member asking the question.

The SPEAKER: Order! It is a point of order, not a speech. The chair does not tell a minister how to answer the question; it is at the minister's discretion.

Mr WILLIAMS: Sir, notwithstanding that, it is totally out of order for the minister to question the motives—

The SPEAKER: Order! The member is standing when he should be sitting, because he does not have call.

Ms CHAPMAN: I have a supplementary question.

Mr Koutsantonis interjecting:

The SPEAKER: Order, the member for West Torrens!

The Hon. R.G. KERIN: I have a point of order, sir. The member for West Torrens has defied your call several times today. I ask you to call him to order.

The SPEAKER: I warn the member for West Torrens.

Ms CHAPMAN: I have a supplementary question. If, in fact, that is the case in relation to the Educonnect contract, will the minister ensure that this matter is referred to the Auditor-General for investigation in relation to irregularities of that contract?

The Hon. J.D. LOMAX-SMITH: The member for Bragg did preface her comments 'if this is the fact'. If we get a hypothetical we should not give a response which predicts what the truth is. Certainly, it has been said, 'How can that member of parliament have got it so wrong?' That has been said on television about the member for Bragg by Ray Martin: 'How can that member of parliament get it so wrong?'

The SPEAKER: Order! The member for Newland has a point of order.

The Hon. D.C. KOTZ: I rise on a point of order, Mr Speaker. Obviously, the minister is sitting down, but, Mr Speaker, I remind you of standing order 127, which relates to reflections upon an honourable member in this house; and every comment that the Minister for Education has made on the last three questions has done just that.

The SPEAKER: Order! The minister was getting close by suggesting 'taking it at face value', but it is very close.

MATTER OF PRIVILEGE

The Hon. I.F. EVANS (Deputy Leader of the Opposition): Mr Speaker, I rise on a matter of privilege. In question time today I asked the Treasurer the following question:

Is it part of the government's agreement with the member for Mount Gambier and the member for Chaffey that the two members are prohibited from supporting any no-confidence motion moved against the government minister.

The Hon. P.F. Conlon: No, you said 'a minister'. That was your question. Check the *Hansard*—'a minister'.

The SPEAKER: The Minister for Transport will come to order.

Members interjecting:

The SPEAKER: Order! The deputy leader will take a seat. The house will come to order first. A matter of privilege is a very serious matter. The deputy leader has the call. The chair will determine whether or not there is any basis.

The Hon. I.F. EVANS: Clause 5(3) of the agreement between the government and the member for Chaffey states:

... that the minister agrees that, for so long as the minister is to remain a minister of the Rann government, the minister will support the government in relation to any confidence motion in the South Australian House of Assembly.

That agreement states 'any confidence motion'. The Treasurer says that no such agreement applies—

The SPEAKER: Order! It is not a matter for debate. The deputy leader is raising a matter of privilege, and it is not a matter for debate. If that is the point that the deputy leader wishes to make, the chair will consider the matter and report back as soon as possible. The member for Heysen.

CRIMINAL COURT DELAYS

Mrs REDMOND (Heysen): My question is to the Attorney-General. Are the delays in the criminal courts a matter of concern to the government, and what steps has the Attorney-General taken to address them? The front page of today's *Advertiser* carries a report of the comments made by the Chief Justice in relation to delays in the criminal jurisdiction of the Supreme and District courts. The Chief Justice made similar comments when he gave evidence to this year's estimates committee in June.

The Hon. M.J. ATKINSON (Attorney-General): Well, at last. Here is the question that should have been No. 1 in question time today—one that may even affect the public! I am pleased to answer this question, and the answer is that, first, the Chief Justice told me some months ago that he was appointing Kym Kelly and Bill Cossey (both recently retired public servants) to look at the reason for increasing delay in the handling of indictable matters in the District Court and the Supreme Court. We are not talking here about the court that affects most South Australians, that is, the Magistrates Court, which handles more than 90 per cent of matters and which is chugging along pretty well.

The Hon. R.G. Kerin interjecting:

The Hon. M.J. ATKINSON: Yes, it has had its issues; quite so. So, as far as the public is concerned, the Magistrates Court is working well, and that is the court that affects most South Australians. It is true that criminal cases in the District Court and the Supreme Court are taking longer to finish than they were two years ago. That is quite true. Kym Kelly and Bill Cossey have investigated that very matter and reported. Now, I got their report only late morning today, so I have not had a chance to read it.

The Hon. D.C. Kotz interjecting:

The SPEAKER: The member for Newland is out of order!

The Hon. M.J. ATKINSON: However, their conclusion has been read to me, and their conclusion is that it has difficulties with the preparation of cases by the Office of the DPP, the police and the Legal Services Commission. That is the conclusion. It is not a party-political question that the member for Heysen makes it out to be: it is a question of administration and process, and the Chief Justice suspected that, indeed, that is what it was. Yes, we could probably do with a few more courtrooms, and guess what: there is a magnificent suite of new courtrooms being built at Angas Street, which all of us probably see each day we come into the central business district. One floor of that building is devoted entirely to the High Court. The High Court will come to Adelaide one week a year, so for 51 weeks a year those courtrooms will not be used—

Mrs REDMOND: On a point of order, standing order 98, the relevance of this to the question that was asked—

The SPEAKER: I am interested to hear what the Attorney has to say, but I guess he is linking it to accommodation.

The Hon. M.J. ATKINSON: Indeed. I am spot on line and length, because one point that was made in this report was that we could do with more courtrooms. I have asked the Hon. Philip Maxwell Ruddock whether I may lease, at a commercial rate, some courtrooms in that building. Do members know what his answer is? ‘No.’

PETROL CRISIS

Mr VENNING (Schubert): Will the Premier finally act to ease the petrol crisis engulfing this state? It has come to the attention of the opposition that there are at least eight fuel stations without premium unleaded petrol today. Some of these stations are saying that they will not receive any premium unleaded fuel until 16 December.

The Hon. P.F. CONLON (Minister for Transport): It is true that there have been problems at the Kwinana refinery in Western Australia that sources premium unleaded.

Mr Williams interjecting:

The Hon. P.F. CONLON: They were probably laughing at the member for Hartley’s previous remark about how we will not be laughing in March. No, celebrating is what we will be doing, including Grace Portolesi.

The Hon. M.J. Atkinson: Good Calabrian family.

Mr Scalzi interjecting:

The SPEAKER: The member for Hartley has been warned several times.

Mr SCALZI: I ask the Attorney-General to withdraw his remark about a good Calabrian family. As Minister for Multicultural Affairs he should watch how he does that.

The SPEAKER: Order! I did not hear the interjection. If the honourable member takes offence, I ask whoever made the remark to withdraw.

The Hon. M.J. ATKINSON: I have visited Reggio Calabria and much of Calabria, and they are all good families.

The Hon. P.F. CONLON: We will be sorry to see Joe go. He is an ornament to the place. More of a hood ornament than anything else, but an ornament nonetheless.

The Hon. R.G. KERIN: As a point of order, standing order 98 deals with relevance. The question was to do with the serious situation with fuel.

The SPEAKER: Order! The leader does not need to outline it. The minister needs to answer the question or else take his seat.

The Hon. P.F. CONLON: There have been problems. In fact, if I were not in this place, I have my energy staff coming over at 3.30 to give a further briefing on the availability of fuel. There have been issues at the Kwinana refinery, which supplies premium unleaded. We have been talking to the industry about fuel storage and supplies for the last three months now. I can assure the member for Schubert of one thing: they are stocking up madly on diesel for an expected good harvest, more good news in the state.

Ms Chapman interjecting:

The Hon. P.F. CONLON: Hang on: now ‘Chapman on everything’ is an expert on electricity generation as well. I can inform her and educate her about that later, but the question is not about that. Goodness me, she ought to write a book: *Bragg on everything*. We do take seriously the issue of reliability of petrol supply. It is deeply frustrating that there is more than adequate supply in South Australia but we believe the practices of oil companies in maximising their returns are not necessarily the best way to manage that supply.

It is also frustrating, I am sure, that some service stations, or some particular companies, have premium unleaded fuel while others do not. I suggest those who wish to buy premium unleaded should change from their regular supplier and go to a different service station, because competition should work in that industry at some point, even though it does not seem to.

I have been amazed at how certain oil companies are happy to allow their retailers to stock out rather than take better commercial decisions, but that is what they do. I am continuing to work with them. I am doing exactly what has been suggested by the Leader of the Opposition, namely, that we should work with the oil companies rather than seek to regulate them. I am going to have a further meeting with oil companies very soon. It is frustrating when individual retailers (individual service stations) are not supplied by oil companies. It is bad for their business, and I think it is particularly uncaring of the oil company.

But, let me advise the house that there is more than adequate storage at Birkenhead for fuel. There have been difficulties at Kwinana, which is the refinery that supplies premium unleaded to some of them. I am getting a further report at 3.30 p.m. today and, hopefully, I can provide the member for Schubert with more information tomorrow.

HEALTH SERVICE, INNER SOUTH

Mr HANNA (Mitchell): My question is to the Minister for Health. When will the government be in a position to announce new premises for the Inner Southern Community Health Centre on the domain at Marion?

The Hon. J.D. HILL (Minister for Health): I wish I could answer that question for the member off the cuff, but I would be happy to get a report for him.

PERPETUAL LEASES, RIVERLAND

The SPEAKER: I call the member for Stuart.

Members interjecting:

Ms Breuer: We’re going to miss you, Gunny.

The Hon. G.M. GUNN (Stuart): The honourable member interjected. She wants to enjoy it, too. Tina Wakelin is right after you, but I do not want to be diverted. My question is to the Minister for Environment and Conservation. Will he ensure that his officers, and those administering the freeholding arrangements, treat people in the Riverland—in particular, those in the Hunter to Cadell region—more reasonably and allow them to freehold their blocks without causing them great cost and inconvenience? It has been explained to me that people who have perpetual leases with old irrigation channels running through them are required to purchase this land at up to \$5 000 per hectare. They also have to pay the survey cost and other charges. These are particular problems which also affect the member for Chaffey and other members who are involved in the Riverland. This matter was brought to my attention during a meeting I attended on Friday at Cadell. These people will not be able, nor are they willing, to freehold their blocks under the current arrangements. Therefore, I ask the minister to take a more flexible approach.

The Hon. J.D. HILL (Minister for Environment and Conservation): I thank the member for his question. I have had conversations with the local member, the member for Chaffey, about this issue as well. The government is attempting to be as flexible as it can be in relation to allowing the freeholding of perpetual lease properties. In fact, it is our policy position that we would like to see all those perpetual lease properties in the agricultural zone at least freeholded as quickly and smoothly as we can.

The Hon. G.M. Gunn: And the transition zone, too.

The Hon. J.D. HILL: And the transition zone in some regards. We are working through that process, and I could give the member an update, but we have freeholded thousands and thousands of properties altogether. A huge number of people have taken up the offer—90 per cent plus, from memory. In some areas there are some difficulties. The extent of my flexibility is constrained by the law and the arrangements put in place across government about the requirement to properly put boundaries in place and—

An honourable member: Survey.

The Hon. J.D. HILL: Thank you; I am constrained by the requirement to properly survey the properties and, of course, to make sure that the proper price for land is paid in all circumstances. We are trying to be as flexible as possible. I have said to the member for the Riverland that if there are issues of hardship I would be happy to take them up on a case by case basis. I say the same to the member for Stuart. If he knows of individual cases where there is hardship, obviously we will have a look at them. But in most cases it is going smoothly. We have set up a hardship fund to give extra assistance to people who are in difficult circumstances or have problematic sets of leases, so we are trying to be as reasonable as possible to get the outcome—and he would agree that it is the right outcome—which is the freeholding of leases. We are not trying to make it difficult for people; we are trying to make it as easy as is possible, but we have to do it within the bounds of law.

POLICE INQUIRY

The Hon. W.A. MATTHEW (Bright): My question is to the Minister for Police. Who will conduct the inquiry into whether any serving police officer should be subjected to disciplinary action as a result of the Coober Pedy random breath testing station incident in July 2001 that has become of public note in recent days? As the minister would be

aware, despite two internal investigations, a Police Complaints Authority review and a Commissioner's reinvestigation, the Commissioner has now announced yet another inquiry, taking the number of inquiries to four.

The Hon. K.O. FOLEY (Minister for Police): As I said earlier today, I will refer that matter to the Commissioner of Police for him to provide me with an answer. That incident occurred in 2001 and we were not in government. The Police Commissioner, as he has always done, has acted very diligently, as I alluded to earlier today in my opening statement to the house about a matter. The police have literally bent over backwards to investigate, at a substantial cost to the taxpayer, erroneous allegations made in this house and publicly some years ago.

The Commissioner of Police did ensure that further reinvestigations of matters occurred in relation to this particular issue, the Baldino issue—which is, I assume, the one the honourable member is referring to—and the Commissioner wrote to the people involved and offered an apology, from memory, and accepted that errors were made in that particular incident. We can do no more than expect of our Police Commissioner the highest standard in the administration of his force. In this case he has my full confidence, as he does on all matters. He has given me no reason to doubt or not to have confidence in him.

I was extremely concerned about the comments on the weekend of the Hon. Angus Redford in another place. As they were reported, from memory, they were critical of the way in which the Police Commissioner undertook that particular investigation. I will refer this question to the Police Commissioner. As I have said, I have no reason to have anything but total confidence in the way he has handled this matter.

MATTER OF PRIVILEGE

The Hon. I.P. LEWIS (Hammond): During the last hour in the gallery the member for Unley approached one of the members of my staff and threatened him by saying that, if I said anything adverse in the relationships bill, the debate of which is pending on the *Notice Paper*, he would reveal details which he had of liaisons or—whatever he is referring to is not clear to me—dalliances with mistresses that were paid for at taxpayers' expense. That is a matter of privilege and I invite you to examine it and determine what should be done about it. I invite the member for Unley to bring forward forthwith any evidence he claims to have, so that I may take proceedings forthwith for defamation.

Members interjecting:

The SPEAKER: The chair will look at the matter and any material the member for Hammond or the member for Unley have will be looked at. The question is that the house note grievances.

Mr WILLIAMS: I will quote the complete extract from the statutory declaration given to the opposition.

Members interjecting:

The SPEAKER: Order! The house will come to order. The member for MacKillop will resume his seat.

MINISTERIAL AGREEMENT

The Hon. K.A. MAYWALD (Minister for the River Murray): I seek leave to make a personal explanation.

Leave granted.

The Hon. K.A. MAYWALD: During question time the Deputy Leader of the Opposition referred to an agreement that I have with the government with respect to the arrangements that I have to be a cabinet minister. The question that he asked related to whether it is part of the government's agreements with the members for Mount Gambier and Chaffey that the two members are prohibited from supporting any no-confidence motion moved against a government minister. He quoted specifically from a certain section of the agreement without referring to all matters in the agreement, and I would like to place on the record the context of the agreement. There is a number of clauses within the agreement, and I refer specifically to clause 5.2. This agreement is also available publicly. It states:

- 5.2 The Minister is not obliged to support the Government in the Parliament nor to vote with the Government in relation to:
- 5.2.1 matters about which she has absented herself from Cabinet; or
- 5.2.2 votes concerning Issues about which she has given notice to the Premier (unless she has voted in cabinet in relation to that Issue).
- 5.3 Notwithstanding clauses 3 and 5 of this Agreement, the Minister agrees that for so long as the Minister shall remain a Minister in the Rann Government, the Minister will support the Government in relation to any 'confidence' motion in the South Australian House of Assembly.

The context of that quote from the deputy leader was incorrect in that it did not put in context the entire intent of the agreement.

Ms CHAPMAN: Can the minister table a copy of the document that she is quoting from?

Members interjecting:

The SPEAKER: Order! It will be tabled.

MATTER OF PRIVILEGE

Mr BRINDAL (Unley): Mr Speaker, a few minutes ago, the member for Hammond raised some allegations. He raised them quite publicly in this house. Is it necessary that I refute them publicly in this house or would you rather that I talk to you privately? Basically, I want to assure the house that I did not try to coerce any vote. I spoke to somebody about matters that had been raised with me that I might canvass in the course of the debate, but there was no might, if, or anything. They were matters that I might canvass in the course of the debate, and that is my right. It is also my duty to inform another member if I am going to say something about them, which I did. That is all.

The SPEAKER: The chair has already indicated that I will have a look at the matter and report back. I make the point, and it is well documented in all the references to parliament, that members should refrain from provoking other members or engaging in conduct which brings other members into conflict or brings the house into disrepute.

GRIEVANCE DEBATE

ATTORNEY-GENERAL

Mr WILLIAMS (MacKillop): I will quote the complete extract from the statutory declaration given to the opposition by a citizen who was first traumatised by a road rage incident, and then traumatised by the Attorney-General, before making some comments about the Attorney-General's behaviour. It reads:

Late on the morning of 30 August 2005 I phoned the Leon Byner program on 5AA to express my ongoing frustration following a road rage incident in which I was the victim. I briefly told Leon Byner the details of the incident and that I had received a speeding fine as a result of being chased through a red light camera and that on writing to the Police Commissioner had that fine withdrawn. My issue was that the other driver had been charged with endangering life and driving without due care but I could not get information regarding where the case against that driver was going. Byner suggested that I contact a Member of Parliament and I said that I had given the report numbers to Michael Atkinson in January but had no response to the state of the charges. That evening between 5.20 and 6 p.m. I received a phone call from Michael Atkinson. He said that I had made defamatory remarks about him on radio that day. He also told me to be careful what I said as our conversation was being recorded and that he would have a record of everything. I said that is fine. Michael Atkinson told me that I would have to go on 5AA the next morning and retract any statements I had made in regards to him, Michael Atkinson. I asked why I needed to do that. He told me that if I didn't go on radio first thing the next morning, he would have his solicitors issue a suit for damages against me—he reiterated that the conversation was being taped. The conversation caused me significant anxiety. I did not want to be involved in a law suit against the Attorney-General. I am a pensioner who has had two triple bypass operations and I agreed to his demand. The next morning I phoned Leon Byner on air and said, 'I'd like to retract anything I said about Michael Atkinson from yesterday.' This incident has had a significant impact on my life and my family, every time our phone rings when we are away from home and no message is left by the caller, my wife is scared that it is the Attorney-General calling again.

I would put to the house that when a man is bullied in his own home by someone whom he knows as being in a powerful position and the effect of that action is lasting and debilitating, that action is akin to terrorism. In talking to this victim, I am left in no doubt that he and his family have been traumatised and that they live in continual fear. What kind of sick person would carry out such intimidating actions? As members of parliament—

The Hon. M.J. ATKINSON: Mr Speaker, I rise on a point of order. The member for MacKillop has clearly made the innuendo that I am a sick person, and I ask him to withdraw it.

The SPEAKER: The chair was distracted for a minute. If the member said that, he should withdraw it.

Mr WILLIAMS: Mr Speaker, I said, 'What kind of sick person would carry out this sort of action?' If the Attorney-General takes offence to that, I withdraw. As members of parliament, notwithstanding that, in the main, we see ourselves as ordinary men and women, we are held in awe by many ordinary citizens and we are seen as very powerful figures. To take advantage of this situation, to say the least, is unbecoming. When the perpetrator of such behaviour is the chief law officer of the state, I contend that the behaviour is totally unacceptable and undermines the public's confidence in our legal system and the rule of law in this state.

The Hon. M.J. ATKINSON: Mr Speaker, I rise on a point of order. The member for MacKillop has accused me of being a perpetrator, which is to imply that I have committed an offence; or it could be linking up with his earlier

allegation that I am guilty of terrorism. I ask him to withdraw both imputations. If he wishes to make them, he may make them by way of substantive motion.

The SPEAKER: The member for MacKillop should withdraw those imputations to which the Attorney has taken offence.

Mr WILLIAMS: I withdraw, if there is any imputation. I am merely posing some questions, sir. I still believe that the behaviour is totally unacceptable and undermines the public's confidence in our legal system and the rule of law in this state. If I thought that this was an isolated incident, I would be willing to forgive it as an error of judgment, albeit a very serious or gross error—nevertheless an aberration. However, it has come to my attention that this is not a one-off case. This is not a once only error of judgment. This is something which seems to be happening in a serial fashion.

The Hon. M.J. Atkinson: And the other instance?

Mr WILLIAMS: Last Tuesday; look at the *Hansard* from last Tuesday.

The Hon. M.J. Atkinson: And?

Mr WILLIAMS: My opinions on many political questions differ greatly from the Premier's and his team. I accept that and expect that that situation will remain. However, I cannot imagine that the Premier and his colleagues can confuse or fail to grasp the difference between policy positions, honest and open political debate and indefensible and reprehensible behaviour. I believe that the Attorney's behaviour in this instance is indefensible and reprehensible. He has used his position—

The Hon. M.J. Atkinson: Mr Speaker, I rise on a point of order. If the member for MacKillop wishes to attribute to me reprehensible conduct, he should do so by substantive motion.

The SPEAKER: That is the practice and the rule of the house. If the member for MacKillop is alleging that, he should do so by way of substantive motion.

Mr WILLIAMS: Mr Speaker, I said that it is my opinion that this behaviour is indefensible and reprehensible. That is my opinion. This is a debate and the Attorney-General will have his turn to rebut in a moment.

The Hon. M.J. Atkinson: Mr Speaker, I rise on a further point of order. The member for MacKillop is free to make that point about another member of the house, but he should do so by substantive motion.

The SPEAKER: Yes.

The Hon. Dean Brown interjecting:

The SPEAKER: That is the practice and the rules of the house. The member for MacKillop must withdraw that and do it by way of substantive motion, if he wants to pursue that matter. Members have to be very careful not to use the grievance debate or any other time as an opportunity to impugn motives to or damage the reputation of another member.

The Hon. Dean Brown interjecting:

The SPEAKER: The member for Finnis should know above anyone else not to speak over the chair. I am told that the ruling has been given many times in 26 years. The member for MacKillop needs to withdraw that, and deal with it, if he wishes to pursue it, by substantive motion.

Mr WILLIAMS: I find it curious that I have to withdraw my opinions, but if that is what you call for, I will, sir.

The Hon. M.J. Atkinson: Well do it.

Mr WILLIAMS: I will; I withdraw.

The Hon. M.J. Atkinson: Thank you.

The SPEAKER: An opinion can still breach the standing orders and the practice of the house.

Mr WILLIAMS: These actions have dramatically impacted on the enjoyment of the daily lives of this man, his wife and their whole family. I remind the house that this is not a one-off incident. I have told this man that he can ring me at any time if he is continually harassed. It is time that the Premier applied the standards that he espouses in his law and order crusade to his own team. How can the Premier seriously expect to get away with his law and order rhetoric if he is prepared to condone this Attorney-General and his serial bullying and reprehensible behaviour?

The Hon. W.A. Matthew interjecting:

The Hon. M.J. Atkinson: Sir, I rise on a point of order. The member for Bright just referred to me audibly as a thug.

The Hon. W.A. Matthew: Indeed, I did.

The Hon. M.J. Atkinson: And he has conceded that he did.

The SPEAKER: The member for Bright must withdraw that remark. He cannot refer to another member with that—

The Hon. W.A. Matthew: Well, sir—

The SPEAKER: No, there is no equivocation.

The Hon. W.A. Matthew: Well, sir, the truth is it—

The SPEAKER: Order!

The Hon. W.A. Matthew: I withdraw.

The SPEAKER: Members cannot get up and try to justify their case. It is not a question of debate. Members cannot refer to another member in that term.

The Hon. M.J. Atkinson: I further ask the member for MacKillop to withdraw the last line of his speech, which was also a breach of standing orders.

The SPEAKER: Yes, I was about to bring the member for MacKillop to account. A member cannot accuse someone of being a serial bully—and I forget the other word that was used. The member for MacKillop needs to withdraw that remark.

Mr WILLIAMS: Mr Speaker, in deference to your ruling, notwithstanding that I find it quite curious that the rules seem to have changed dramatically during the period of my grievance, I will withdraw.

The SPEAKER: Order! The chair makes the point that the rules have not changed. It has not ever been the practice in here that a member can get up and say what they like about another member. It is against the standing orders, and it is against the practice of the house. The reason for it is—

Mrs Hall interjecting:

The SPEAKER: The member for Morialta will be named if she speaks over the chair. The reason for it is to stop the house degenerating into something that the public would not want to know about, degenerating into a gross disturbance. We cannot have members getting up here and even giving their opinion that someone is a liar, someone is a bully or someone is a paedophile. Members cannot do it. It is against the standing orders.

NO-CONFIDENCE MOTIONS

The Hon. K.O. FOLEY (Treasurer): Sir, I seek leave to make a personal explanation.

Leave granted.

The Hon. K.O. FOLEY: Earlier today the member for Davenport asked me a question as to whether the two Independent members are prohibited from supporting any no-confidence motion moved against a government minister. In

response I said no, as that was my recollection of our agreement. I have since read our agreement, and I still believe my answer to be correct. In that agreement it says quite clearly:

- 5.2 The minister is not obliged to support the Government in the Parliament nor to vote with the Government in relation to:
- 5.2.1 matters about which she has absented herself from Cabinet; or
- 5.2.2 votes concerning Issues about which she [he or she, that would be] has given notice to the Premier (unless she has voted in Cabinet in relation to that Issue).
- 5.3 Notwithstanding clauses 3 and 5 of this Agreement, the Minister agrees that for so long as the Minister shall remain a Minister in the Rann Government, the Minister will support the Government in relation to any 'confidence' motion in the South Australian House of Assembly.

Clearly, my understanding of the word 'confidence' there is in relation to the confidence of the government, not a particular minister. As I said, clause 5.2.2 clearly indicates that, should either Independent minister give advice to the Premier that they wish to take a particular course of action, unless it is a cabinet vote, they are able to do so. From my interpretation and understanding of that agreement, there is no prohibition with respect to an Independent member should they wish to vote against any of us as cabinet ministers.

ELIZABETH, 50TH ANNIVERSARY

Mr O'BRIEN (Napier): Earlier this month, Elizabeth celebrated its 50th anniversary. On 9 November 1955, the first residents of Elizabeth new town moved into their new homes. As the member for Napier (which covers a great deal of Elizabeth), I feel that it falls upon me to say a few words to mark this historic occasion. The genesis for Elizabeth is to be found in the British new town movement in Thomas Playford's plan for the industrialisation of South Australia and in the dynamism of the South Australian Housing Trust. It is generally agreed that South Australia suffered more than any other state during the Great Depression because of our dependence on primary industry. A broad consensus at the time was that South Australia needed to develop a more diversified industrial economy. It was Playford's plan that the new town of Elizabeth would be a city of industry and one of the generators of the South Australian economy.

So rapid and successful was Playford's plan of industrialisation that South Australia went from the mainland state with proportionally the lowest number of factory workers to the one with the second highest number. Much of this success was due to Elizabeth. Plentiful work, modern accommodation and exceptional recreational and sporting facilities provided an enviable lifestyle for the residents of Elizabeth.

In the following decades, however, life for many in Elizabeth would not be as prosperous as had been planned. General Motors-Holden hit troubled times in the 1980s and nearly 8 000 workers were laid off. This had a domino effect, and for many years it was believed that there would be no future for manufacturing industry in South Australia. The reputation of Elizabeth and the northern suburbs suffered greatly. Indeed, Elizabeth had become one of the most depressed areas in Australia. It was commonly thought that the area had become an industrial rust belt, a waste land that would never recover. However, the cycle has turned full circle. The confidence and optimism, which the first residents

brought with them 50 years ago, has returned. Playford's plan of industrialisation survived.

As the air warfare destroyer contract proves beyond any doubt, there is a future for manufacturing in South Australia. Today, manufacturing industry accounts for 14.2 per cent of gross state product, 12.2 per cent of total employment and 62 per cent of total exports; and about 70 per cent of South Australia's manufacturing capacity is based in northern Adelaide. Given the proximity of the air warfare destroyer site at Osborne and the large number of defence companies already based in the north, the youngsters of the northern region today have a brilliant opportunity and a brilliant future.

Aside from the air warfare destroyer contract, there are increasing employment opportunities in Elizabeth, with about 20 new companies setting up in Edinburgh Parks and Elizabeth West in order to supply the components for Holden's new Commodore. Also, at The Parks, Coles Myer is building its largest distribution warehouse in the Southern Hemisphere.

The new-found optimism in Elizabeth can be found in many aspects of life. The Bulldogs have been dominating the SANFL competition, winning five of the last six premierships. This is a remarkable run of sustained successes, matched by very few sports clubs anywhere in the world. The redeveloped Elizabeth Shopping Centre and entertainment district is the equal to any in South Australia. The four-laned \$300 million northern expressway is taking shape—a road that promises to cut travelling times to the city and Port Adelaide by 20 minutes; and exporters in the northern region are taking advantage of the new roads feeding into the Port and the improved road, rail and port facilities there.

Thomas Playford would be pleased to see that Elizabeth is continuing to meet its historic objectives as a driver of economic growth in this state through industrial production. This 50th anniversary of Elizabeth represents the perfect time for reflection on a proud, if at times troubled, past. It also provides the perfect opportunity to look forward with a renewed sense of pride and confidence. I feel privileged to be part of this process at this time, and I say happy 50th birthday Elizabeth and bring on the next 50 years.

RIVERLAND BUSINESSES

The Hon. G.M. GUNN (Stuart): The first matter I want to raise this afternoon in this grievance debate is what appears to be a foregone conclusion in relation to the future of the President of the other place, the Hon. Ron Roberts. It appears that he has been tapped on the shoulder and will be pushed aside; and the Labor Party will turn its back on regional and rural South Australia and replace the only Labor member of the Legislative Council who lives outside Adelaide with someone who is based in Adelaide. Some of them are claiming, 'We now have new Labor,' or 'country Labor'. What they will do is get rid of the only one who lives outside Adelaide and replace him with a city-based person whose main attribute was authorising poison-penned articles about members on this side.

I want to raise this issue, because this facade is put out about the good guys in the Labor Party and what they want to do for South Australia. We have already seen how little regard they have got for rural industries. I link those remarks by saying that I received an email from the people who run Riverfresh at Cadell. They are now being called upon to make a substantial repayment to the government for funds which they thought would be a grant to assist them to employ

people. This small company, which is in my constituency, employs 60 people. I want to quote what they said to me. Their email states:

The South Australian Government Financing Authority billed us with \$50 000 several months ago which resulted in us advising them that we were in no position to repay. . . In discussion with. . . SAFA who was doing the 'leg work' she advised us that there were lots of other companies involved and that the government were probably remiss inferring that the grant/loan not be repaid. At this meeting we undertook to discuss at our directors meeting and reply to them.

The email further explains:

At this meeting a government official [and I will not quote his name] said that the government were more interested in the big ticket items—warships, etc., and that they had 500 coys, etc., in a similar position to ourselves.

I am sure that the member for Chaffey is aware of what is going on. I call upon the Treasurer and other ministers to have a more conciliatory approach. In the past, many of these so-called loans were actually grants, which allowed these small companies to continue to operate. My constituents want to continue to provide an excellent base for employment. It is an export industry, and it is doing a good job. This particular section of the Riverland needs this company to be supported, encouraged and assisted. This is the second case today that I have had to raise. I am concerned about the whole process of the freeholding of these blocks in the Riverland—

The Hon. K.A. Maywald interjecting:

The Hon. G.M. GUNN: And across the state. Obviously, the minister has not been briefed because, in the past, where blocks have been freehold, a number of these irrigation channels have been incorporated into the lease at no cost. There is no reason why that process should not continue. It is difficult enough for these people growing citrus to make a decent living. These bits of land, really, are of no value to them. If the government wants to clear up these left-overs of the 1920s, it should do so without wanting to dip its hands in the pockets of these people in an unreasonable manner.

It will cost a lot of money just to have the surveys completed. If anyone took the trouble to look for themselves, they would see that what we are talking about is a nonsense. I went up there. I made an approach to the minister, and the people in question contacted some of my constituents. I say to the senior bureaucrats, 'Sit down with these people.' I say to the minister, 'Give them an instruction to do what they have done in the past, and do not dip your hand in their pockets.' That is important, because that is what appears has happened.

This is important, and these people should be given certainty. They should not have to go through this process, which is stressful, and, under the current arrangements, there is no way that they will agree to freehold.

Time expired.

NOARLUNGA VOLUNTEER TRANSPORT SERVICE

Ms THOMPSON (Reynell): I rise today to thank the Noarlunga Volunteer Transport Service, and all other services, that support and assist the frail and elderly in our community. Last week (I think it was), I was able to attend the annual general meeting of the Volunteer Transport Service, and I learnt that in 2004-05 that service carried 6 872 clients over 134 998 kilometres in 9 890 trips. This is a lot of support to a lot of people.

Organising all these trips took an average of 118 calls per week to the office of the Noarlunga Volunteer Transport

Service. Unfortunately, some people had to cancel, and there were about 15 cancellation calls a week. That is a lot of work undertaken by 80 volunteers who contributed 15 267 volunteer hours in 2004-05, and that is just one of the services that contributes to our community. The Noarlunga Volunteer Transport Service is very well organised by Jayne Delmore, who has excellent records that show just what volunteers do in our community, and I know that this is reflected in many other organisations that assist the frail and the elderly: Meals on Wheels, some of the services that assist people with tasks at home, and also the many services that provide companionship and recreation for people in the community who no longer have the social support and contacts that they used to have.

Getting back to the Noarlunga Volunteer Transport Service, one of its important initiatives has been a shopping companion service, which assists people to maintain independence in their home by taking them out to do their regular shopping. The Noarlunga Volunteer Transport Service constantly searches for gaps that need filling in the service it provides to elderly and frail citizens in our community. It is courageous in the way that it approaches funding sources and very creative in how it finds funds. One of the areas is to work directly with the Noarlunga Hospital, using a hospital vehicle to take people to medical appointments. I want to express my particular thanks to Les Page, who is retiring this year as chairperson after five years in that job but also after 16 years as a volunteer to the service.

Les is a wonderful example of someone who needed the service when he was undergoing a particularly bad health crisis in his life but who, when he had recovered, decided that he wanted to repay the service he had benefited from by giving so many years of excellent service. I wish Les and his partner well as they undertake some much-anticipated travel around Australia. I also want to congratulate Jayne Delmore, the manager, who is persistent in the way she serves that community. The annual report of the service indicates the type of activity undertaken by so many services these days, where volunteers provide a really professional training with many policies, training programs etc, to make sure that both the volunteers and their clients are safe.

The transport volunteers have undertaken first aid training, manual handling training, and next year they will be doing driver awareness and vehicle training projects. I have named some of the services that also support the aged in our community, and I want to name particularly Wakefield and Elizabeth Houses for the work they do with frail and aged. The value of this work was brought home to me a couple of weeks ago when I held my annual seniors singalong, and one of the people that my volunteers went to pick up told her that this was the first time he had been to a social function in six months.

Time expired.

EDUCATION, GOVERNMENT ACHIEVEMENTS

Mr SCALZI (Hartley): Today I wish to bring to the attention of the house a recent Premier Rann mail-out, again graced with the Premier's photograph, trumpeting Labor's achievements in education, including the recent teachers' enterprise bargaining agreement and, of course, the Premier's Reading Challenge. I was at the Premier's Reading Challenge to see students read more. It is a great thing. I commend the teachers, staff, parents and students who have taken this up,

but I think there should be greater emphasis on the students and less on photo opportunities.

Having said that, I must also say that some good outcomes have resulted. Other issues notably include the neglect of school capital works over the life of this government and the burgeoning administrative staff in the education sector, which were not mentioned. Under this government, schools capital works budgets have been halved from \$97.4 million under the last Liberal budget to only \$47.6 million in the last Labor budget.

The public know that signage and the badging of our schools with state logos and paint is no substitute for the adequate funding of schools maintenance and capital works. The backlog has been estimated at between \$250 million and \$300 million.

The letter goes on to proclaim other achievements, including, 'In your local area more than \$650 000 has been invested in improving schools including new floors, paint and repairs at Norwood Morialta High School and a new school hall at East Torrens Primary School.' I note that a lot of the work that has been done in some sections of Norwood Morialta was to remove asbestos and maintenance that had to be done in backlog. That school still is not getting what it was promised when it was amalgamated, with the problem of having two sites.

However, the East Torrens Primary School is really an example of how this government paints a rosy picture when the truth tells otherwise. Parents at these schools know that they have actually received less, not more. East Torrens Primary School is a case in point. The multipurpose school hall/gym was pledged under the Liberal government, and after much delay under Labor it was finally built this year. Rather than being a gift of the government, it has been brought to fruition by the school community at the cost of some \$500 000, which comprises a deposit of \$50 000 from the school put aside from Liberal funding for the 2001 amalgamation, approximately \$340 000 on loan under the Capital Works Assistance Scheme and further loan funding of over \$110 000 to be repaid by school council/community at a rate of over \$12 000 a year through fundraising efforts. I commend the parents and staff at East Torrens Primary School for the work they are doing in funding that.

Adding insult to injury, the sale of the former Hectorville Primary School land, finalised last year, netted the government some \$3.65 million which parents have a right to expect will be directed back into the education community of Hartley. Of course, this has not occurred. The Early Learning Centre for the East Torrens Primary School campus was pledged as a condition of the amalgamation and relocation of the Hectorville Kindergarten service, but it has not been honoured. The amalgamation would mean that the resources of the two sites should come together for the benefit of the education community in Hartley. However, that has not occurred. This \$3.65 million could really have gone to the gymnasium, as promised by the previous government. The agreement was that once the sale came through the money should go to the education community. That has been convention for all governments in the past.

Time expired.

COLTON ELECTORATE

Mr CAICA (Colton): This may well be the last time that I am on my feet during this 50th parliament to contribute to the grievance debate. Indeed, it might be the very last time

that I am on my feet with respect to grievances. As we know, we are all up for re-election next year, and I take nothing for granted. I thought what I might do, given that could be the case, is reflect on my time here as a member of parliament and reflect on what a privilege and honour it has been to represent the electorate of Colton, as it is a good time to do that.

I was elected at the last election, as everyone knows, to represent what I think is close to being the centre of the universe and, of course, I am parochial in that regard: it is the seat of Colton that takes in Henley, Henley South, Fulham, Fulham Gardens, a little bit of Lockleys, Grange, Kidman Park, Seaton and Findon. It is a beautiful area. As I said, I am extremely parochial and love that area. It is particularly an honour to be able to represent an area in which I grew up. I know that is not the case for a lot of members of parliament, but I have not moved too far away from the family home. In fact, my electorate office is not more than 50 metres from where I grew up and where I was able to get my first job at the Ramsgate Hotel. Again, that is only 20 or 30 metres from where my office is today.

I look at this chamber and sometimes think in amazement how it is that I actually got to be a member of parliament. As I tell the many, many school students that I bring to Parliament House, you never know what options and opportunities will arise in the future and you should make sure that you do take those opportunities and explore those options and you never know where life will lead you. In this mood of reflection, there are a lot of people that I should thank. I would like to thank the very many workers in Parliament House—too many to mention, but *Hansard*, the Library, the catering staff, the table officers, and all and sundry. Without their assistance I do not think any of us could do our jobs at all effectively. Indeed, I would also like to thank my staff who work at the electorate office of Colton—Bridie, Matt, Cristina and George, and those who went before them. Again, they make my job as an elected member of parliament so much easier.

It is interesting that people think that unless you are sitting in parliament you are not doing your job. We are elected as members of parliament, but we also know that, as is the case with schoolteachers, some people believe that if they are not in the classroom teaching they are not doing their job, or that indeed if you are surgeon and you do not have someone on the slab you are not actually doing your job. But we know there are a great many other responsibilities that encompass the role and responsibility of a member of parliament. As a backbencher the majority of my role and the majority of my good work, I believe, is conducted in my electorate office. I would not be able to conduct that work without the assistance and support I receive from my office staff, and we work very well as a collective.

One of the things I have always wanted to do—and certainly ensured that I became—was to be an accessible and available member of parliament. I have a very good relationship with the electors of Colton, as I have with the schools and the sporting and community groups within my electorate. If there is one thing they will be able to say about me in the future it is that I have always been accessible and available to their needs. Our office is an open house office and it is a 'do drop in' place and we want to make sure that it remains that way.

In the few minutes left I would also like to wish members who are retiring all the very best for their future and, in particular, the member for Goyder, and those who will be

seeking re-election and may not be here next time around because of the will of their electorate. I wish them all the very best, too. As I said, I may well fall into that category. One of the things I particularly enjoyed in my role as a member of parliament has been the Public Works Committee. I think people do appreciate the role of committees and the committee staff, and I wish to thank them, too.

In concluding, can I say that none of us as a member of parliament would be able to do our job properly without the support that we receive from our immediate family, and to that end I thank Annabel, James and Simon for their support and understanding. I know that is the case for all members of parliament, that they need and require the support of their immediate family. I guess that sums it up. The public may well believe that as members of parliament we are going on a holiday, because parliament rises on Thursday. I think the media to a great extent are to blame in this area because they promote it and advertise it as being a particular holiday but, of course, it is not. As I said, all our good work and the majority of my good work goes on in the electorate office. Anyone who thinks that, because parliament rises, we are going on a holiday has rocks in their head.

Time expired.

TERRORISM (POLICE POWERS) BILL

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

- No. 1—Clause 16, page 9, lines 28 to 31—
Clause 16(2)—delete subclause (2)
- No. 2—New clause—
After clause 16 insert:
Division 4A—Constraints on exercise of powers
16A—Constraints on exercise of powers
Powers under this Act must be exercised with care—
(a) to avoid inflicting unnecessary physical harm, humiliation or embarrassment; and
(b) to avoid, as far as reasonably practicable, offending genuinely held cultural values or religious beliefs; and
(c) to avoid causing unnecessary damage to property.
- No. 3—Clause 20, page 11, lines 9 and 10—
Clause 20(1)(b)—delete paragraph (b) and substitute:
(b) if the person seeks an explanation of the reason for the exercise of the power—inform the person that the power is exercised under a special powers authorisation or special area declaration (as the case requires) under this Act.
- No. 4—Clause 21, page 11, lines 16 to 20—
Clause 21(1)—delete subclause (1) and substitute:
(1) If—
(a) a police officer has seized a thing in the exercise of a power under this Act; and
(b) the police officer is satisfied that—
(i) its retention as evidence is not required; and
(ii) it is lawful for the person to have possession of it,
the police officer must, as soon as reasonably practicable, return it to the owner or person who had lawful possession before it was seized.
- No. 5—Clause 27, page 13, line 20—
Clause 27(3)—delete ‘within 6 months after receiving a report’ and substitute:
within 6 sitting days or 3 months after receiving a report, whichever is the shorter period

LOCAL GOVERNMENT (LOCHIEL PARK LANDS) AMENDMENT BILL

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

- No. 1—Clause 4, page 3, lines 20 and 21—
Delete ‘take reasonable steps to’
- No. 2—Clause 4, page 3, line 22—
Delete ‘take reasonable steps to’
- No. 3—Clause 4, page 3, line 27—
Delete ‘between 24 and 30’ and substitute:
36
- No. 4—Clause 4, page 3, line 32—
Delete ‘take reasonable steps to’
- No. 5—Clause 4, page 3, lines 34 and 35—
Delete ‘24 months after practical completion’ and substitute:
the expiration of the period of 36 months referred to in subclause (10)(b)
- No. 6—Clause 4, page 4, lines 1 to 5—
Delete subclause (14) and substitute:
(14) The responsible minister must, before a proclamation is made under subclause (13), consult with the Council.
- No. 7—Clause 4, page 4, line 12—
After ‘must’ insert:
take reasonable steps
- No. 8—Clause 4, page 4, lines 15 to 18—
Delete ‘, subject to any approval, in writing, of the responsible minister for the alteration, replacement or removal of specified infrastructure or facilities or infrastructure or facilities of a specified class’
- No. 9—Clause 4, page 4, lines 27 and 28—
Delete ‘without the approval of the responsible Minister’ and substitute:
except in accordance with the management plan adopted under subclause (18)
- No. 10—Clause 4, page 4, line 38—
Delete ‘2 months’ and substitute:
6 months
- No. 11—Schedule 1, page 6—
Delete the plan appearing above paragraph (c) and substitute:

GUARDIANSHIP AND ADMINISTRATION (MISCELLANEOUS) AMENDMENT BILL

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

- No. 1—Clause 4, page 3, after line 9—
Insert—
(4) Section 3(1), definition of *relative*, (c)—delete paragraph (c) and substitute:
(c) someone (not being a guardian appointed under this Act) who—
(i) if the person is under 18 years of age—acts *in loco parentis* in relation to the person; or
(ii) in any other case—is charged with overseeing the ongoing day-to-day supervision, care and well-being of the person;

ADELAIDE PARK LANDS BILL

Adjourned debate on second reading.
(Continued from 24 November. Page 4156.)

Dr McFETRIDGE (Morphett): I indicate that the opposition will be supporting this bill and that I am the lead speaker. I would like to thank *Hansard* for all their hard work and dedication. I will try and speak slowly for *Hansard* because I do love them all up there; they do such a great job. The Parklands bill is a very important piece of legislation,

and it gives me a great deal of honour to be here to support this piece of legislation. By 'honour' I am not being overly emotive because the Adelaide Parklands are an absolute icon of this state, and a feature of this magnificent city we call Adelaide. The need to protect the Parklands is not new, and in the last Liberal Party policy documents there was a comprehensive document on implementing legislation in some way similar to what the government is promoting here. The government has been sincere in its efforts to protect the Parklands, and we know that there are many South Australians who will be supporting it, and the opposition will be right there with them.

The Parklands bill has been a while in being developed—as should be with a piece of legislation like this that aims to comprehensively protect these magnificent areas of land around Adelaide. It should be thought out, and worked out, and planned and implemented, so that it is not going to have to be changed, and there are not going to be any loopholes, and we are not going to have any undesired consequences. To achieve presentation of a bill to this place that is going to be workable, manageable, and acceptable to the broad areas of interest out there, the government formed a Parklands Management Working Group in 2002, which was given some terms of reference including to:

- Prepare a well-researched draft options paper setting out the issues and options (including management models) for achieving the vision for the Parklands of both the Adelaide City Council and the State Government.

Other terms of reference included:

- To release the options paper for public consultation.
- To recommend a preferred option to the Council and the Minister for Environment and Conservation for endorsement.
- Based on its Terms of Reference, the Working Group developed an Options Paper that researched and proposed a series of improvements to assist in the management of the Parklands and examined three examples of possible structural management arrangements for the future management of the Adelaide Parklands.

I will read from some of the early introduction to the options paper that was put out by the Adelaide Parklands Management Working Group in 2002, to give a little more background information on the precious area of land that it was discussing and trying to develop legislation for:

In January 1837, Colonel William Light, Surveyor-General of the new South Australian Colony, was commissioned to lay out Adelaide, the capital of South Australia. Light surrounded the central city commercial area and the residential area of North Adelaide, with 931 hectares of open space recognised in Light's plan as parklands. Unfortunately there are no recorded statements about the underlying reasons why Colonel Light enclosed his capital city with parklands; only a map with ill-defined external boundaries remains. Precisely what Colonel Light intended for the parklands is difficult to ascertain.

... the following description of the Adelaide Parklands has been adopted:

'the whole of Colonel Light's original parklands, together with the six city squares, and including all contiguous Park Lands managed by the Adelaide City Council and the Government Reserves identified as suitable for return to the Parklands.'

That is the description that is being used by the working party.

This area is externally defined by Greenhill Road, Fullarton Road, Dequetteville Terrace, Hackney Road, Robe Terrace, Fitzroy Terrace, Park Terrace, Port Road and the railway line to the west of West Terrace. Colonel Light's original land area was set aside by the colonial government to be parklands with nine government reserves. These included the Botanic Gardens, the store house, a school,

government domain, guard house, barracks, hospital, cemetery and Immigration Square. Subsequent legislation has resulted in more than 60 government reserves being established within the original parklands. These reserves are for a wide range of institutional uses, including the Art Gallery, Museum, universities, Parliament House, railways, roadways and many other purposes (not necessarily related to the original alienation).

Today the city parklands are made up of two major land tenures. One area is commonly known as the Adelaide Parklands. These are areas of public land which have been set aside and vested by the state government into the care, control and maintenance of the Corporation of the City of Adelaide under the Municipal Corporation Act for the City of Adelaide 1849 and subsequent acts. These areas amount to approximately 74 per cent of Colonel Light's original parklands. That is interesting—74 per cent of Colonel Light's original parklands.

The other area is the government reserves; that is, the parklands that have been set aside by legislation for a particular purpose. Many of these are major state institutions, for example, the Art Gallery, while others are road reserves and reserves for uses such as car parks and road depots. Unfortunately, there has been a history of alienation of some areas of parklands, but there has also been a history of the return of some parklands.

The history of reservation and alienation of parts of Colonel Light's parklands is well documented. The options paper refers to Daly 1987—reference No. 4 for those members who are more interested. For the past 20 years, successive state governments have adopted a policy of returning certain government reserve to parklands. A number of previous reservations have been reverted, including the PosTel Recreation Centre on West Terrace to parklands managed by the Adelaide City Council; the meteorological bureau on the corner of West Terrace and Glover Avenue (now held by the council freehold); and the tramways depot (now part of the Adelaide Botanic Gardens).

Since 1999, three government reserves have had a change of use. These are the construction of the National Wine Centre Australia on land previously managed by the Adelaide Botanic Gardens; the upgrade of the Memorial Drive Tennis Club into the Next Generation Fitness Centre; and the transfer by the commonwealth government of the Torrens Parade Ground and its associated facilities to state government control. In Thebarton, the continued use of SA Water's site (proclaimed as a depot reserve in March 1982) as a depot is still a major concern to the community and Adelaide City Council. In recent years, we have seen a continuing intensification of use for the depot and office facility for SA Water and United Water. However, SA Water has recently agreed that there will be no further buildings constructed on the Thebarton depot site and the parklands.

Current management of the Parklands will all change once this bill has passed this house and the upper house, with some slight amendments. The legislation should not be held up by this house at all. As I said, the opposition is supporting the bill. In relation to the current management of the Parklands, Adelaide City Council has managed the majority of the Adelaide City Parklands on behalf of the people of South Australia since 1852 under the Municipal Corporation Act and subsequent acts. These Parklands are irrevocably classed as community land and can never be sold or disposed of under the Local Government Act. This act establishes the Corporation of the City of Adelaide as the responsible agency

for management of the Parklands, but that will change under this new legislation.

As a responsible authority, the Adelaide City Council is required to set development directions for the overall Adelaide City Parklands. That will change under the new Adelaide Park Lands Authority which is mooted in the bill. The Adelaide City Council is also set to implement management policies for that area for which it is responsible. This is all going to change. Certainly the need to ensure that everyone was consulted was of prime concern for the opposition. I must thank the minister and his staff for their cooperation and in providing copies of submissions that were given to them, obviously with the permission of those who provided the submission. I refer to the City of Adelaide submission in a letter dated 29 September 2005. The first page of the letter says that the Adelaide City Council reiterates its support for the key elements of the bill.

It is very important that the Adelaide City Council has been very deeply involved in the development of this bill. I know from private discussions with members of council, the Lord Mayor and other officers of the council that there is a huge degree of support for the way in which we are moving forward on this particular bill. One important part of the bill is removing the right for the City of Adelaide to take water free of charge from the mains, as well as from the River Torrens, I understand. I refer to section 29, special financial contributions by state government, which provides:

The minister must take reasonable steps to come to an agreement with the Adelaide City Council about the provision to the council of state government funding towards the costs incurred by the council for watering the Adelaide Park Lands.

I have had discussions with the minister and an agreement is being worked on. In the letter from the Adelaide City Council of 29 September to the state government, there is a discussion about the 1 072 628 kilolitres per annum of water that is being used by the city parklands at a cost of about \$1.06 per kilolitre in 2005 value. This means that there is a significant dollar value to the water that has been available to the city council for watering the parklands and the figure they put in this letter is \$1.405 million. The letter says:

The minister indicated in his letter of 15 September 2005 that he was willing to consider an amount in excess of \$1M and council, therefore, looks forward to its request for a minimum payment of \$1.405M being favourably considered.

I understand that about 1.2 million is being considered at the moment. The council did require that there would be indexing of that amount. The letter continues:

Council wishes to ensure that the value of the annual financial payment maintains parity with changes in the value of water over future years. Indexing against either CPI or bulk water (whichever is the greater) is essential to achieve this.

The Adelaide City Council is quite happy with it. The other adjacent council, the City of Norwood, Payneham and St Peters in a letter to the minister in June, said:

that the Local Government Association and the minister be advised that the council raises no objections or concerns to the City of Adelaide (Adelaide Park Lands) Amendment Bill 2005.

Local government has been consulted. I know that the Adelaide Parklands Preservation Association has been consulted. I have had discussions with them. They do have some issues but most of them have been dealt with, although they may not have been agreed with. The general consensus of members of the Adelaide Parklands Preservation Society is that this piece of legislation is a significant improvement on the current arrangements. Some of the major organisations

that have a significant financial investment in and around our Parklands, besides the universities, art galleries and so on, are the ones that we look at all the time. In fact, I watched the last few moments of the cricket when Australia beat the West Indies on that magnificent oval, the Adelaide Oval.

The Hon. J.D. Hill: What was the score?

Dr McFETRIDGE: I cannot remember. I think they had 182 to win, and they were three for 183, minister. However, while SACA (South Australian Cricket Association) supports the general intent of the legislation, it has some concerns, which will not hold up the legislation but which I will voice in here. As I said, the association has a significant financial interest in and around the Adelaide Oval. As a result of the significant investment contributed by the association, reassurance is sought with respect to the following areas: firstly, continuing of the existing lease; secondly, retention of the right to maintain and develop Adelaide Oval; and, thirdly, the provision of input into the management of the Torrens Precinct Management Plan. From my reading of the interpretation of the legislation, I do not see any issues that cannot be met in those respects.

It is interesting to note in the SACA submission that, from 1993 to 2002, approximately 2 675 000 people have attended various events at Adelaide Oval, including international cricket, SANFL football, rugby league, various concerts from Michael Jackson to Elton John and the Rumba concert in December 2002 (I am sorry I missed that concert). The future for Adelaide Oval is bright, and it is very important that SACA be allowed to go on with some degree of certainty, and continuing with the existing lease is one of its concerns. The current landlord is the Adelaide City Council, and the lease sets out a portion of land within the Northern Parklands containing 6.27 hectares. In SACA's submission it points out the following:

Due to the investment within Adelaide Oval over the last 132 years [so, it has a long history], the South Australian Cricket Association requires reassurance that in the event of a change in the management of Adelaide's Parklands, the current lease will continue with its existing form associated with a reasonable expectation for renewal upon expiry.

I do not envisage that any government of any political persuasion would want to get in the way of ensuring that Adelaide Oval retains its iconic status.

The other fantastic event which takes place in the East Parklands, and which was mentioned by the Deputy Premier today, is the V8 races. A lot has been said about the history of car racing in the Parklands, and I know that some members of this side (not on this side, I do not think) at times have criticised the use of Parklands for car racing. However, the facilities used are put up and taken down very efficiently by the Motor Sports Board. Considering the events that it has been conducting—the F1 events, and now the V8 races—it is no wonder that the event has had the absolute privilege—in fact, for the first time ever—of being inducted into the V8 Supercars Hall of Fame.

In Melbourne yesterday the Deputy Premier (Hon. Kevin Foley) accepted the award from the Chairman of V8 Supercars Australia, Tony Cochrane, and the V8 race was inducted into the Hall of Fame. It is an absolute privilege for that event and recognition of the fantastic work not only of the people from the Motor Sports Board but all those who are associated with it—all the volunteers and those who attended. Very importantly, in the Deputy Premier's press release, he stated:

The fact that our Clipsal is the first event to be inducted into the Hall of Fame is a tremendous honour and a great recognition of the

widespread support the event enjoys among South Australians. . . Since 1999, the event has contributed a total of \$129.9 million to South Australia's economy.

He further stated:

These awards and the induction into the Motor Sport Hall of Fame are a tribute to the work of the South Australian Motor Sport Board Chairman Roger Cook and Chief Executive Andrew Daniels plus the management and staff of the event.

Certainly, this piece of legislation will want to recognise the fact that these gentlemen and the rest of the Motor Sports Board and all those associated with the staging of the V8 races are responsible people, and we should not put impediments in their way. We should encourage them to continue to keep it as a world-class event.

The other big stakeholder in the Parklands, obviously, is horse racing in South Australia. An article appeared in the *Adelaide Review* of 25 November about the new Chairman of the South Australian Jockey Club, John Naffine. I know John quite well. He is a terrific bloke, and he certainly has racing at heart. In the article the journalist, Lance Campbell, talks about some of the future issues associated with the Parklands and, certainly, Victoria Park. I wish to read some of the quotes from John Naffine.

I should remind readers of *Hansard* and those in the house today—and I do not know how many readers of *Hansard* we get, but those that do—that this piece of legislation we are discussing today really affects the future use of the Parklands where there has been a long history of that use, and it has been appreciated by many South Australians and people from interstate and overseas. The Art Gallery of South Australia currently has an exhibition of watercolours from 1836 to 1886 (and I have not seen them yet, but I hope to see them after reading this article) by colonial artist John Michael Skipper, and S.T. Gill depicting Victoria Park Racecourse 160 years ago and more. The article states as follows:

It is the opinion of the new chairman of the SA Jockey Club, John Naffine, that when it came to choosing a place to race, those among the city's founders who liked a punt on the ponies succeeded beyond anyone's wildest dreams.

Victoria Park has that aspect. It is one of the best positions in the world, and an unrivalled location for a racetrack, near the city, with the ambience of the beautiful parklands and trees around it. Rebuild Victoria Park, and people will return to racing.

Certainly, there are some issues with racing in South Australia, and I hope that the government continues to support racing. It is a huge industry. A redeveloped facility at Victoria Park is something that I know no-one on this side would object to. However, I should point out one issue that the Chairman of the jockey club, John Naffine, alludes to in this article, as follows:

First, he [John Naffine] must preside over the sale of Cheltenham Park for around \$80 million, so the SAJC can afford to rebuild Victoria Park and continue to improve Allan Scott Park at Morphettville. . .

Allan Scott is another good sponsor of South Australian racing, and we thank him for his input into racing. I hope the government follows his lead and continues to support racing.

The important part about what the SAJC and Adelaide City Council intend for the redevelopment of racing in Victoria Park has not been overlooked by the opposition. We proposed an amendment in the upper house, and the Hon. Angus Redford tried to get a 99 year lease for the jockey club. That is how passionate we are about their being given encouragement to redevelop the facilities at Victoria Park. I am disappointed that that amendment did not get up. I

understand that no-one will want to get in the way of the redevelopment. The article continues:

'We respect people who enjoy the Parklands,' the chairman says, 'but we hope that they also appreciate they have been running and walking their dogs around a racetrack we have maintained for 150 years.' 'We conducted a survey of local residents about horseracing staying at Victoria Park, and found 78 per cent approval' . . . 'We believe the racing fraternity can retain its 150 year heritage of races at Victoria Park and the residents—the rest of the community—will still be able to enjoy the Parklands in the same manner as in the past' . . . 'Right of access will not be affected.'

The SACA, the Motor Sport Board and the SAJC are vitally interested, and this piece of legislation, I understand, will not inhibit their ability to continue. Indeed, hopefully, it will encourage them to develop their facilities and develop the major events that they have been holding.

Other large areas of significance are alluded to in this bill. Some now come back into consideration of Parklands where they were not before. If members walk along the new North Terrace precinct, they will see them all. What a great new precinct that is. One sees everything from the wine centre, the Botanic Gardens, the hospital, the university, the Museum, the Art Gallery and Government House. Parliament House and Old Parliament House are not included in this piece of legislation; and I can understand that. But the railway station and the tracks, and West Terrace cemetery, are included. I understand the need for that to be the case.

I will go through a few clauses of the bill. The main stakeholders with facilities already on the Parklands have in the majority of cases been consulted. I think the SAJC and SA Motor Sport Board did have some issues, but, as far as I am aware, they have been dealt with. If not, I am sure I will hear about it in the next few days. The Local Government Association, the Adelaide City Council and Norwood Payneham St Peters council have been consulted. The Adelaide Parklands Preservation Society and the North Adelaide Society, and many others, have also been consulted. I would like to think that all their opinions have been considered.

The intent of the bill is to improve long-term management of the Adelaide Parklands. In part 2 of the bill the Adelaide Parklands Authority, which will be a subsidiary of the Adelaide City Council, is being established. There will be 10 members on the authority. The Lord Mayor will be the presiding member, with four members appointed by council and five appointed by the minister. I understand that the Lord Mayor has only a single vote, not two votes. If there is a tied vote, the issues over which they are deliberating will lapse. There is a need for improvement there. We could have the same issues being put up time and again. I look forward to the minister's response in relation to my concerns in this respect.

A member of the management authority will be appointed for three years. There are numerous functions of the authority, which can be read in the legislation, but they are mainly to prepare, as appropriate, and to revise the Adelaide Parklands management strategy in accordance with the requirements of this act. I wish them well in their deliberations.

I referred earlier to the definition of the Parklands. The original area prescribed or proclaimed by Colonel William Light was some 931 hectares. Obviously, the plan has to be redrawn to bring other areas, such as the buildings on North Terrace, into the Parklands. The definition of the Parklands by plan will need to be lodged with the General Registry Office at Adelaide within 12 months. We have the Parklands Authority and we have got the area it needs to manage. If

there is any variation to that plan, public notice must be given within two months by the minister.

The Adelaide Parklands Authority, in setting up the Parklands management strategy, will obviously take into consideration what is happening with the Adelaide City Council's management plans and also state authorities' management plans. It is important to note that clause 20(2)(g) provides:

state the state authority's plans for the future use of the land and when the state authority plans to relinquish ownership, occupation or care, control and management of that land;

In other words, it involves the giving of land back to the Parklands. It is important that it is given back to the Parklands. I talked earlier about the SAJC. Clause 21 refers to grants of occupancy to various people on the Parklands. In relation to leases and licences granted by council, clause 21(2) in the original draft of the bill had a term of 21 years. That has been brought back to 10 years. Under the Local Government Act, I understand it is 21 years and, in order to make this consistent with the Local Government Act, I wonder why it has gone back to 10 years. This was the clause that the Hon. Angus Redford wanted to amend to give the SAJC a 99 year lease. There is provision for a lease up to 42 years. In relation to the 10 year term of lease mentioned, I do not suppose it is a big deal, but it is inconsistent with the Local Government Act.

That is all I want to say about this bill, other than the fact that it does affect a number of other acts, such as the City of Adelaide Act, the Development Act, the Highways Act, the Local Government Act, the National Wine Centre (Restructuring and Leasing) Amendment Act and the Roads (Opening and Closing) Act. There was an issue about making roads only narrower or shorter. However, sometimes there are occasions when we will need to re-engineer intersections and some of the roads going through the Parklands for traffic and pedestrian safety. My understanding of this legislation is that no new roads will be put through the Parklands.

I hope that I can get an assurance from the minister that that will be the case. The South Australian Motor Sport Act 1984 has been amended. As I said, the Motor Sport Board is a wonderful organisation. It is an iconic event. I understand that clause 24 seeks to amend section 22 by inserting after subsection (3) new subsections (4) and (5). New subsection (5) provides:

The Environment, Resources and Development Court may, on application by—

(a) any relevant council; or—

I assume that means Adelaide City Council and Norwood Payneham St Peters Council—

(b) any person having a right of occupancy of the land or any part of the land; or

And that would mean organisations such as the SAJC. I am not sure who else, but, certainly, we would want it to be very clear that not just any third party can come in and delay—

The Hon. J.D. Hill interjecting:

Dr McFETRIDGE: I am getting a nod from the minister. That is the intent of this legislation. We do not want to get in the way of people doing good things. The Parklands are not only for looking at: they are for the use of all the people of South Australia and those from interstate. They are the only parts of the legislation with which I have concerns. Obviously, the last concern related to that agreement with the City of Adelaide. I am sure that the minister will clarify that. I wish the bill speedy movement through the house. We have a

couple of days left, and this bill should take only a little while this afternoon so that we can get on with other legislation.

Other members do want to speak on the bill. They have some areas of expertise that I do not have in terms of dealing with various organisations associated with the Parklands. Certainly, I think that all members with whom I have spoken do wish this piece of legislation to go through and to succeed in every possible way, namely, to preserve the city's Parklands for the use of all South Australians and our visitors.

The Hon. J.D. LOMAX-SMITH (Minister for Education and Children's Services): I rise to speak as the member for Adelaide, and as someone who has had a keen interest and understanding of the Parklands for many years. Perhaps, because I come from a place where the parks and garden movement arose in the late Georgian and early Victorian era, I understand the quest that there was in settlement to build what was thought of as the lungs of the city around our habitable area. The iconic Parklands are now less than 900 hectares in area. They have been the subject of continuous encroachment, damage and destruction since settlement. Trees have been removed for fires, and rubbish dumps have been built in the Parklands.

It was only with the coming of the 20th century that there was a resurgence in interest in maintaining and protecting them. In that role, I must say, Bert Edwards did play a part, both as the councillor for Grey Ward and then as the member for Adelaide. He railed against the damage being done to the Parklands. For those members who cannot understand my passion for this issue and my desire to protect the Parklands, perhaps they have not lived as I have through the appalling encroachments not just by the previous government but, I must admit, previous Labor governments also.

They have been involved, as have all times of city council management, when there has been extraordinarily destructive behaviour where good-meaning, well-meaning people have come forward with ideas. We have heard it all before. They want to do good things, but it is incremental encroachment metre by metre. It is not cheap land: it is priceless land; and, once it is gone it is gone forever. I remember a previous government that had a plan for the Commonwealth Games, which involved a temporary games village built on the embankment between North Terrace and the river.

If anyone can explain to me how thousands of temporary dwellings were to be built on prime river frontage and then demolished after the Commonwealth Games, I would say that pigs would easier fly. Fortunately, that never came to fruition. Unfortunately, we did not get the Commonwealth Games; but, I must say, had we won it, that Commonwealth Games would have come at a cost that was more than the games were worth. Subsequently, there have been well-meaning attempts to build a golf-driving range, which would have been a solid structure of two to three storeys.

There was a well-meaning idea to build a museum of children's history with a reincarnation and a rebuilding of the John Martin's Magic Cave so that children could re-enact the pageant each year throughout the year. More recently, the helipad was supported by some people, even in the Adelaide City Council. I recall speaking vehemently against a flora and fauna park in the northern Parklands, which had to be entered through a 40-foot wallaby pouch to the sounds of bush noises and bird song. If members think that those fantasies are the be-all and end-all of the destruction of the Parklands, I can tell members that, at some stage, every sporting body, every well-meaning school group and every petanque and cricket

club has asked for just an extra 20 or 30 square metres. They want verandahs, they want enclosed changing rooms and they want sheds for their machinery. It is never ending. The fight to protect our Parklands goes on continually, and we need to be ever vigilant. The fight for cheap land includes not only development. Those opposite continually say that the SACA (and this actually shook me) should have the right to develop. It has no right to develop. No user of our Parklands has the right to develop any asset that is on a leasehold arrangement on our Parklands—no rights.

The rights to temporarily use our Parklands must also be re-assessed, because very often proponents of more good ideas think that, whether it is a car race, a rodeo or a four wheel drive show, it is a wonderful place to have the event. Of course it is a wonderful place to have the event. It is cheaper than the showgrounds, which is a much better venue for many of the things that are put on our Parklands, and could much better protect the use of our Parklands.

Specifically, it could protect the damage to remnant species that is done when large amounts of soil are brought into the Parklands and dumped without serious regard to the damage they are doing, bringing in all sorts of foreign agents, and the destruction done even temporarily for the sake of a cheap location really should be prevented. As well as those uses of the Parklands, of course, the most appalling damage has been done by governments that wish to build good things. It is not surprising that outside observers drive through our Parklands and think: this is a nice spot, why shouldn't we build the Wine Centre here? The answer is that it is only possible to build those structures because previous governments have used the Major Project Status provisions to develop parts of the Parklands without any chance of their ever being returned to natural usage.

In fact, it should be said that the Parklands should be used, and I do not think any reasonable person would want to see the destruction of the oval, the horse racing or even the sporting organisations, but each of those organisations ought to realise that it is lucky to be there and not believe that it has a privilege to be there. It has no right to develop if it is going to produce more destruction. The passage of this bill for me is a landmark. It is one of the additional commitments that our government gave before being elected. We gave a commitment that we would protect the Parklands; that we would prevent any more destruction; that we would delineate and look after it. We gave a commitment to stop major developments, and we have delivered on all those commitments.

I am very pleased that the opposition has found itself able to support this legislation because it, like all governments, is weak in the face of major developers. Like all governments, it had the potential to give in to good ideas and good causes without realising that it is irreplaceable land. It is a heritage that we would want to hand on to the next generations. The Adelaide City Council has had a mixed record in this arena. It has allowed very poor activities, some extraordinarily ugly paths, some hideous memorials, some ugly buildings and the desecration of many exquisite parts of our Parklands through neglect and bad management and the failure to have really rigorous landscape design measures in place. I hope that the Adelaide City Council's support for this bill is one that we can rely on in the future and that the relationship going forward between the government and the council will be one where we can see that we all want to preserve the Parklands.

Adelaide City Council has, despite its occasional lapses of good management, generally protected the Parklands from

governments of all persuasions, so it should be commended. We hope that the landscape architecture, the urban design issues and the management of the Parklands continue to improve so that, whereas one sees occasionally some exquisitely ugly rubbish bins and very badly designed features across the Parklands, the general standard of infrastructure building will lift in the future. One would also hope that the measures are supported strongly by local councils, and I think it a great error to think that the Adelaide City Parklands belong to and are only naturally of interest to those who live in the city area.

It is certainly not just those surrounding councils, from Prospect to Unley to Norwood, that are interested. All South Australians feel ownership of our Parklands, and in surveys that have been done the general consensus is that we can tolerate the tennis clubs that are there now; we can tolerate the Wine Centre, but enough is enough and the line has been drawn in the sand. The Rann government has delivered on its commitment and I am proud to have been part of a government that has passed this bill.

Ms CHAPMAN (Bragg): The history of the development of the Adelaide Park Lands Bill has not been without controversy. I recall during the 2003-04 consultations for what was then to be developed under the City Parklands Bill the comments made by the Parklands Alliance President Peter McWilliams, who resides in my electorate and who has kept me briefed on this matter. The Parklands Alliance, for those not familiar with this association, claims to be an independent body made up of the Adelaide Parklands Preservation Association, the Civic Trust, the Conservation Council, the National Trust, the North Adelaide Society and the Norwood Residents Association. Each of those bodies has a keen interest in aspects of the future management of the Parklands.

As has been rightly pointed out, it is important to all South Australians, in particular to those in the metropolitan area of South Australia. It is not something exclusively of interest or benefit to those solely within the City of Adelaide but to the entire metropolitan area. Mr McWilliams made considerable comment during the development of this bill that this legislation was a farce, because it was his view and that of his member organisations that this is yet another proposal by the government that looked good in its initial promises but ultimately was a shadow of what had been offered. We all know that in the development of legislation consultation takes place, compromises are reached, and what we have now before us for consideration and approval, the Adelaide Park Lands Bill, has followed that course.

Instead of having a trust, as was originally proposed, the Adelaide Park Lands Authority would be established. I will briefly comment in relation to its proposed structure. The authority is to comprise the Lord Mayor of the Adelaide City Council and/or his or her nominee, four other members elected by the council and five representatives appointed by the minister. There are certain categories of expertise that need to be taken into account in that process and, essentially, the matter I raise is that it appears on the face of the legislation, in the absence of the presiding member having any casting vote, that any proposal brought before the authority for consideration will lapse in the event of a tie in the voting of the members of the authority. I think that is a most unsatisfactory situation, only for this reason. If there is to be a genuine independent authority, purporting to have the best interests of all the stakeholders in relation to the Parklands area, it ought not to be in a situation where consideration of

the future of the Parklands is effectively sabotaged by the inadequacy of the structure. So, I ask the government to look carefully at that aspect.

The stakeholders are many. I wish to address briefly the areas of concern for my constituency of Bragg which runs along the eastern boundary of the Parklands, including Rose Park, Toorak Gardens and Dulwich to name a few, which regularly currently have access to and use of the Parklands, not just for all the reasons that other people in South Australia use these Parklands, but also because they do not actually have any open space of their own other than the Parklands. It is very important for their own personal use for walking, taking their pets for a walk and generally enjoying the ambience of the park that most other suburban residents enjoy within a park situated in their own area. These people do not have that access to any other facility, so it is very important to them.

The important issues that have been raised by my electors are, therefore, that whatever the future of the Parklands, and whatever use or benefit is gained from it, whatever development is either to cease or commence, it is very important to them that they continue to have access to the Parkland areas. If there is a particular event or activity that is of a temporary nature, for the rest of the time they wish to have access to that facility. An example is when the Victoria Park Racecourse facility is in use by the South Australian Jockey Club for a particular event. On other occasions, which are the majority of the time, the residents wish to continue to have use of and access to all the grounds, including walking on the racetrack. That is something that remains important to my constituents.

I wish to raise four issues for the purposes of whoever ultimately sits on this authority. First, the South Australian Jockey Club's lease has expired at the Victoria Park Racecourse. That is a lease that is offered via the Adelaide City Council and needs to be renegotiated if there is going to be some long-term use of the facility. I urge the government to support the initiatives to enable that process to be pursued for a number of reasons, one of which is the security of the racetrack. The second is the potential in the redevelopment of the racetrack facility to enable us to get rid of a number of grotesque buildings on the Parklands area which are clearly either no longer in use or in appalling condition. An exception to that is the grandstand which is of historical import to all of South Australia. That is in a disgusting state, and I think the sooner the government acts to enable the appropriate redevelopment of the racetrack area and its occupancy by a tenant, the sooner we can actually get on with protecting and preserving that auditorium. Currently, it is dangerous, an eyesore and a disgrace. It is cordoned off and, unless we get on with the issue of the redevelopment, that will continue to fall into decay.

On the flipside, there are a number of buildings which are no longer used such as some stable areas and betting areas which continue to attract weeds, rust and feral pests. Again, I urge the government to get on with the necessary prerequisites, including making a decision on what to do with the approval of any development of the Cheltenham site, which has a flow-on effect to what will happen at Victoria Park. I ask the government not to dillydally any further with that and to get on with making some decisions.

The Parklands adjacent to Bragg also proudly accommodate a large olive grove which has a history in itself. It is an important olive grove, which reflects some of the important aspects of South Australian history. Recently, the government announced that it would abandon a Britannia roundabout

redevelopment to upgrade the roadway and the intersection known as the Britannia corner which abuts the Parklands. It was interesting to note that the government was keen to jump to the protection of a number of significant trees as its reason for abandoning that project. Notwithstanding that it has been identified by the RAA as one of the most hazardous road intersections in South Australia—where there are some 2½ accidents a week, which is at its traffic volume maximum and where clearly something needs to be done—it was the protection of trees that was used as the excuse to abandon that project. It may be a very good explanation, but it is interesting to note that the government has rejected the opposition's request—and, in particular, my request—for further briefings with Transport SA as to what it is going to do in relation to that project.

It is also interesting to note that, on the one hand, here we are considering a bill for the protection of the Parklands, including olive groves within the Parklands area and for the protection of trees as an explanation for abandoning a road intersection project, and yet, on the other hand, on the other side of the road to the Parklands, adjacent to the Glenside Hospital, the government is proposing a Housing Trust development on land which is currently occupied by a heritage garden originally developed by the Glenside Hospital. That is also an important historical institution with 11 protected buildings that are recognised as being of heritage value on site. This government is prepared to chop down a heritage orchard on one side of the road and yet it comes in here and pretends to be advocating the protection of the Parklands and its trees, including its olive grove. I think it is important that whoever is appointed to this authority in due course—and I wish them well in their ultimate considerations and deliberations in the management of the Parklands—understands the hypocrisy of this government in relation to its view on protection.

One other aspect I mention briefly, because it is fair to say that, on the assessment to date of the constituents of Bragg, they have not been happy overall with the continued development of motor sport in the Parklands. I place that on the record. Obviously there are many South Australians who enjoy V8 car racing and other such events. However, I indicate to the house that there is some disquiet at not just the noise that emanates from this type of event but the substantial interference with traffic access to and from the city of Adelaide during these events, and in the lead-up to them and during the period of dismantling.

Other events interrupt traffic, including horse eventing activities, solar car racing and particular occasions when everyone brings a dog to the East Parklands for 'walk a dog' day or some such description. I have not participated in it, but it seems to be an event that pet owners and their dogs enjoy. It may be a very enjoyable event, but I indicate that this is the type of event which, on a regular basis, interrupts the motor traffic access of residents of the eastern suburbs to and from the city. Car racing is not something that I find many people want to support. The development of motor racing activities in the future will face some resistance. I indicate that for the authority's consideration in due course.

The final matter I wish to mention concerns water, and the bill contains reference to that matter. The body that has largely been responsible for this to date has been the Adelaide City Council. I might mention that there is a little strip within the Burnside council boundary, along the western side of Fullarton Road, which encroaches into the Parklands. I was told on inquiring to find out exactly where that footprint is

that some moves are afoot to remove that from Burnside council and in some way to have it ceded back into the boundary of the Adelaide City Council. I raise that for the minister's information. Perhaps he could have a look at that. I do not think the Burnside council is too fussed. It is a little strip of land which runs on the western side and covers some of the area where there are currently buildings and also the wall of the racetrack area, which also includes a track and an off-road area. Perhaps that could be looked at so that we know ultimately who is going to have responsibility for that area.

A new regime is being established for water. No longer will there be free water; it will have to be paid for, and the government has offered a million dollar grant to make provision for it. I understand that either amendments are being considered or there are proposals to have indexation of that. That seems to be one way of dealing with it. In relation to water, the Adelaide metropolitan area consumes something like 150 gegalitres a year. We rely on resources such as the River Murray for that. On the other hand, 150 gegalitres of water washes out over my electorate and other eastern electorates through Adelaide city, Unley and other areas and floods a few people along the way. I think people in the Torrensville area, in particular West Torrens, bear the brunt of some of that stormwater.

I will not go into the history of urban planning, but this issue is with us. It is a very expensive issue; it is a frightening issue. Tonight I will be attending a public meeting about the massive damage that has been done to Waterfall Gully because of the 20 000 tonnes of rock that are now filling up the dam at the bottom of the gully. The meeting is to deal with that issue which arose from a major downpour a couple of weeks ago. So, there is a massive amount of water moving across.

Again, for the purposes of matters that the authority would consider, in the redevelopment of any of that eastern Parklands area for the South Australian Jockey Club, and for other recreational users of the Parklands, I ask how it is going to reasonably and responsibly retain a lot of that water. I think there are some opportunities. I am not an expert in water retention, but it seems to me that there must be some opportunity to look at how water is detained in some way as it approaches the East Parklands and the South Parklands, which currently has recreational use and which requires an enormous amount of watering for its preservation.

Especially during the time of redevelopment of the Victoria Park Racecourse, the reissuing to schools and colleges of any leasing of the playing fields along the South Parklands, and the provision and any upgrade of Britannia roundabout, if it ever happens, I ask the authority to consider dovetailing into that how we might better use the water that is currently washing off the eastern area, flooding a fair few residents, and causing misery to a whole lot of others in the mean time, and washing out into the gulf and causing yet another pollution problem. Please give some consideration to that at the time. I conclude by wishing the new authority well, and hopefully those matters will be given fair consideration in its ultimate deliberations.

Debate adjourned.

DIRECTOR OF PUBLIC PROSECUTIONS

The Hon. M.J. ATKINSON (Attorney-General): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.J. ATKINSON: I wish to report to the house that I have now considered a minute provided to me this afternoon by the Office of the Director of Public Prosecutions about the release on bail yesterday of a person charged with child sex offences. I am advised that the prosecutor who attended on the bail review received instructions from a senior officer that:

bail was not to be opposed so long as strict conditions were imposed. The basis for these instructions were:

- the offences were dated;—

that is, a long time ago, I believe 1977-78—

- [the accused] was not alleged to have re-offended;
- that he had no previous convictions for breach of bail;
- there did not appear to be any risk that he would interfere with the police investigation;
- that he had resided at the same address for the preceding 7 years;
- a guarantor of bail had been offered and he seemed to be a person of good character;
- the progress of the case through the court system could be protracted.

The Office of the Director of Public Prosecutions also considered 'what bail conditions would be appropriate in the circumstances', and concluded:

These conditions were a residential condition, a guarantor, reporting to a police station, a prohibition on contacting the complainants and a prohibition on the accused having any contact with minors.

The accused was granted bail on the abovementioned conditions.

Ms Chapman: Well, bring your Premier back in here to apologise.

The Hon. M.J. ATKINSON: Why?

ADELAIDE PARK LANDS BILL

Adjourned debate on second reading (resumed on motion).

Mr HANNA (Mitchell): On behalf of the Greens I rise to speak to this important legislation concerning the Adelaide Parklands. Although the bill as a whole might be considered a positive development, in our view it is less than perfect. I note that on 25 May 2005 I moved that this house establish a select committee to examine and report upon how best to protect the Adelaide Parklands as land for public benefit, recreation and enjoyment including: (a) desirable protective measures to ensure the continuing availability of land for public recreational purpose; (b) arrangements for management, responsibility and accountability; (c) the desirability of legislative protection and the form of legislation if considered necessary; (d) the impact and feasibility of seeking to list the Adelaide Parklands on the World Heritage List; and (e) any other related matter.

The government opposed that move and the member for Norwood specifically made that point in her contribution. I think that that was unfortunate because it would have been a very good opportunity to canvass the wide range of opinions and concerns in respect of the Parklands. It is true that in proposing this bill the government has conducted its own consultation process. I maintain that the work of a select committee would have been the best way to canvass the issues. That is history now, and the legislation is before us. I will, however, make a brief reference to the history of the Parklands as a whole. I will be very brief because these historic matters have been canvassed elsewhere and reference has been made by the minister in his second reading explan-

ation. I also appreciate the work done by the Hon. Ian Gilfillan in another place.

Obviously there was a vision for the parklands when Adelaide was being considered in London all those years ago before the Europeans arrived in 1836. The intention was always for the Parklands to be available for the enjoyment of all South Australians; and there is much to be said for the view that the Parklands are to be held on trust for all South Australians. Of course, over the years, there have been many kinds of alienation of the Parklands. By that, I mean specific parts of the Parklands have been cut off and used for a variety of purposes: some commercial, some grand purposes such as the establishment of the great public facilities along North Terrace, and some tawdry purposes such as storage of tools and the like. In researching the history of the parklands, I have come across many fascinating facts and comments.

I am indebted to the lecture given by Patricia Summerling entitled 'The Adelaide Park Lands in Perspective', which she gave as a public lecture on 24 May 2005 as part of SA History Week. I also refer briefly to a publication by Jim Daly entitled 'A Brief History of Adelaide's Parks', in which he stated:

Adelaide is one of the few cities in the world to be encircled by parklands. Colonel William Light used the parklands as a major planning feature of the city. Even before the first colonists left England for South Australia in 1836 the value of parklands in cities was recognised as important from a health point of view—the lungs of the city.

It is hard to summarise the importance of the Parklands better than that. I also briefly refer to a letter from Sir George Kingston when he was speaker of the House of Assembly in 1877. He wrote to *The Advertiser* newspaper and said:

I deny the right of the government to interfere with or make use of any portion of the parklands not specially reserved or set apart for government purposes by Colonel Light. I think I may be excused for claiming to speak as an authority on this subject because my official position as next to Colonel Light on the survey staff gave me the best opportunity for knowing every detail of his plans.

The letter is interesting because it indicates that, even in the 19th century, some of the worst culprits in terms of alienation of the Parklands were to be found at government level and, indeed, the Adelaide City Council and the state government have had a chequered history when it comes to care of the Parklands.

The current legislation sets up an authority, which has some sort of oversight of the Parklands, but essentially it entrusts the Parklands as community land to be administered by the Adelaide City Council. The Greens come from the perspective that the maximum possible protection from further alienation should be provided. That is not to say that there should never be any further building on the Parklands. There may be some truly wonderful proposals that are beyond our contemplation at present, something perhaps to be added to the Botanic Gardens or the like. However, we need to bear in mind that, with each wonderful proposal for a new sporting facility or a new public facility of some kind, the open space, which is the essence of the parklands, is further alienated.

In considering how to best achieve this goal, I considered proposing amendments to this legislation, but I found that it was impossible with the structure of this bill to bring in the concept of a trust to hold the Parklands on trust for the people of South Australia. It actually would have meant a different bill. So, it becomes impossible to amend this bill to the extent that I would wish. I then take the bill as it is and look at how I could add to the protection such as it is in the bill. I am indebted to the Hon. Ian Gilfillan, because I will move a

couple of amendments which will increase the level of protection. They are amendments which the Hon. Ian Gilfillan has already moved in another place.

Before moving on, I add a note of appreciation to Kelly Henderson, a member of the Adelaide Parklands Preservation Association. She has provided me with voluminous materials and provided ample historical background for what I have had to say today.

I also add a note of appreciation for the support and the passionate commitment of Mrs Kath Crilly, a constituent of mine. The very fact that someone in my own electorate in the south-western suburbs of Adelaide has such a passionate commitment to the preservation of the Parklands and such a profound respect for the vision of Colonel Light in respect of the Parklands and, indeed, such a knowledge of the history of the Parklands shows that it is not just a playground for the people of North Adelaide and Dulwich. It is truly an area which is there for the benefit of all South Australians.

I conclude by once again restating the level of appreciation I have for the vision of Colonel Light. He has provided us with open space beyond the dreams of many citizens in other urban settings around the world. The Adelaide Parklands are worthy of not only state heritage listing but even of national heritage listing. Indeed, there is a good argument that they should be subject to world heritage listing because of their almost unique nature in terms of urban planning and the facilities they provide urban citizens.

It would be a fine thing if this legislation could wait for the outcome of the application for world heritage listing in respect of the Adelaide Parklands and also the report of the Productivity Commission in respect of 'conservation of Australia's historic heritage places', which is expected next year. However, I understand that the government wants to get this legislation through today and, with the assistance of the opposition, that is what will happen. I will, however, make a valiant attempt to bolster the level of protection for the Parklands to some extent by the amendments that I will move in a little while.

Mrs HALL (Morialta): I am pleased to speak briefly on this bill and indicate my support for it. As has already been said, we all acknowledge that the Parklands of Adelaide are very much a South Australian icon, and they are particularly important for us in many respects. When one travels to different countries, one certainly acquires an appreciation for the beauty and the significance of our Parklands and what they do for the City of Adelaide. As a feature of the city, they are perhaps comparable with New York's Central Park and London's Hyde Park, and a reminder of what life is like away from the hustle and bustle of the major cities. However, I think they are also a reminder of the vision of Colonel Light, a vision which made Adelaide one of the most livable and beautiful cities in this world.

I think it is fair to say that the Adelaide Parklands have always held a special place in the hearts of South Australians and, in turn, we as a community have always expressed our deep commitment to their preservation and protection, although there have been varying views at varying times from varying governments about what that actually means. Indeed, I think it is fair to say that a great majority of South Australians would have spent time in the Parklands at some time in their lives doing things such as walking the dog, jogging, undertaking racecourse activities, playing soccer and cricket and all of the many other activities in the sporting fields that are dotted around the Parklands. Then we have the barbecues,

and so on, in Rymill Park, as well as the weddings and the many festivals that are held there each year—and two in particular immediately spring to mind, namely, Glendi and Carnevale.

However, it is fair to talk about the more recent times, when motor sport events such as the Formula One Grand Prix and the Clipsal 500, in particular, have tended to dominate the agenda about what is proper and what is not proper to be held in the Adelaide Parklands. There never seems to be any controversy when events such as the Jacob's Creek Tour Down Under has its start or finish in the Parklands, and the importance that events such as that bring to our city when that amazing backdrop is used on international television, therefore, from my perspective, supporting the principle of ensuring that the status of the Parklands of South Australia as an icon is protected.

We have heard about the measures which have been established and set out in this bill and which include establishing an Adelaide Parklands Authority consisting of an equal number of council representatives and state government nominees (I will have something to say about that in a moment), and requiring the authority to prepare a management strategy for the Parklands with which state government management plans for areas under its control must be consistent; providing for the management strategy to explore options for increasing public access for recreational use; and placing development restrictions on government by ensuring that it cannot use crown major project powers to supersede or override the management plans.

However, there is one provision of the bill in which I have a particular interest (and, I guess it is fair to say, in which many others, it seems, have had a particular interest), and that relates to the South Australian motor sport focus and the requirements for the setting of a prescribed works period. It is this section of the bill that inspires great passion to either criticise or praise the use of the Parklands for motor sport events. Too many, in my view, constantly talk about the harm that is inflicted on the Parklands because of motor sport events.

I would like to put on the record, as a former tourism minister who was responsible for the staging of the Clipsal 500 (and a number of other events, of which we are very proud), a response to those critics who say that this event is short-sighted and damages the Parklands, because I think it is a great tribute to the way in which the South Australian Motor Sport Board has behaved and adhered to very strict provisions under the act that governs its activities and the way it has added to, in my view, the beauty of the Parklands. It has invested a great deal of resources in maintaining the integrity of our Parklands. It has invested significant funds every year into developing and restoring underground power, water, sewerage and telecommunications infrastructure, which, importantly, is used not only by the 500 but also by other events and bodies and, indeed, the community.

Out of its budget the Motor Sport Board has also installed new lighting to improve safety for pedestrians throughout the Parklands at all times of the year. It has laid out new walking paths and bollards, and made improvements to the internal road system to protect grassed areas and minimise dust in the area. The board has installed sprinkler and water systems throughout the Parklands, and it regularly fertilises the plant life. It has regressed and upgraded the playground on the corner of East Terrace and Wakefield street. Overall, in my view, it has a very impressive ongoing program of restoration of and improvement to the Adelaide Parklands.

I believe it is a tribute to the work it does constantly to ensure that it not only adheres to the letter of the law (as it applies to it under the act) but also improves it as a matter of its board decisions. I think it is a great tribute to the board and its management that the road access and closure times have been improved dramatically from the time of the original grand prix to the last Clipsal 500 which we have heard eulogised today. Indeed, I support many of the remarks made by the Deputy Premier, paying tribute to Roger Cook and members of the board, and to Andrew Daniels and his great professional team, including those volunteers who I believe have been so instrumental to the accolades that the Deputy Premier was able to give on that event today. I will not go through all the things that have been said about the Clipsal 500. Suffice to say that the very fact that it has won so many tourism and event awards since its inception in staging in 1999 says it all.

There are a couple of issues I would like to raise, and I am sure that when the minister addresses a number of points raised by various members he will give some attention to these issues. In relation to the operation of the board of management, I have some real concern when I look at the structure of the board as to how on earth issues are resolved when, on my calculation, there could be a deadlock vote. I draw the minister's attention to division 4, clause 10. Subclause (6) provides:

Each member present at a meeting of the board of management has one vote on any question arising for decision and, if the votes are equal, the member presiding at the meeting does not have a second or casting vote (and the relevant question will lapse).

One of the things that worries me about that particular provision is an issue that concerned me as the appropriate minister at the time, and I have had informal discussions with the Deputy Premier on it. The Motor Sport Board under its act has two members of the Adelaide City Council as part of its structure. Those two members of the Adelaide City Council are voted on to the board as part of their many duties. The problem arises—and I can see it as a serious problem with the management of this particular provision—because those city councillors take part in the debate, discussions and votes on the Motor Sport Board, but, when they go back to the Adelaide City Council, because of provisions under the Local Government Act, they are not able to participate in debate or vote on issues that affect road closures or any activities of the South Australian Motor Sport Board. I have raised this matter with the Minister for Local Government, and the Deputy Premier and I have had informal discussions about an effective way to resolve it.

When one looks at the structure of the new authority, one sees that four members are elected by the Adelaide City Council to serve on the authority. If there is a circumstance other than the relevant question lapsing, it seems to me that that could create some difficulty. I am not saying it is insurmountable but, given that it already takes place as it affects matters of the Motor Sport Board, I have no doubt that the potential is there for it to affect the operation of this new authority. I hope that this is one issue that can be discussed and perhaps a solution can be found—possibly not before the implementation of this bill. I have no doubt that the Deputy Premier and the minister with the responsibility for this board may have to look at it in the future, particularly if issues are unresolved.

The other areas that I think need to be discussed at some point in the future are those that affect the facilities at Victoria Park as they relate to areas that are used for staging

major events. As some other members have said, numerous events are held at Victoria Park itself. I think the member for Bragg talked about the appalling condition of the magnificent heritage stand. I hope that with the passage of this bill some sensible decisions can be made, with agreement and consultation, as to what to do with that heritage building. I think it is a magnificent building and something needs to happen to it, because it is so important for the rest of the operations and the facilities that already exist there.

The other aspect of the operation of sections of the Parklands is what can only be described as the most disgraceful eyesore in the southern section of the Victoria Park; that is, the area that borders Fullarton and Greenhill roads. I think the general condition there is appalling. I cannot believe it is safe. The pathways are cluttered with rubbish and weeds. The lighting is just disgraceful. Given that the rest of the Parklands are manicured (and that is not a bad word to describe some sections), I find it incomprehensible that the Adelaide City Council and the other authorities can allow that section (which borders two of our main roads) to look the way that it does.

The other area that is worth discussing relates to the commitment of consecutive governments that some areas must be returned to the Parklands, and some of those awful buildings taken down and the land returned. I know it is a commitment that consecutive governments have made, but when one looks at some of the buildings, I find it amazing that sensible discussion, consultation and a degree of good will (and, certainly, a degree of financial assistance from government and the Adelaide City Council in particular) cannot be found to do something about those areas. I hope that the minister will think, as he proceeds with the passage of this bill, about the fact that every year it is costing the taxpayer of South Australia to stage the highly successful and greatly supported Clipsal 500. The actual build and deconstruct is up around \$7 million plus every year.

I note that, following years of success, a profit of \$844 000 has been recorded this year. However, it seems to me that, while the debate on the Parklands and its future continues, some sensible decisions must be made (and I mean in consultation and with good will) about the annual cost of that construction and deconstruction. If that bill is up to \$7.5 million now, clearly, it will keep progressing. I find it very difficult to understand that, between the goodwill of the South Australian Motor Sport Board and the great work that it does with the Adelaide City Council (as well as the cooperation and consultation with the government), some decisions cannot be taken to decrease the cost of construction and deconstruction every year.

It is a great tribute to the current management of the Clipsal 500 that it has got the road closures and opening down to such a slick program. It tries very hard to work with the residents, Transport SA and numerous stakeholders to keep the road closures and the inconvenience to a minimum. However, it was always my desire—not in a provocative manner and, certainly, without consultation—to try to do something about the cost of the construct and deconstruct and the time and inconvenience of so many people coming down Kensington Road, Portrush Road, Fullarton Road, Greenhill Road in particular and The Parade.

I hope that, as it starts planning into the future, this new authority will look at and take into account some of the options and ways in which we can improve the Parklands' authority as an entity in terms of resolving some of the issues. I notice that clause 2, 'Statutory principles' (which we are all

supporting) provides that the Adelaide Parklands should be held for the public benefit of the people of South Australia, and should be generally available to them for their use and enjoyment. Clause 4(1)(c) provides:

the Adelaide Park Lands reflect and support a diverse range of environmental, cultural, recreational and social values and activities that should be protected and enhanced.

Paragraph (g) provides:

the interests of the South Australian community in ensuring the preservation of the Adelaide Park Lands are to be recognised, and activities that may affect the Park Lands should be consistent with maintaining or enhancing the environmental, cultural, recreational and social heritage status of the Park Lands for the benefit of the state.

I do not believe that it is beyond the wit of South Australians to do something about some of the issues I raise. I think that the issue of the members of the council not being able to take part in actual debate and decision making on areas over which they have direct responsibility and for which they have been elected is an absolute nightmare. I look at the prospect of four members of the council being appointed to this body, and I hope that the minister can cover that. I understand that the Local Government Act prevents their doing that. Perhaps it has something to do with the fact that they are paid to sit on the South Australian Motor Sport Board. That might be an issue.

With those brief remarks, again, I pay tribute to the wonderful achievements of the Clipsal 500, the great work of the South Australian Motor Sport Board, Andrew Daniels, his management team and all his volunteers. Long may that event continue to be successful and supported by the South Australian community and the government of South Australia. I look forward in the future to moving it further for more accolades and awards.

The Hon. W.A. MATTHEW (Bright): I stand to join my colleagues in supporting this bill. It is a very important bill, and it is particularly important that it passes through this chamber with full bipartisan support. In speaking to the bill, I am mindful of the fact that this could be one of the last bills to which I will be speaking during my time as a member of this parliament in view of my imminent retirement at the next election.

I sincerely hope that I am going to have the opportunity to speak on a bill at the end of January and the first week of February next year, for it is my very firm view that the parliament should be sitting during those times. I dare say that, in view of the fact that we have a government that does not like public scrutiny, it is highly likely that the house will not be sitting when it should be early next year. Therefore, this will, unfortunately, be one of the last bills to which I speak, and it is very fitting that it is a bill of such importance to our city. One has only to travel to other parts of the world or to other parts of Australia to fully appreciate just how important our Parklands are and what a magnificent square of green they provide around our city.

Flying in over Adelaide, to see our tall buildings surrounded by such magnificent parkland is indeed a breathtaking sight and something that many visitors to our fine city from other parts of Australia and other parts of the world often comment about in admiration and in envy, for there are few parts of the world that enjoy such a magnificent surround to their city. Importantly, this bill provides a legislative framework for the future oversight of the management of the Parklands in their entirety, to ensure that we manage to

preserve that which has withstood the fullness of time. Importantly, the bill provides a special status and recognises the attributes and characteristics of the Parklands in providing that protection.

I note that under the bill it is intended that the Parklands correspond to that very visionary plan drawn up in 1837 by our city's founding father Colonel William Light, and that they establish arrangements for the transfer of previously alienated land from the state to the council in the future. Many of the current facilities that have been managed by various state institutions and authorities will now fall under the parameters of the act proposed by the legislation. We will see the university, the Adelaide Zoo, the road systems through the Parklands area, research laboratories, railway lines, the Adelaide Bowling Club, Britannia Corner, the South Australian Cricket Association, the South Australian Jockey Club and Victoria Square, and I note there are also exemptions that have been provided to commonwealth land and land associated with parliamentary institutions.

It is a regrettable fact that, since our city was established, various governments of all political persuasions have alienated parts of the Parklands from their intended use. As well as those buildings that I have mentioned, we have a cemetery encroaching upon the Parklands and we have seen the Convention Centre and the railway station and its environs in part more recently occupied by an insidious use, that of the casino. I might pause there to reflect on the fact that I have long been opposed to the casino and to its expansion to include poker machines, and believe that it is a poor reflection on this place that we allowed not only the building that encroached upon the Parklands and the Adelaide railway station to be built there in the way it was but, importantly, during our time we have seen a casino develop, and more recently the insidious additional abuse of that site by poker machines, so that still more South Australians can lose their money.

I am quite confident that if our founding father could see that part of his vision of Parklands was now being used for insidious gambling pursuits, and the devastation that has wrought upon many a family, he would be most unhappy with that part of his vision being damaged. He would at least be happy that the majority of his vision, that of a green belt around Adelaide, remains intact. We have also seen over the years that the tram barn, the Festival Centre and more recently the Wine Centre have occupied the site. Interestingly, as these other developments have occurred on the site, it has been somewhat disappointing to see that they have turned their back on a major feature of our city, the River Torrens, which subdivides our Parklands and also provides a very beautiful water feature.

When one looks at other parts of the world where there are water features running through a city, they are usually used as a feature of the city. In part, that had occurred with past developments and in part not. One only needs to look at the part of the Torrens that runs down the side of the Adelaide Zoo. More recently it has become an area for walkways, but it has taken some time to get it to that stage. It was under the vision of former premier David Tonkin and his government of 1979-82 that we saw the Adelaide Parklands Study developed and saw much more focus placed on the River Torrens, not only where it moves through the Adelaide Parklands but well beyond that, from the origins of the river in the Hills down to where it meets the ocean between Henley Beach and West Beach.

We have seen a significant development of the River Torrens occur to make it more a feature in our city. Indeed, as a further fitting tribute, the former (Liberal) government ensured that the river precinct project became a reality and we saw, through the expansion of the Convention Centre, significant attention paid to our river precinct to ensure that more South Australians have an opportunity to use those river banks, actually turning the Convention Centre and parts of our city toward that beautiful walkway.

We have also seen a range of other interesting uses occur in the Parklands, namely, in Victoria Square. We have seen them used for horseracing and, as a complementary use, nearby we saw the horse trials. I would argue that it is a non-intrusive and pleasant use of the Parklands for a period of a few days to turn it into an area where horse trials are held and visitors are attracted from across the state and, in fact, from across our nation either to participate directly as competitors or as spectators. It has been a fabulous spectacle to see many family groups picnicking and enjoying that use of our Parklands.

It disappointed me in recent times when the current government, probably through some crazy push by the present member for Adelaide who is known for her weird attitudes, wanted to end horse trials there, and I am delighted that that unusual push was unsuccessful and that the horse trials have succeeded and continue to this day so that South Australians can enjoy them. I know that my colleague the member for Morphett, who is very highly regarded not only within his present occupation as a member of parliament but also prior to that as a very professional veterinary surgeon, has had a lot to do with the horse industry. I know not only that he is appreciated by those at the horse trials but also that he journeys along to those horse trials and enjoys seeing what is occurring there, particularly enjoying so many South Australians see such beautiful—

Dr McFetridge: It's the only four-star event in the Southern Hemisphere.

The Hon. W.A. MATTHEW: I am advised by my colleague the member for Morphett that it is the only four-star event of its type in the Southern Hemisphere. That is a fabulous tribute to this event. I would imagine that once a respectable period of time has elapsed just before the next election the government will probably try to claim credit for that event as well, even though in recent times it has wanted to get rid of it.

In that vein, it is interesting that another use of the Parklands is the V8 race. Only today in this house the Deputy Premier in a ministerial statement stood to his feet and, while acknowledging the role of the former Liberal government in bringing the V8 race here, actually tried to give the illusion (obviously intended for the public) that it was his government that had taken the race to the level where it is regarded as a premier event. As my colleagues know, I have a long and accurate memory. I can well recall members of the former Labor opposition ridiculing the V8 race and laughing about bringing Bathurst to Adelaide. We have seen a very successful event. Indeed, it was some of those same Labor members of this parliament who also made light of the Tour Down Under and ridiculed that. What a fabulous event that has proven to be. We see that on television, and it is projected internationally with our Parklands as a backdrop as the bike riders move through Adelaide. That event also stands as a tribute not only to good Liberal governance and vision but also as a tribute to what South Australians can do to welcome an event to encompass it within the entire city.

That is not what we see with the event that the Labor Party lost—the Formula 1 Grand Prix. I was amazed again at the attempts by this mob to rewrite history. It stands as established fact that the deal for the Grand Prix was done while in fact the current Premier was minister for tourism. In the time of the former Labor government, while Lynn Arnold was Premier, that race was signed over by Bernie Ecclestone to Melbourne. It stands as established fact (the details of the Victorian contract negotiations, the date of the signing of their contract, the statement that had been made in the Victorian parliament, and the advice that was given to the incoming Liberal cabinet in 1993) that the former Labor government lost that event. That would have been something else that would have been moving through our Parklands but was lost, so that was yet another race lost by the former Labor government.

It disappoints me that what we see now with this government, through the shallow claims it makes, is a loss of integrity of this parliament which, if it continues, will be almost irretrievable. I often speak to former Labor MPs with whom I have had the privilege to serve during my 16 years here, and when they come in here and watch what happens in this place or they go into the refreshment areas of this building to which they are entitled as ex-members and overhear some of the conversations, they are disappointed at the low level to which this place has sunk.

In the 16 years that I have been here I have never seen the equivalent of this current lot in parliament, who frankly have taken this place to a whole new low. The personal, nasty things that occur in the chamber and in the—

The DEPUTY SPEAKER: Order! I have allowed the member for Bright to be fairly wide ranging in his speech. I will not allow him to continue on in this vein. He needs to speak to the bill. I draw him back to the bill.

The Hon. W.A. MATTHEW: Thank you for your guidance, Mr Deputy Speaker, and I acknowledge that I was taking somewhat of a walk in the park. I am happy to be directed down the path of the Parklands that the government would prefer for me to go rather than reveal publicly some of the nasty things that have regrettably occurred in this place.

I sincerely hope that, with a new parliament after the next election, many of the members who continue might reflect on some of the changes and talk to members who used to serve in this place and take advice from them. I am very mindful of the fact that there is a considerable lack of experience in the Labor Party in this place, particularly along the front bench, and they need to take advice from some of their distinguished former colleagues who would never do some of the things, or claim credit for some of the things, that I have seen in this place.

However, I give credit where it is due and I note that, in this case, the minister has undertaken a considerable amount of work in relation to the Parklands. I note with interest that we have seen a biodiversity study of the Parklands undertaken in collaboration with the Adelaide City Council; an identification of the potential alienated sites and negotiations for their return back to the Parklands; that discussions have been initiated with council to make that a reality, so that they can have care and control of those things; that there has been collaborative work with council in the upgrade of the North Terrace precinct. That, of course, was instigated under the previous Liberal government, but I am pleased that they have at least continued with it. It is appropriate that I give credit to my former parliamentary colleague, the Hon. Diana

Laidlaw, who retired from the other place some three years ago, for the enormous amount of work that she undertook in the North Terrace precinct upgrade and, importantly, the collaborative way in which she worked with the Adelaide City Council to ensure that both government and the council were working together.

I should add, as a side comment, that it disappoints me that more South Australian stone was not used in the North Terrace precinct. The Hon. Diana Laidlaw worked very closely with me in my role as minister for minerals and energy to ensure that more South Australian dimension stone was used. I know that the South Australian stone industry was particularly disappointed that that did not occur. I am sure in part that can be rectified by a future Liberal government for, inevitably, product other than stone will wear out and will need replacing.

I also note that the government has undertaken public consultation on a number of options in relation to potential management of the Parklands and that this bill was well circulated before it was debated here. There has been a good opportunity for the opposition to gain informed public comment on the bill in preparation for its consideration in this place. The public comment has, indeed, been favourable and the public have had an opportunity to have some impact on the final form of this bill.

I note that, as part of that process of consultation, concern has been raised about the amount of grant that has been provided to the Adelaide City Council in exchange for the removal of the current unlimited free potable water arrangement that the Adelaide City Council has—in other words, the Adelaide City Council could water the Parklands without incurring cost. That is one of the reasons the Parklands are so green and have been so in the past. It has meant that the council has been able to water the Parklands, as they have needed to be, to ensure they remain green. The \$1 million annual grant, particularly if frozen, will ensure unfortunately in the future that, rather than being surrounded by a belt of green, Adelaide could, in summer, be surrounded by a belt of brown. Careful consideration needs to be given to that.

I understand the reasons for government wanting to enforce careful water management by the Adelaide City Council and it may be that some of its water management practices could have been improved, but I am not convinced this is the best way to achieve a water-wise outcome and I would urge the government to very carefully examine the potential consequences of this intended action. In principle I support the bill. I believe it is an important step forward.

Time expired.

Mr SCALZI (Hartley): I rise to support this bill. I think there can be nothing more important, when talking about the city of Adelaide, than referring to the Parklands. They are the distinguishing feature of this city, according to people who have visited Adelaide (and I have talked to such people overseas), especially the thousands of people who come here for conventions. I am pleased to say that the upgrading of the Adelaide Convention Centre was a project of the previous Liberal government and it has been an outstanding success when one considers the bookings of the Convention Centre for many years to come—five years or even longer.

The Adelaide Park Lands Bill establishes a legislative framework for the future oversight of the management of the Adelaide Parklands in their entirety. It is important that we have come to this stage now where both sides of politics—and I know this is a government bill but the opposition

supports it—are in agreement that the Parklands have to be preserved. If we look at plans for the increasing development of Adelaide, in the sense that we want more people to live in the City of Adelaide, higher density dwellings, it is important now more than ever that we retain the Parklands. If we increase the population of Adelaide and we encroach on the Parklands it seems to be incongruent with the amenities that we want the population of the City of Adelaide to have.

I know that there have been developments on the Parklands from both sides of politics which, in the past, have encroached on Light's original plans.

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

Mr SCALZI: As I said prior to the dinner break, this bill is very important, and, as my colleagues have said, the opposition supports it because it is important that at last we have something that establishes the management of the Adelaide Parklands in its entirety. As I said previously, past governments have not always respected Light's vision, and it is pleasing to see that this now has happened. There is the cooperation of the government and the city council, which I believe will ultimately give us a good outcome. Everybody talks about how important the Parklands are as the lungs of the city, and so on. This is even more important now when you consider that we are promoting medium to high density dwellings in the CBD.

If we are going to encourage more people to live in the city it is important that there are recreational areas surrounding the city. By having the Parklands maintained, as will occur with this legislation, we can increase the density of people living in the city, and that is a good thing in itself. There is now a greater density to be supported than 15 or 20 years ago when there was a smaller population. It is a little like imagining the city as a dwelling in itself, and it is like what, sadly, is happening in the metropolitan area where the plots are becoming smaller and in the land space around those buildings you do not have enough room to swing a cat. Well, I take that back; I do not mean that in a derogatory way, but am explaining the sense of—

Dr McFetridge: You love cats.

Mr SCALZI: I love cats; I love dogs. What I am meaning is that we do not have enough room in homes and, sadly, in the metropolitan area open space has been encroached upon. This bill ensures that open space in the City of Adelaide, for which it is known, is going to stop, and I think that that is something to celebrate. The estimated CBD population in 2004 was 14 361, and it has increased by 637, an increase of 4.4 per cent. These latest figures really show that there has been an increase in people living in the city. That is the reason why it is more important than ever to make sure that these people who live in the city, as well as the rest of the metropolitan area, really value our Parklands.

Sadly, when you go overseas you see in many countries that it is just a concrete jungle with building upon building and without a place to walk, to enjoy, to walk the dog, and enjoy what human beings need—we need space. I am fortunate that my home is 960 square metres. I could not live in a small dwelling: some people can. But it makes it easier, if you are living in an apartment, to be able to look outside the window and see the beauty of Adelaide, and I am sure that is appreciated by many people who live in those apartments. That is why those apartments are at a premium. We have seen developments in Adelaide that take that into account.

The value of the Parklands to Adelaide and to all South Australians should never be underestimated. Under this bill, the Parklands will correspond to the original plan of 1837 by Colonel William Light, and establish arrangements for the transfer of previously alienated land from the state to council in the future. Many current facilities which have been managed by various state institutions and authorities will fall under the parameters of this legislation. For example, the universities, the Adelaide Zoo, the road system through the Parkland areas, research laboratories, rail lines, Adelaide Bowling Club, Britannia Corner, the South Australian Cricket Association, the South Australian Jockey Club and Victoria Park. Exemptions have been provided for in legislation to commonwealth land and associated with parliamentary institutions. Obviously we are not going to go back to the original Parklands—that would be foolish—but we have come to a stage when we have to say, as the member for Adelaide said in her contribution, 'Enough is enough.' We have to protect what we have, and this bill does that.

A comprehensive management strategy and plan will be in place and will rest with the new Adelaide Park Lands Authority, created as a subsidiary of the Adelaide City Council. Its composition is well outlined in this bill. It is basically an agreement between the state government and Adelaide City Council, which, as many members would know, is the oldest city council in Australia. We have a lot of which to be proud. The bill will also provide key consequential amendments to a range of other acts, including the Development Act 1993 and the South Australian Motor Sport Act 1984, to prevent future governments using either the major project, crown development or electricity infrastructure development powers to provide ministerial development approval within the Parklands. That is a good thing.

Considerable public consultation has occurred. There is much agreement on this bill. I was talking to the Hon. Ian Gilfillan, a member of the Democrats. He is pleased with the outcome of the bill. I think we are heading in the right direction. Other members have also mentioned the problems with water. The Parklands is a green belt. There is no question that the state government has subsidised the water used by the Adelaide City Council. I understand that this will now be capped at \$1 million per year in lieu of free water. Whilst that might cover it now, I can envisage some problems. We must remember that the city Parklands are not just for its 14 000 residents (which could be 20 000 residents in a few years). They are really for the benefit of all South Australians, and a contribution should continue to be made by all taxpayers of South Australia.

In my own area, for example, I have a big segment of the Linear Park. I commend the Campbelltown council and the Norwood, Payneham and St Peters council. I note that the Norwood, Payneham and St Peters council supports this bill. It has been consulted. It is happy with the outcome of the bill. However, in relation to the state government's supporting the cost of water and maintenance of parks, I think they should always support the Parklands and, indeed, Linear Park and Lochiel Park (of which members would be aware and which I have mentioned in this place). Parklands and open space are not just the responsibility of the local authority council area in which those parklands are located. It is the responsibility of the whole community because the whole community enjoys those facilities. The same applies to the segment of the Linear Park which is in my area; that is, it is not just used by the ratepayers of Campbelltown or Norwood, Payneham and St Peters: it is used by many people from other areas.

That was one of the reasons why I insisted in a previous bill dealing with Lochiel Park that the government make a commitment that, if there were any costs in the future above what is the normal responsibility of a local authority, it acknowledge that that cost should also be borne by the state government. That is the case with the Parklands. It is not only the responsibility of the Adelaide City Council but it is the responsibility of us all. We all share Light's vision. We all are proud of Adelaide, what it is noted for and the green belt surrounding the CBD and between the CBD and North Adelaide. It is the responsibility of state governments of whatever persuasion that, if there is a need for support, we should give it, because we all enjoy it. As I said, the bill has wide support.

Some people have had concerns about the extension of roads. I trust that the authority will look at this very carefully so as not to impact on the objectives of this bill because, having been a member of the Public Works Committee for almost three years while we were in government, I know only too well that some of the developments were controversial and impacted on the Parklands. I could understand the concerns of not only the residents of Adelaide or Norwood, Payneham and St Peters but, indeed, as I said, the many South Australians who were concerned that some of the projects encroached on the Parklands. I am sure the member for Hammond (who was chair of the Public Works Committee at that time) pointed out many of these problems of encroachments on the Parklands. I will not mention all the projects, but he certainly was vigilant and a custodian of Light's vision and the Parklands. The authority which will be established through this bill, with the cooperation of the city council and the state government, will ensure that projects which in the past have gone ahead will not go ahead—and that is a good thing.

I look forward to the passing of this bill. It is a pity that some of the objectives in this bill are not also in other areas. I think we have to look to the future with respect to some of our other suburbs where, a little at a time, open space is encroached upon. Whilst in the short term it might appeal to the residents and ratepayers, and whilst at times people might think it is for legitimate reasons, at the end of the day, when it has gone, it has gone.

In my area, I was really pleased when we saved the Geoff Heath Golf Course at Campbelltown, because that was to go. In cooperation with the Mayor of the City of Campbelltown and the previous government, we came to an agreement. I note that there has been a lot of controversy over Lochiel Park but I am pleased that, finally, we have reached a decision. Although it is not 100 per cent open space, at least we have 70 per cent. I welcome the government's decision to maintain that open space and to protect it, as it has done in this legislation: 70 per cent of Lochiel Park. I welcome that. My criticism was not directed at having the open space; I would have liked the whole lot: it was the process and the renegeing on promises. However, now that has gone, and I welcome the fact that we have that open space. This bill should be supported. It is a good bill, and we are moving in the right direction.

Time expired.

Debate adjourned.

MATTER OF PRIVILEGE

The SPEAKER: Two matters of privilege were raised today. I respond to them in the order in which they were

raised. First, the member for Davenport raised a matter in relation to an answer given by the Deputy Premier. The question was specific about a minister and the answer was, therefore, not incorrect. If the deputy leader had intended his question to be taken in the broader sense, I can understand that he might have believed at the time of raising the issue of privilege that there had been a breach. Given the information subsequently provided to me and to the house by way of personal explanation and grievance and by an examination of the documents, I do not intend to give precedence to a motion about the issue, as I do not believe that it touches on privilege.

The other matter was raised by the member for Hammond in relation to allegations involving the member for Unley. I refer to the matter raised by the member for Hammond earlier today when he alleged that the member for Unley had sought to intimidate him in relation to any remarks he may make in the forthcoming debate on the Statutes Amendment (Relationships No. 2) Bill. My remarks should not be taken to indicate whether or not I believe the member for Hammond's version of what he claims was said nor, for that matter, the member for Unley's explanation. There is no doubt that a contempt is committed if a member is threatened in a way that seeks to intimidate with the intention of affecting the member's conduct in the house.

If the member for Hammond is completely accurate in passing on the remarks reported to him, and if that version of the member for Unley's remarks was also completely accurate, the event would, in my view, constitute a contempt if the member for Unley intended to intimidate. There is also no doubt that the 'threat' is sometimes made by one member to another that, 'If you have a go at me, I'll have a go at you,' and, in most cases, there is not a lot of harm in that.

It is not the Speaker's task to establish whether the remarks were made and the intention behind them. It would be for any privileges committee that may be set up to determine that matter. My view is that any such remarks are not likely to have affected the member for Hammond, particularly as he immediately reported the event to the house, which is hardly the action of a member who feels intimidated. I am therefore not giving precedence to a motion, despite the seriousness of such a contempt if it occurred. I leave it to the house to pursue if it wishes.

However, I do intend to ensure that the dispute between the two members does not extend to the debate on the bill. I will ensure that all members are able to participate fully in the debate by the application of the relevant standing orders and the longstanding practices of this house, which provide that no member may make statements that impugn the motives of another member or level allegations of dishonesty or impropriety against another member in the guise of debate on a bill. As I have repeatedly advised the house, the only method by which such allegations can be made is by way of substantive motion specifically to that effect. I assure all members of the chair's intention to protect their right to participate in debate without hindrance, but I also warn them that I will not hesitate to act if their contributions seek to impugn the character or motives of another member.

Just generally, I point out to members that they should reflect on why they are here and their responsibility to act in a way that is expected of them by the electors of this state. It is a great privilege to be a member of this house, and all behaviour in this house should uphold the dignity of the house. That can be achieved if members treat each other with the respect that each member deserves.

Honourable members: Hear, hear!

Dr McFETRIDGE: On a point of clarification, Mr Speaker, does parliamentary privilege extend to the galleries of the house—within the precincts of the house?

The SPEAKER: It could if someone engages in behaviour that is in contempt of the house. Theoretically, it can apply anywhere: if a member, or a person, says or does something that is in contempt of the parliament—for example, says something about a member that is untrue and impugns their character—the parliament can take action, as, indeed, has happened in the past in the other place in relation to the Hon. Murray Hill, I think about 25 years ago.

Dr McFETRIDGE: On a further point of clarification, will remarks made by members of this house to people in the galleries, whether they be other members of this house, be covered by privilege?

The SPEAKER: I guess it would depend on what the remarks were. They could be. It would depend on the context and whether, I guess, something is a private conversation or whether it is not private. The chair would have to know the specific circumstances to provide any more guidance on that matter.

Mr KOUTSANTONIS: Did you say that there was a contempt of the parliament in relation to the Brindal/Hammond affair?

The SPEAKER: I said that, if it was a contempt, it is a serious matter, but I am not giving precedence to it. If the house wishes to pursue the matter, it can. I am leaving it open, if the house wishes to pursue the matter.

Mr BRINDAL: On a matter of clarification, the member for Hammond came in here and made a number of assertions, quite publicly, in the face of this house, on a conversation which was not a conversation between him and me. He reports a conversation between him and, allegedly, his staff. Other people were present in the gallery. I ask whether you have questioned those other people in the gallery, because I will not cop the continued coming in here and the member for Hammond making wild and spurious allegations.

The SPEAKER: Order! The member for Unley did not hear the complete statement. He needs to read that statement. He is welcome to read this copy if he wants to. The matter he raises has been dealt with.

STATUTES AMENDMENT (VEHICLE AND VESSEL OFFENCES) BILL

The Legislative Council agreed to the bill without any amendment.

DUST DISEASES BILL

Received from the Legislative Council and read a first time.

ADELAIDE PARK LANDS BILL

Second reading debate resumed.

Ms CICCARELLO (Norwood): I am very happy to support this bill. Indeed, I feel fortunate that my electorate of Norwood abuts the Adelaide Parklands; and they are indeed beautiful. In fact, we could say that the Adelaide Parklands are what distinguish Adelaide from other Australian cities. Adelaide has been variously described as a ‘city within a park’, and we can feel justifiably proud of the foresight shown by Colonel William Light when he laid out the

original plans for Adelaide, based on the City of Catania (if I am not mistaken).

Over the years, the Adelaide Parklands have been affected by the actions of successive governments, whose actions were not always in the best interests of the citizens and alienated some of the land. The Adelaide Park Lands Bill is a significant step to ensuring the protection and enhancement of the Parklands as a cultural icon and an asset of the citizens of South Australia. The Adelaide Parklands working group was appointed by the Minister for Environment and Conservation in late 2002 to explore the options for the Adelaide City Council and the state government to achieve jointly a vision of both council’s Parklands management strategy and the government’s Parklands action plan.

Although the Adelaide City Parklands have been the subject of a number of plans and strategies, a number of key issues required resolution, including resources to maintain the asset and legislative powers of the state government concerning major events. The working party was established to discuss and resolve these issues. The working party comprised representation from the Adelaide City Council, state government and independent representation. A community consultation report was prepared by the working group in June 2003 and was submitted to the minister and the Adelaide City Council. The minister subsequently released a final report of the working group, a copy of which was sent to council. The final report was a precursor to the formulation of legislation by the minister for future protection of the Parklands.

The Minister for Environment and Conservation then released the draft Adelaide Park Lands Bill 2005 for public consultation. The bill was developed by the state government in conjunction with the Adelaide City Council. The bill is considered to be of interest to councils abutting the Adelaide City Council, particularly, in my instance, the City of Norwood Payneham and St Peters, because the Parklands boundary interfaces with the council and also gives a continuum of open space via the River Torrens Linear Park.

The bill provides a framework for the management of the Adelaide Parklands, including areas which were previously alienated from the Parklands and which are now under state government control. In particular, the legislation creates a new authority responsible for providing strategic oversight of the management of the Parklands. Clause 4 of the bill sets out a number of principles to which a person or body must have regard and seek to apply when involved in the administration of the act, performing a function under the act, or responsible for the care, control or management of any part of the Parklands. These principles include such matters as taking into account the general intention of Colonel William Light, the use of the Parklands for public benefit, the community interest in preserving the Parklands, the protection and enhancement of the Parklands’ environmental, social and cultural values, the contribution of the Parklands to the economic social wellbeing of the city, and a desire for cooperation and collaboration between the city council and the state in protecting and enhancing the Parklands.

The authority, to be known as the Adelaide City Parklands Authority, proposes to be a subsidiary of the Adelaide City Council, established under the Local Government Act 1999, with a board of management constituted by five members appointed by the Adelaide City Council and five members appointed by the minister to ensure broad representation. The authority would undertake a key policy role with respect to the management and protection of the Adelaide City Park-

lands. It would be responsible for the development of a Parklands management strategy and it would oversee the management of the Parklands by both the Adelaide City Council and the state government. As part of its broader responsibility, the authority will also:

- Promote public awareness of the importance of the Adelaide City Parklands and the need to ensure that they are managed and used responsibly.
- Ensure the interests of South Australians are taken into account and that community consultation processes are established in relation to the management of the Adelaide City Parklands.
- Administer the Parklands funds and provide comment and advice in relation to the operation of any lease, licence or other form of grant of occupation of land within the Adelaide City Parklands.

The bill proposes provisions which modify the usual application of the Local Government Act to a subsidiary. The Adelaide City Council cannot adopt or amend the authority's charter without first obtaining approval from the Minister for State/Local Government Relations and the minister responsible for the administration of the act. Clause 14 requires the minister to define the Adelaide Parklands by depositing a plan, to be known as the Adelaide Parklands Plan, with the General Registry Office (GRO), and they are to include the land which would also include Victoria Square, Light Square, Hindmarsh Square, Hurtle Square, Whitmore Square, Wellington Square, Brougham Gardens, Palmer Gardens and several road reserves.

The bill places the obligation of defining the Parklands on the minister, who must lodge the plan with the General Registry Office. The minister may vary the plan by lodging an instrument with the GRO. However, a variation cannot be made to remove land from the Parklands except where both houses of parliament have passed a resolution to that effect. In addition, a variation to place land within or remove land from the care, control and management of the Adelaide City Council may occur only at the request or with the concurrence of the Adelaide City Council. Clause 18 of the bill provides for the establishment of the Adelaide Parklands Management Strategy, which is to be prepared and maintained by the authority.

The strategy is required to include information about the suitability for land owned, occupied or under the care, control and management of the Crown or a state authority to be transferred to the Adelaide City Council for use as Parklands and, if appropriate, a program for its future use as Parklands. Where it proposes to establish or vary the strategy, the authority must prepare a draft of the proposal and consult with the minister, any state authority with a direct interest in the proposal and the Adelaide City Council.

The authority must also consult with the public at a time it determines appropriate. However, such consultation is not required if the proposal relates to a variation that is of minor significance as determined by the authority. The requirement for public consultation to be undertaken establishing or varying the strategy is, I think, a very positive aspect of the bill. Clause 19 provides that the Adelaide City Council must ensure that its management plan for community land within the Parklands is consistent with the Parklands' strategy.

In addition, before it undertakes public consultation in respect of its management plan, the council must consult on a draft of its proposal with the minister, the authority, any state authority with a direct interest and any other government department or agency specified by the minister. The manage-

ment plan must be reviewed at least once every five years. Clause 20, I think, is a positive aspect of the bill as it puts in place an additional layer of accountability with respect to the development of community land management plans by the Adelaide City Council.

Clause 21 restricts the term for which the council may grant or renew a lease or licence over land in the Parklands to 42 years. Before the Adelaide City Council grants or renews the lease or licence for a term it must submit copies of the lease or licence to both houses of parliament. The Local Government Park Lands Advisory Group, which comprised mayors and chief executive officers of the City of Adelaide and those councils abutting the City of Adelaide, had previously expressed concerns that one of the priorities of the Parklands should include not allowing any future development that increases a footprint of existing buildings or paved surfaces, and this matter has been addressed. The definition of 'Park Lands' under the bill extends the current definition and proposes to include roads bordering any part of the Parklands. I know that the City of Norwood Payneham and St Peters is supportive of the bill.

It is also very happy that it is not required to contribute any money to the fund for any road maintenance. Clause 22 of the bill requires the authority to establish and maintain the Adelaide City Park Lands Fund, which will consist of:

- money paid to the credit of the fund by the Crown, a state authority or the Adelaide City Council;
- any grants, gifts and loans made to the council or the authority for payment into the fund;
- any income arising from investment of the fund; and
- any other money required to be paid into the fund by any other act or law.

The clause also sets out how the funds may be applied by the authority. The authority, after consulting with the Adelaide City Council, has the power to invest money in the fund that is not immediately required for any of these purposes. The bill, as I indicated, has not introduced a requirement for neighbouring councils to contribute into the fund. Another important component of the bill removes the Adelaide Parklands from the operation of the major development and project powers and the Crown development powers contained in the Development Act 1993.

This is a positive provision as it puts a controlling mechanism in place on any future developments that propose an increase in the footprint of existing buildings or paved surfaces within the Parklands. Such developments will not be able to be declared major developments, thus they will be subjected to the ordinary public consultation process required under the Development Act 1993, and they will be open to appeal. The bill proposes amendments to the South Australian Motor Sport Act to require the minister responsible for the administration of that act to consult with the minister responsible for the administration of the Parklands act, the Adelaide City Council and the authority before declaring an area for a motor sport event.

The bill also proposes to amend section 22 of the act to allow terms and conditions relating to the management, protection or rehabilitation of land to be included with any agreement between the Motor Sport Board and the Adelaide City Council or other occupier of land where the board wishes to enter and carry out works on the land. The amendments will also require the board to comply with any direction of the minister given after consultation with the minister responsible for the administration of the Parklands act, the Adelaide City Council and the Motor Sport Board

relating to the periods within which the works must be completed.

I will not go into all the other clauses, but this is a very important bill. I have been passionate about the Parklands for a long time. I was a member of the select committee under the previous government which looked at the future of the Parklands. Unfortunately, that committee did not report, and we have lost quite a bit of time. I am confident that, with the passage of this bill, we can ensure the protection of one of our greatest assets in South Australia for future generations. I commend the bill to the house.

Mr VENNING (Schubert): I support this bill, and I do not think there has been a bill before the house more worthy of all our support for many a year. Of all the wonderful things that we South Australians have to be proud about—after the Barossa Valley, that is—Adelaide is top of the list, and I will sneak it at least level with the Barossa. There is no other issue that gets the unanimous support of all members of parliament on both sides of this house and in the other place. We all love Adelaide. It is the finest capital city in Australia, and in the world it would rate in the top 10 best cities in which to live. You need to travel to appreciate that, and most MPs have done a bit of travelling. The highlight of your holiday is coming back to Adelaide and understanding how lucky we are to have this wonderful city here.

We have all taken it for granted over the years, and here we have a bill like this that can focus on why it is that we love Adelaide. We need to ask ourselves: why is it? It is built on the square, which makes it extremely easy to find your way round. It makes a wonderful boulevard and town planning exercise. It is all symmetrical, and it has wide streets. It has the lovely River Torrens, the lake, Elder Park, the gardens, the churches, St Peter's Cathedral and the lovely, wide King William Street. It has so much. It has the climate, with the beaches in close proximity as well as the Mount Lofty Ranges. The list goes on and on, and one could go on for half an hour with all the wonderful attributes of Adelaide. It has the most wonderful Parklands right around the city, an asset that most of us have taken for granted up until now.

Many members to different degrees have done that. Over the years we have seen many encroachments on our Parklands and had many more attempts at encroachment which, thank goodness, were not successful. I congratulate the Hon. Ian Gilfillan, who has been a long-time campaigner on this issue. I must admit that over the years I have thought: what is he on about now? However, in hindsight, thank goodness the Hon. Ian Gilfillan took up the cudgels when he did, took on the campaign and fought hard, because when land is lost it is so hard to recover it. We would not have those Parklands, although Col. Light put them there, but we only have the space because subsequent governments and subsequent city councils have protected them and, although there is not quite as much of them as when Light put them there, they are still there. We have on the Parklands the zoo and the wine museum, and the question is whether they should be there—

Mr Brindal interjecting:

Mr VENNING: It is on the old government reserve, the member for Unley reminds me, but it was part of the Parklands precinct and could have been returned. I debated at the time that the wine museum should not have been there. I am on the record as having said that, to the chagrin of my then Premier, Hon. John Olsen. I say where it should have

been, and it was obvious to me last Thursday where it should have been—

The Hon. J.D. Hill: In the Barossa?

Mr VENNING: Chateau Tanunda. I do not say that in jest: I say it in all sincerity. Members should go and have a look at this wonderful building. Mr John Geber bought this property for an absolute song, and the government could have bought it—

Mr Brindal interjecting:

Mr VENNING: The member for Unley asks why I did not buy it. I was only a cusp away from doing just that. It got to a price where I thought: gosh, the vineyard is worth this, when you see the price that Mr John Geber got it for. I pay credit to Mr Geber. We were there last Thursday, and what a wonderful asset, not just for the Barossa but for the state. I congratulate the Premier, who made 12 runs on the halloed turf, and also the Hon. Michael Wright. Thanks for the accolade. It was a great day. Here we have a wonderful asset. The oldest and largest building in the state would have been a great spot for a wine museum. However, it is here in the city and I am pleased that it is there, as it is better there than nowhere. Now it is being utilised by the Adelaide University.

We have the tram barn alongside, and you would question why we restored this place. I would have knocked it over, even though I was a card carrier for the National Trust and still am. It should have been knocked over, because I do not believe a shed like that has any great historical value and I would rather have had it as open space for that beautiful solarium alongside. The swimming centre is also on the Parklands, and that was a political hot potato. The old city baths were just beyond the house here, and some members would remember that. I used to do all my diving in that pool, learned to dive and swim in that pool, and I was pretty shattered when they bowled it over. The problem was when they took the baths away they gave similar space on the Parklands to build the new Adelaide Aquatic Centre, which I think is probably not appropriate there.

I would hope that any future city council and/or government, when the use-by date of this centre is reached, would put that land back to Parklands. I also remember the koala farm that used to be by the zoo, and I was very sad to see that go. It is probably too far back for the current minister to remember the koala farm. It was across the road from the zoo and it had the most marvellous slippery dip, about three or four storeys high. In those days it was a marvel for us kids, only rivalled today by the beautiful playground in the Riverland, which is very similar. However, that was a koala farm and it is gone. Also, as I said, the city baths was a wonderful asset but it had passed its use-by date and it went.

I often question how the restaurant in the southern Parklands got there? The Whip only asked me to make this speech two minutes ago and I have not done my homework here! Can the minister tell me how the restaurant in the southern Parklands got there? As a commercial entity, even though it is a lovely restaurant and I have had many functions there, I think it is inappropriate that it was ever put there in the first place. I do not know.

The Adelaide Bowls Club is a premier bowling club in South Australia and, even though it is sitting fair and square on parkland, I think it is very appropriate there. It has been regarded over the years as South Australia's premier bowling club, along with the Holdfast Bay Bowling Club, and it has been used for many important civic functions over the years. I am very pleased because they keep that place in pristine condition and I think it is appropriate that it remains there. In

the first instance I wondered who was in government when it was put there. I suggest that Sir Thomas Playford was, but I am pleased that not too many more of them got there. I do not mind these playing fields being in the Parklands. When they have buildings that go with them, it makes it a bit more difficult.

We have the Veale Gardens, which is quite a famous place for many reasons, including the beautiful gardens. I hope that we can tidy it up and return it to that beautiful place that it always was. By adding things like lights we can tidy up that area. The Adelaide Boys' High School, now the Adelaide High School, is on parkland. You would wonder why and how that got there because—

Mr Williams interjecting:

The SPEAKER: Order, the member for MacKillop!

Mr VENNING: You wonder why you would put those education facilities there. Arguably, Adelaide's premier secondary boys' school was put in the Parklands.

Mr Brindal interjecting:

Mr VENNING: It is now; I have called it the Adelaide High School. I did say. Whoever was in government at the time was pretty shortsighted. That was back in the thirties when there was more space around to put a high school like that, rather than put it on the Parklands. I have no problem with the playing fields being on the Parklands, though. The buildings should have encroached into the city or the near suburbs. I always question that. How did the school get there?

As to the Victoria Park Racecourse, I do not think it is an appropriate use of our Parklands, but we question what will happen in the future for the racecourse. People have said that we are over-racecoursed in South Australia now, and that either Cheltenham or Victoria Park has to go. Many people have said, 'We will revert the Victoria Park Racecourse to parkland and we will keep Cheltenham as a training track and use Morphettville as the chief training and racing venue.' I only hope that, if that is the case, we preserve that area because we have some beautiful buildings on the edge of the Parklands at Victoria Park. It is a wonderful racecourse. That is a decision for the politicians of the future. Again, a decision was made to put it there.

The Old Adelaide Gaol sits on the Parklands precinct but it has, of course, long since been closed. However, it is a very important part of our history and is part of a very cultural and historic precinct for our people. I would never support the gaol being demolished just to be returned to parkland. We also have the police barracks at Keswick. You would wonder how it got there, because it sits on the edge of parkland and, critically, right alongside the Port Road. Again, the politicians of the day made that decision and, once these decisions are made, just try to reverse them. The barracks are there now and I believe that, looking at the facility the other day, this government has run down conditions at that place and I think that the opportunity is there for the minister and his government to demolish the Keswick Police Barracks and return the land to the Parklands, because it is precinct property. In keeping with this bill, I think that it would be appropriate for the government to demolish it.

The Torrens Parade Ground is part of the Parklands in an historical sense. I am very pleased that it has been retained, in keeping with its original use, because it is a very historic area for many people, particularly the families of our armed forces who left this ground in both the First World War and Second World War, as well as the Korean and Vietnam wars and the Boer War. Here is great history. I will pay the previous government great credit, because to see the restora-

tion that has gone on there is fantastic. It was done during the period of this government but I think that you will find that it was passed during the previous government. In the Public Works Committee, the member for Unley and I sat in judgment on this project. To see the result of the work is stunning. It is the most appropriate preservation of our wonderful heritage.

An honourable member interjecting:

Mr VENNING: It is stunning; that is why I said 'stunning'. I think that it is an appropriate use of our Parklands. I am happy that we have this open space to share. We use other areas of the Parklands for public use, including the circus in Bonython Park, the Christmas nativity on the Torrens and the sportsgrounds on the eastern Parklands. I learnt to play tennis on the courts in the eastern Parklands. I should have stayed longer because, although I am a reasonable player, I am nothing like the member for Newland. I will not relay when I first played with her, but I got a lesson in how to play tennis. When we played mixed doubles against the press, they were playing Dorothy because they soon worked out that I was the weak link. We are so lucky that we have this open space. Yes, Colonel Light planned it, and he planned it extremely well.

Luckily, it has survived—almost entirely, but not quite. That is why this bill is appropriate and important. We could use them more than we do. Could we plant a vineyard in part of the Parklands? We have a vineyard in front of the Wine Centre but that technically, as the member for Unley reminded me earlier, is not the Parklands. I cannot see any reason why we cannot plant a model vineyard in part of our Parklands because I think that there would be nothing more appropriate than planting a vineyard. Dust has been a problem over the years; a vineyard would solve that problem. We used to graze the Parklands years ago with sheep.

Mr Williams: And horses.

Mr VENNING: And horses, which caused problems.

Mr Brindal: And cows.

Mr VENNING: And cows. I do not believe that grazing is on per se, but I believe that controlled grazing might be. What about a wheat crop? We could even have a model wheat crop planted in part of our Parklands. I am quite serious. Wheat, barley and oat are the staple crops of our cereal farmers here in South Australia. Why could we not have 30 or 40 acres of a crop in the city? You might say city people can travel out of the near suburbs and see all these things growing in the open fields, but remember that some of the younger people in Adelaide are not given the opportunity to leave the precincts of the city. If we had a model crop, particularly in the southern Parklands near the Waite Institute area, we could provide people with a good example of cropping in this area. Again, this would be under very strict control and, of course, no guaranteed long-term use. It would be very good for the welfare of city and country people getting on together. We could use them more without destroying the open space of our Parklands.

Underneath we have no services in these Parklands; no services at all. Here we have a government right now trying to put a tramway up the middle of King William Street, with all these services underground. It is going to be a total nightmare to put a service down King William Street. In fact, so many services are underground, they really have to put these tramlines above ground. But under the Parklands we have no services, apart from the odd powerline or water going through. Why cannot trains and/or trams go underneath our Parklands? What a wonderful opportunity we have here

because they completely circumnavigate the city. We could use this area to go around the city. We could even put a motorway under there and who is going to know? There is a precedent for this because there is already a railway under there. There is already a railway under the Parklands. It goes from the railway station just to the north of Parliament House. It is cut by the road and it still exists on the embankment by Government House.

An honourable member interjecting:

Mr VENNING: You don't believe me, do you? Just check your history books. I am trying to get some survey equipment to find it, but the previous governor and his staff often spoke about it. That railway was put there to furnish the early Adelaide shows which were held on Frome Oval, which was at the end of Frome Road. That railway was put there to give the commuters a way to get there. That is fact. Hopefully somebody will find it because you can see the embankment is there. Hopefully somebody will find that railway very soon.

The whole thing could depict the Australian way of life, as I said, with our crops. Controversial, yes, but I believe if it was trialled, it would be very positive. As to the debate whether we should allow further sports field use in this area, I have no problem with that as long as there are no buildings. There is motor sport and our now our famous Clipsal 500 is very much a feature of our Parklands and I think we all agree that has been a reasonable and successful use of our open space. I discussed the future of the Victoria Park Racecourse. If that was to go, what would happen with the Clipsal 500?

I believe we need to protect and enhance the Adelaide Parklands as we do all of Adelaide's open spaces. I support the 10-point plan that is in the government's second reading speech of this bill, particularly the promotion of this space and the biodiversity survey of the Adelaide Parklands in collaboration with the Adelaide City Council. We appreciate that collaboration. It identified alienated sites for their potential return to Parklands and it initiated discussions with the council for their transfer to their care and control and the upgrade of the North Terrace precinct, as well as the exploration of ways to improve community access. As I said earlier, the amenity, the heritage interpretation and public uses of the Adelaide Gaol precinct support the intention to investigate the merit of establishing the Adelaide Parklands as a state heritage area in consultation with the council and public consultations on potential options for the management of the Parklands.

As custodians of the parliament, custodians of the state, and therefore custodians of the Adelaide Parklands, it is important for us at this point in time to recognise and thank all those before us who protected our Parklands. It is up to us to protect them into the future with a bill such as this. I think there is a huge potential here for us to open it up for everybody's use. There is so much that can be done. I believe we are scratching the surface because when you see some of the Parklands they are nothing but a dust bowl. I certainly support this bill.

Time expired.

Mr BRINDAL (Unley): I am grateful to the government that in the last week of sitting it should be introducing two bills that are personally a pleasure for me to participate in. Many members have commented favourably on the Parklands but I would say to you—

An honourable member interjecting:

Mr BRINDAL: I will later. I will comment about the Parklands that Colonel Light, whom we hold up as a paragon in this matter, designed for a specific purpose. I note that the minister intends to support those purposes in the bill. I think it is accurate to say that the Parklands were designed to double the width of the range of the biggest cannon that could be brought ashore from the ship at the time they were designed. One of Light's ideas was to provide a defensive perimeter around the city. Another of Light's ideas, which is shown on the earliest maps, which are still available in the Town Hall, is that—

The SPEAKER: Order, the member for Schubert and the member for Goyder!

Mr BRINDAL: Light's original plans show that the Parklands were available for the public use and amenity of the people of South Australia. As you would know, sir, if you look on those plans there is clearly marked in what is now the vicinity of the North Adelaide Golf Course, an ordinance store, a school and a hospital. So it was never Light's intention that those Parklands should be sacrosanct nature preserves. In fact, because of the defensive nature of the Parklands and because of the needs of the early settlers the Parklands were virtually denuded from trees in the first few decades of the settlement of the state. They were basically clear-felled, and most honourable members will know that the only original gum trees from this area that continue to exist are in the vicinity of the Botanic Gardens.

So, Light never intended the Parklands to be purely a natural preserve. He intended that reasonable recreational use and other human amenity use could be made of the Parklands, quite clearly, from day one. He also—and it is worth pointing out to the house—excised from that belt of parklands the land which was bounded by the River Torrens, North Terrace, Frome Road and Dequetteville Terrace, because that particular section of land he designated on his titles 'Government Paddock', and it was in that government paddock that the police horses were quartered, that the first lunatic asylum was built and that the first hospital was built. There were the Zoological Gardens, and it is where the Show Society had its first home, as the member for Schubert said, and it is where the Botanic Gardens had its genesis. So, the Botanic Gardens was not given part of the Parklands. The Botanic Gardens grant came from part of the government paddock, as did the Zoological Gardens and as did the Royal Adelaide Hospital.

The Hon. J.D. Hill interjecting:

The SPEAKER: Order! Minister, it is hard to hear the member for Unley.

Mr BRINDAL: If you look at Light's original plan, everything to the north of North Terrace was basically designated Parklands. If we run along there at present, our great cultural buildings—the Museum, the Art Gallery, the War Memorial, the Library, part of the University buildings, part of the University of South Australia, Government House, Parliament House and Adelaide Railway Station—all exist on what Light clearly designated to be parklands. I notice that this bill, and I will be interested in the committee stages, deals in part with the land which Light designated north of North Terrace as part of the Parklands. I notice in this bill that this place—the Houses of Parliament—is specifically excluded from the definition of parklands. Incidentally, so is our neighbour next door at number one North Terrace—Government House.

I am interested that no definitive answer is given to whether the rest of North Terrace—and that includes the University land, the Library, the Museum and the Art

Gallery—is to be part of the designated Parklands development plan. It is not clear from that, and if you go back to the original drawings and this act—this act says that it purports to support Light’s vision. If you look at Light’s vision, all that land north of North Terrace was parkland. If this government is going to exclude—and it clearly is—Parliament House and Government House, it is acknowledging that all of the land north of North Terrace is parkland, or why would it bother to exclude two specific blocks? And if you are acknowledging that, what then will be the status of the office towers down here, the casino, the railway yards, the Art Gallery, the Museum, and the University lands, and what will be the inter-relationship of this new community with those bodies?

I, therefore, disagree not with the Hon. Ian Gilfillan who has taken this matter up over three centuries, to my knowledge, the whole of his working life but with some of my colleagues who would purport to say that the Parklands were intended solely for a type of recreational use—passive recreation. I do not think anyone in this house would dare to suggest that we should pull down the Adelaide Oval and all of its appurtenances. I do not think that anyone should suggest that we get rid of Memorial Drive. I do not think that they would suggest that we get rid of a number of iconic structures on the Parklands.

Whether or not Adelaide High School is a fitting use of the Parklands, I remain open-minded about. I would say quite clearly it was within Light’s vision because Light’s vision clearly showed a school within the precinct that we now call the Parklands. He designated a cemetery within the Parklands, which is a very passive recreational use for the few people that are there, but maybe not for the rest of us. So, whether the school should continue to be there, I am not so sure. That the school could have been there under Light’s vision I think is undeniable; it is whether that suits a modern world. Tennyson once wrote:

The old order changeth, yielding place to new; . . . Lest one good custom should corrupt the world.

I acknowledge the leadership of the member for Morphett on this issue in picking out that which is good and which is positive to support, and saying this is a new paradigm for the future. We can support that and I agree with that, but I urge this house not to become like some organisations that you see around Adelaide which are locked into some sort of paradigm of this is the way it should be, therefore it is correct, and therefore there is no reason for change or possibility of development. In that, I will again briefly talk about some of the historic uses.

On my reading, the Torrens Weir was obviously—and everyone knows this—the water supply for Adelaide. It is now, because it is no longer used as the water supply for Adelaide, a recreational lake. I notice, and the government might want to take notice of this, that it gives custody and control of the weir to the council and this committee. It also gives custody and control of the water behind the weir to the council and this committee. I wonder, in committee, whether it has thought that through because that water is going to be of considerable value to this city over the next half century. It is a property right and it is tradeable, and that is according to Australian law. By this act of parliament that water will be freely gifted to a group. It has a value.

This parliament is also gifting to this group \$1.2 million in lieu of an ancient arrangement for the free supply of water to the Parklands. The house should be aware that that

situation arose because, in the early days of this state, it was the custom for local government to supply local supplies such as water and sewerage. It was the duty of the local government authority to do so. Gas lighting was another one. In typical fashion, the Adelaide City Council did not want to supply water to the city residents of Adelaide, so it left it to the state government, which built a number of structures to supply water. In the meantime, the City of Port Adelaide got on with the job and built the rudiments of a water supply system to the City of Port Adelaide.

Members can guess what happened. A few years later, the Corporation of City of Adelaide, realising that water might be a profitable venture and someone had stolen from it its ancient right, put a proposition to the state government and said, ‘Hey, we want our rights over water back.’ The parliament at the time said, ‘No, we have decided that the best way to operate this city is to do it on a holistic basis. We will be the purveyors of water and sewerage to the city.’

Mr Williams interjecting:

Mr BRINDAL: I want to get on to the other bill, but I want to keep some people waiting. The fact was that the councils were then granted the right by the state government to have free water for the watering of the Parklands and for purposes within the city that, in modern terms, amounts to over \$1 million a year. The member for Newland is present, and as a former minister for local government she would know the angst that that has caused every other corporation in the metropolitan area; that is, two corporations get free water simply because they were around and got a deal at the time and the rest of them did not. Legal advice to me some time ago was that those agreements are out of time and out of any reason for continuing to exist. This parliament would be within its rights simply to say to the Corporation of the City of Adelaide, ‘You have had free water for long enough; all our obligations are discharged, and you are not having it any more.’

However, the minister told me in a conversation (and I accept his word) that what really is happening is that we are transferring the value of water into a fund, so water will be more judiciously used and it will give the basis for the improvement of the Parklands—and I would accept the minister’s word on that. However, I go back to the point that, by giving them the use of the water and basically the ownership of water behind the weir, we are giving them much more than the \$1.2 million.

I return to the historic uses of the Parklands. The Torrens Parade Ground was a quarry from which the stone for many of the early buildings in the city were built. I think the building next door is one of them. On the land behind what is now the Adelaide High School, there were tanneries, abattoirs and various other of Adelaide’s noxious industries. That is where the noxious industry precinct was.

All around the parklands there were dumps; and there are toxic waste dumps buried beneath ovals around this city. Sewage dumps, toxic waste dumps, dumps for pharmacies and chemicals—

The Hon. I.P. Lewis: Yes; and they have never been remediated.

Mr BRINDAL: As the member for Hammond says, they have never been remediated. I remember as minister asking them how many sites needed remediation in the Parklands. You have never seen a council jump so quickly to another topic. They did not want to discuss the fact that some of the Parklands may well need remediation. As I say, it was clear fill. It was used for sheep, cattle and goats. It was used for

tanning. It was used as an abattoir, a quarry and to collect wood. It has been put to every use over the centuries that can be imagined. Now is the time to move forward. Now is the time for a new paradigm. All I would say as this bill goes forward and as the new committee is formed is that that paradigm should not exclude reasonable use in a modern world for the needs of our citizens and, indeed, I note that the act does not do that.

I know that the Hon. Mr Gilfillan has particular views over the Victoria Park racecourse. I have no truck for horseracing. I think I have been to about two race meetings in my life, and I find them all a bit boring, and I do not know what the fuss is about. However—

Mr Williams interjecting:

Mr BRINDAL: No, that was the only one I was not bored at, because at the Vignerons' Cup they try to get you drunk all the time and I do not drink, so I was trying to resist the temptations of the member. The Victoria Park racecourse is a particular part of the Parklands. I am not sure what the best use is, but just returning it for the sake of returning it to more open space does not seem to make much sense to me. A couple of years ago, I was shown a very impressive plan that was a multi-use design for that section of Adelaide. It included upgrading facilities to allow horseracing and a more permanent facility to allow motor sport (for which that land is used), with more permanent structures and less intrusion on to the Parklands. In fact, there would have been a greater gain of open space to the Parklands, preservation of the historic stand and a better amenity in that area generally. I think actually something that would be more acceptable to the residents.

As this goes forward, I would ask the parliament to consider in the future the use of this land not only as an open space and for passive recreation but also for reasonable human purposes. I do not think anyone will stand up in this place and say that we should bulldoze the Art Gallery, close the State Library and maybe the University of Adelaide should go somewhere else. In fact, it is one of our premier institutions: it exists where it exists—on the edge of the Adelaide Parklands. So does the Art Gallery and the War Memorial. Are the purists going to say, 'Pull up the War Memorial and shift it. Close down the university and shift that.' I think not. If in some future parliament some future city council, the Lord Mayor and this parliament want to put something on the Parklands—

Mr Caica: You wanted to shift the Emperor.

Mr BRINDAL: The King and Emperor does not belong on North Terrace. The member sounds like the Festival of Light: he is back in about the 1920s. I think we could have something more Australian down that side of what was the lending library than The King and Emperor, and I stick by that, for the member's benefit. Flinders is all right, but The King and Emperor belonged in another era.

I think this bill has merit. I congratulate the minister. I think he will acknowledge that the last member for Adelaide (Hon. Michael Armitage) and the then member for Colton (Hon. Steve Condous), who is a former lord mayor of Adelaide, came up with a plan, and that plan was not acceptable to this place. It was not a good plan because it was not sold well; whether it was acceptable or not, it was not sold well. This minister has come up with this plan, and it seems to address many of those issues. I commend him for it. I hope that it will go some way to creating greater certainty for the citizens of Adelaide, because we do value and treasure the Parklands. However, we should never value and treasure

those Parklands to the point where we do not allow for reasonable use for something in the future that may well be a good idea. Closing them for tennis courts for a few privileged people in North Adelaide I abhor. The Parklands belong to the people of South Australia.

An honourable member interjecting:

Mr BRINDAL: No, I am not tennis phobic. I am just completely phobic to allowing any little group of people the luxury of private tennis courts in the Parklands. I might be a Liberal, sir, but I am liberal enough to believe that everyone in this state deserves a fair go, and not just some privileged people in North Adelaide. If I were to comment on who was in the gallery, I commend the current administration at the town hall for doing something to fix some of those lovely little privileges, which they all sat back and enjoyed and which they had no right to enjoy. I think the minister would say: more power to the workers!

The Hon. D.C. KOTZ (Newland): It has become a cliché, I think, to say that Adelaide Parklands are special to the broad community of South Australia. Whether we be residents of this magnificent city or visitors from regional areas, interstate or overseas, we all spend some time reflecting on the marvellous urban Parklands that surround our city. However, as I think about the beautiful Botanic Gardens, I realise that that cliché is a truth. The wise decisions of our first town planner, Colonel William Light, have given us a great gift. It is a heritage that we must protect, not only for our own enjoyment but also, certainly, for the benefit of future generations. I believe that all members have a strong commitment to promoting and protecting those areas that distinguish Adelaide from other cities, whether in Australia or the world.

The common factor that we all share is our interest in the Parklands, and that extends, of course, to many others in South Australia. Some are lessees or licensees of sites within the Parklands, and others represent the various institutions and facilities that are located within the general Parklands. Still more of us are people who have at some time strolled through the Parklands or enjoyed a picnic or attended an event. The most significant proposal, and one which I believe will have widespread support in this bill, is the proposal to expand the area of the Parklands for planning purposes. Light's vision depicted open space and institutional use in the Parklands. He recognised the need for areas to be reserved for government purposes. That recognition, I think, became clouded some five years ago by the idea that Parklands are only open spaces. However, by incorporating the government reserves—and, by this, I mean the cultural and institutional precinct of North Terrace, and others would be the universities, the Adelaide Zoo, the road system through the Parklands area, research laboratories, rail lines, the Adelaide Bowling Club, Britannia corner, the South Australian Cricket Association, the South Australian Jockey Club and Victoria Park—I think that we are creating an opportunity to refresh Light's vision.

I think it is particularly important that we not lose sight of the essence of Light's vision, and particularly the social attitudes that underlay the planning theories of his time. There was recognition that workers should have space for recreation and amenity if they were to be healthy. The British parks and gardens movement was developing, and the concept of providing areas for community recreation, particularly for city or town workers, was gaining quite widespread support at that time.

The most significant difference between that time and now is the way in which communities over many generations have developed different expectations for recreation. We have recreation sites for our young people, and various park areas are sites for events as diverse as WOMAD and many of the other events for which this city has now become quite famous. Whilst Light may not have imagined that the town of Adelaide would one day support its own library, art gallery, zoo and university, I am sure he would have welcomed the diverse contributions to public recreation.

The concept of creating a new description of the Parklands becomes a springboard for other significant changes. I have always believed that preservation, protection and enhancement of the Parklands should be the fundamental criteria for future management. By stating these criteria, we are setting benchmarks by which we can judge actions. We are also creating a base of standards for accountability.

Whilst legislation generally promotes a change of operation or a certain approach, I think it is particularly relevant that the statutory principles inherent in the bill also acknowledge the past and that the guiding principles acknowledge the cultural, environmental and social heritage of the Parklands. We have, in fact, gained great economic value from the Parklands, and this value is measured through the tourist and recreational benefit that is gained from having a city area surrounded by a green belt.

The statutory principles are a significant development because they provide a base for the whole community to recognise the features which make the Parklands so special and which we all wish to protect. There are recurring themes of historical interest associated with the Parklands. I have already mentioned the extent to which Light's Vision was far sighted in seeing that recreational areas could intermingle with government uses. Of course, the Adelaide City Council itself has had a long-term association with the Parklands for well over 100 years, dating back to the first municipal corporation act of 1849.

The Adelaide City Council has had a responsibility for the care, control and management of the majority of the Parklands area. I put on record my recognition of the excellent work of successive councils over many decades. They have been the vigilant guardians of the community interest to ensure that the essential features of the Parklands have been retained and enhanced. It is more than acceptable that the Adelaide City Council's role be recognised through the measures in this bill. Most importantly, the bill proposes measures which will provide that areas of land, which are no longer required for government purposes, are mandated for transfer to the care and control of the Adelaide City Council as part of the new City of Adelaide Parklands. An allied provision is proposed to remove uncertainty about the government's intentions, through proposals that the government publicly states its intentions in relation to all land which it occupies within the newly defined Adelaide Parklands.

The transfer and notification proposals are an integral part of these proposals. I say to the minister that they are reflective of a style of government that is open and accountable. Just as importantly, they are indicative of a government that is prepared to think about and plan for the longer term.

The Hon. J.D. Hill: It is very kind of you to say that.

The Hon. D.C. KOTZ: I thought you would say that it was very kind. I must confess to a degree of mischief in my contribution to this debate, minister. In relation to all the words that I have just spoken, I actually made the same remarks, the same comments and used the same strategy on

Tuesday 15 February 2000 when, as the minister for local government, I launched the Adelaide Parklands strategy. Every word that I have said in this debate tonight was stated in the year 2000 by the previous Liberal government when it planned its strategies at that stage. I well remember the minister was full of derision for the terms of strategy with which we wanted to move forward in order to protect and take care of the Parklands. I remember quite vividly the minister's statements at the time when emphatic comments were made not to accept the previous Liberal government's strategies to improve, protect and take care of those wonderful Parklands that we all want to ensure are secured for the benefit of many future generations.

I am very pleased to see that it is happening in 2005, when I have about two days left of my parliamentary career. I must give the member for Unley certain credit for the Adelaide Parklands strategy. He was the minister for local government prior to me, and he did start the move to put together the Adelaide Parklands strategy. I then took over that position from the member for Unley and carried through the rest of the research that put that strategy into place.

There is one other thing I would like to mention to the minister. At the time we were developing this strategy, a certain group of people, including the member for Norwood, was part of a ministerial working group that went to a great deal of effort and time to secure certain research that was evolving, quite staggeringly, to the point where the history relative to the Parklands was being found and discovered by a very efficient research person that we had at the time. The material that was collected at that time was of certain historical value. I believe that more than a tome of material was put together. I felt at the time that, with the expert research that had gone into this tome of material, it should be placed perhaps within our Museum because of its historic nature and the efforts of our researcher at the time.

The Hon. J.D. Hill interjecting:

The Hon. D.C. KOTZ: It was held in parliament by the working committee. Whether or not it went back to the minister's department, I am not sure. Researchers within Old Parliament House, who work with the parliamentary committees at present, may be able to give that advice. I believe it was an extremely important piece of work that would improve and enhance the research and history relative to the Parklands.

I conclude my comments by thanking the minister and the Labor government for picking up an idea that the previous Liberal government put a lot of work into. Even though it has taken five years to come to fruition, I am very happy to support this bill, knowing that all our effort has come to fruition.

The Hon. I.P. LEWIS (Hammond): Anyone who talks about the Parklands must start with Light, and I am not talking about what you get when the sun rises: I am talking about what the good colonel provided to this state. However, it was not Light alone. Much of what Light is credited with having provided as a legacy to South Australia in consequence of those early excursions into planning as we now know it was, indeed, the work of George Strickland Kingston, the first Speaker of this parliament prior to his becoming Speaker. He was the junior who supported Light so ably and who shared Light's insight and understanding of the benefits to be derived from sound town planning.

Notwithstanding the references to the army or military purposes of the Parklands, as the member for Unley has so

eloquently pointed out (as is always the case with the member for Unley's contributions) for our benefit, they were, if for nothing else, for the enjoyment of the ordinary people—not just those who had wealth and position but anyone. To that extent, we are fortunate that, of the more than 2 000 hectares (four square miles, in fact) that the Parklands comprise as they were originally drawn, we still have about three quarters of that (700 hectares) surviving.

Mr Goldsworthy: About 900.

The Hon. I.P. LEWIS: Yes, 900 originally; about four square miles.

Mr Goldsworthy interjecting:

The Hon. I.P. LEWIS: There are 640 acres in a square mile; and 900 hectares is nearly 2 300 acres, which is a fair bit of country, especially in 23-inch rainfall country.

Mr Goldsworthy interjecting:

The Hon. I.P. LEWIS: My goodness, you could graze a lot of cows on that, and they did that; and a lot of sheep, and they did that; and a few goats, and they did that; and a lot of horses, and they did that as well. When I went to school, as I recall it, I walked through the Parklands in North Adelaide from time to time in the early morning, and the cows had bells around their necks and dog tags—well, cow tags, should I say—which identified them. They also were to be found in the South Parklands on either side of Hutt Road, and people who lived in the city or in the suburbs near to the city were able to depasture (that is the word) an animal—a cow, or a goat on a tether, because goats have a mind of their own.

They are not exactly nice creatures with kind faces as cows are. Goats can take an exception to you, and when they strike they do not quite strike where cows do—at chest height. Goats can strike at the nether regions, which is very uncomfortable, and goats are more likely to do that. They hide from you, I have noticed; but that has been my personal experience.

Mr Goldsworthy interjecting:

The Hon. I.P. LEWIS: And the discomfort can be far greater, from personal experience. They are, indeed, more mischievous in that respect, if that is what they had in mind. I am not sure, because I have never been a goat to know what it is that goats think, if they think; and they must because they do things to avoid capture or direction more so than do sheep as individuals. They can be very devious and painful in the encounter. Cows, on the other hand, are something else again. Horses with hobbles are no problem at all—they never have been for me, ever. You do not put hobbles on cows because the hoofs are not big enough to hold them, and you will find the chains lying around where ever the cows choose to shed them.

Notwithstanding any of that, Light and Kingston, I guess, with their joint understanding of the benefits which would be derived from having Parklands, provided us with the legacy we now seek to protect by this legislation. I suggest to the house that the measures proposed are not adequate. What we really need are what I propose in the amendments to the clauses which I have placed on file and which would (as I attempted five years ago to do) require any new building or any major works worth more than \$100 000 to be the subject of approval for this chamber of the parliament and the other place, as well as the Adelaide City Council.

If the Adelaide City Council agrees with each of the chambers of parliament, clearly, it must be seen to be in the public interest and politically acceptable, one would assume to everyone, to make it possible for such a structure to be erected on land which has otherwise been described by Light

(in the original plan), and Kingston as its more detailed exponent and proponent, for the public good, knowing that, by alienating it to a structure for a specific purpose, it would not be available as open space for the benefit of all citizens regardless of their means.

The member for Unley, I have already said, made a very eloquent contribution, as is his capacity. I differ strongly with him in his remark about the King on North Terrace. I mean, surely he must also attack the relevance of the Queen in Victoria Square central to the whole city proper if he wishes to attack the King on North Terrace. Under our constitutional roots as a society and our rights as a democratic society, for the first time in the history of humanity anywhere on this planet, we gave all men the right to vote in democratic elections, just as we provided to women the right to own property, the right to stand for public office and the right to vote ahead of all other societies on earth. We forget the fact that we did it for men at not much earlier time than that, in 1856; and we did it and delayed the establishment of an independent parliament by three years in the process of doing so.

We owe that as part of our heritage to the fact that we have a separation of powers wherein the sovereign will act in the public interest. The sovereign is there by grace of God for the benefit of the people: not for the benefit of the lords, earls and so on, the nobles of the land, but for the benefit of the people and should determine that parliament acts in the interests of the people and that parliament pursues its responsibilities in a democratic fashion, being subject to election, and so on. That was what drove the process establishing the Province of South Australia in the acts of Westminster from 1828 through to 1834, and the Wakefield Scheme made it possible for this place, this city and these Parklands to be part of our heritage.

Equally, then, the fact that we set out to defend that, along with all other people, in what was then called the Empire and most recently the British Commonwealth of Nations, and now these days simply referred to as the Commonwealth of Nations. People went out to fight against other forces that would destroy those values and what they signified. The War Memorial is properly erected, in my judgment, in the place where it is on public land set aside for the purpose of the enjoyment of the general public. However, I cannot say the same thing about administrative offices, depots and dumps and so on for SA Water. The minister in the past 48 hours has had some difficulties with SA Water, and so have I over the time I have been here.

Each individual member of the staff, I am sure, is well meaning, but they have had altogether too much belief in their own invincibility and have become self-righteous in their view of what they hold. Depots ought not to be retained on park land in this day and age. Workshops and depots and the like, for the purposes of providing utilities that are there for profit these days, ought to be removed from park lands altogether as not appropriate. I again draw attention to the remarks made by the member for Unley, which were largely accurate in that respect. He drew attention to the fact that there were intentions to enable certain things that were seen as being to the benefit of the public to be established on that land.

Robert Gouger, when speaking about the site of Adelaide and the Parklands, made some interesting remarks, best summarised in the remarks that I will read into the record. He stated:

The town itself, besides the streets, squares and public walks, occupies a thousand acres, 300 of which are on the north side of the Torrens, the name given to the river dividing Adelaide. Around the town is a park 500 yards wide retained for public walks, and in various parts of the town are six squares, besides some unequally-sided pieces caused by the unevenness of the locality—

he meant the undulations of the terrain, I am sure—

and which are intended to be made, some time or other, ornamental places. Ten acres of land, close to the town in a very beautiful position and abutting on the Torrens, are reserved as the government domain, and upon these the government hut is now standing.

I am thinking there that that is what the member for Unley was referring to, and the government hut, of course, is Government House, as we now know it. Gouger continues:

Some land is set apart for a botanical garden, and this comprises slopes of almost all available inclinations and aspects, and this again abuts upon the Torrens and is about a quarter of a mile west of the town. The sites of a hospital, public cemetery, government stores and schools are placed outside the town but on the park land, and those of the public offices of the government, such as the Colonial Secretary's office, land office, etc., are in the middle of the town.

There, of course, he meant Victoria Square. He stated:

For the selection of this delightful spot, the plan of the town itself and the arrangement of the public buildings, the Province is deeply indebted to the highly cultivated taste of Colonel Light.

That is Colonel William Light, not his daddy. There is an outstanding rendition of the background made by Keith Conlon in his piece called *The Parklands: Secrets and Shifts*, which was put to air on TV as part of that. Conlon's work or, at least, the work of those assisting him is to be commended for its contribution to the general public awareness of the relevance of the Parklands overall to the public's benefit and enjoyment. I am talking about the public's benefit and enjoyment, not that of sectional interests so much.

There was, of course, about 100 years ago continuing controversy that was settled in 1906 with the alienation of a chunk of land for the purposes of what is now known as the Adelaide Oval, for the South Australian Cricket Association, but at that time it was also used for harness racing around the perimeter of the oval to get the benefits of joint use of the infrastructure that was constructed there. A childless man who was a great member of local government at the time, Edwin Smith, made enormous contribution to that debate and to the benefits that have been derived as a consequence of the decision that was made to put it where it is, and now it is recognised as the best cricket ground in the world.

However, the burden of my remarks, as much as I would like to wax eloquent about the Newmarket Hotel adjacent to the abattoirs and the historical events that occurred in that vicinity, including the nefarious Bertie Edwards and the things that he got up to—or down to—in the course of his enjoyment of life, nonetheless must be set aside in the limited time that I have available for the purpose of pointing out what I see as the need to stop the use of the Parklands. To quote the current member for Adelaide and the minister in the cabinet, they are not so much capable of being valued as they are being regarded as priceless. No value can be placed upon them ever, because it is not known what would be the value of the properties in the central business district of Adelaide if we were to destroy its ambience by taking away from it the Parklands which surround it and the great benefits that that brings to the people who live adjacent to them whether within the confines of the city of Adelaide or in the local government areas immediately adjacent on the outer perimeter.

The amendments which I seek to move, and which I trust the house will sensibly support, give the responsibility of deciding what can be done on the land inside the outer kerbing around the road on the outside of the Parklands to each of the houses of parliament equal with the Adelaide City Council itself so that by that means and that means alone can developments and construction be undertaken which would be worth more than \$100 000 indexed by the CPI forever. If we, as members, cannot see the benefit of doing that, we really are not addressing all the sentiments that have been expressed by honourable members, including the minister, to whom I have listened already tonight or this day on this debate.

If that is not so, if I am mistaken, I fear that those sentiments are expressed tongue-in-cheek. I said so five years ago when the member for Newland was the minister and when other of her Liberal colleagues set out to convince the parliament that their proposals to protect the Parklands were sound. In no small measure, that still remains true today. The bill, as it stands, goes some distance but not far enough in protecting the Parklands from the rapacious desires of government agencies and other well-heeled nefarious influences that could seek to sway the mood of the moment by putting spin on their propositions to con the public and inveigle the government into agreeing to it unless the council, with the House of Assembly and the Legislative Council, agrees to the proposal, I think it ought not to proceed. It means that the public has not understood the consequences well enough and it means that it is not yet time (if it ever is time) to alienate the Parklands.

More particularly, and in addition to that, I say that we ought not to allow the depots of SA Water, which is now a corporation (a private entity), to remain on parkland when it, as such an entity, ought to shift itself off those lands and leave them open space for the enjoyment of the public in the immediate vicinity in such fashion as may be determined by the mechanisms I have proposed.

Altogether, whilst the Parklands have been occupied, against their will perhaps, by lunatics and, in consequence of their own desires by a university and the university that I love and dearly support, and a school of mines and so on, nonetheless now is the time to differentiate between what is clearly in the public interest and what is in the interests of corporations and to prevent them from continuing to enjoy access and occupancy of those priceless pieces of land around our capital city which are known as the Parklands. I commend the government for its attempts, but I regret that it has not seen fit to go far enough, and I trust that the government will understand that the amendments I move are not moved for political gainsay reasons but out of my understanding of what is desired by the population at large.

Time expired.

The Hon. J.D. HILL (Minister for Environment and Conservation): I will not speak at length but I do wish to address some of the issues that have been raised in the debate. Hopefully, this will mean that we will go through the committee stage more rapidly. First, I thank all members for their contributions to the debate and I thank, particularly, those members who spoke with passion on this subject and who indicated their general support. A couple of members I think had their support qualified to some extent by saying that they did not believe the legislation went far enough. I do not think that anyone said the legislation was going in the wrong

direction. I certainly thank the opposition members for their support for the legislation.

It raised a number of issues. As to the issue of consultation, I do not think that any piece of legislation that I have been involved in in the almost four years that I have been the minister has been consulted over to such an extent. I think that, through that extensive and intensive consultation, we have been able to reach consensus, and that was always my goal. We were able to do that in the last instance with the opposition, but we have also been able to achieve that with the city council and I thank His Worship the Lord Mayor, in particular, for the role that he played in reaching that consensus with the Parklands Preservation Association, which is one of the community groups which has the Parklands as their purpose in life. I thank the Hon. Ian Gilfillan, the president of that organisation, for his role in helping reach that consensus. I think that we have reached consensus with the broader community.

The issue of water was raised during debate. As to the government's intention in that respect, at the moment SA Water provides water free of charge to the city council for use in the Parklands and Treasury makes a payment to SA Water in compensation for it. The payment is about \$1 million. We are attempting to take SA Water and Treasury out of it and give the money directly to the council with the expectation and hope that, if it receives the money rather than the water, it will embark on greater investment in water conservation measures which will mean that we will have less water being used and there will be some savings which can be used for other Parklands purposes. Hopefully, we will reach a settlement with the Adelaide City Council. We have made an offer of \$1.2 million plus indexation which we believe is a reasonable deal.

The issue to do with the South Australian Cricket Association was raised. I cannot see any reason why the cricket association would not continue to enjoy that part of the Parklands which it currently enjoys. Equally, that applies to motor sports. Some amendments constrain to a limited degree the motor sport organisations. The Motor Sport Board has supported the amendments, as I understand it. We are not trying to stop organised activities in the Parklands but we are trying to put them in a proper context so that they can be managed better.

The issue of whether or not new roads could be created was raised by the member for Morphett. I can assure him this legislation does not allow new roads. If the government wanted to put a new road through it would have to introduce legislation to achieve that, and I think that is the appropriate thing. The matter of third party rights was raised. I cannot remember exactly the issue to do with third party rights, other than to say it was a matter we considered and there will not be third party rights provided in the kind of context that the member was raising.

The member for Adelaide spoke with great passion in relation to this and she made the point that the land, once it has been granted for a purpose, is gone forever. Generally I would agree with her but I hope there are some parcels of land which we can bring back in. A number of members raised the issue of the SA Water land, the police barracks and other parcels of land and we are actively working out how we can remove some of those activities to ensure that those lands can be brought back into the Parklands. I think in relation to the police barracks there are some heritage buildings which would need to be maintained, but a lot of them could be

removed, and there will be a program of works over the next few years to do that. It will be the same with SA Water land.

The member for Bragg raised the issue about the authority and asked what would happen if there was a tie—half the members come from council, half the members are appointed by government. It is not our intention to have two parties running the Parklands. It is about a partnership between the council, the government and community groups who automatically have a voice through the government's representation and I would hope it would have a voice through the council's representation, but it is about trying to get a consensus and about trying to get the two levels of government and the community working together. So the issue of a tie should not arise. If it were, that would mean they would need to do a lot more in terms of developing consensus. It would be wrong for it to be seen in terms of sides.

The member for Mitchell said that this legislation is less than perfect. Of course it is. Nothing is perfect on this earth. Everything we do as humans is an attempt to reach perfection. I do not believe we ever truly achieve that, particularly so when you reach a consensus. That means that everybody has to give up something but we can all agree that what we end up with is acceptable to us. It may not be ideal for any of us but it is something that all of us can live with. I think that is what we have in this particular package tonight. The issue of world heritage listing was raised, and the member for Mitchell, I think, said we should not proceed with this legislation until that has been achieved. I certainly reject that. The issue of world heritage listing can be worked through by the authority. The government is certainly exploring heritage zoning.

The member for Morialta raised an issue to do with the board management structure and whether or not there would be conflicts. The advice I have is that those issues can be dealt with through the legislation. This is a subsidiary body to the council and there ought not to be conflict. If there is a conflict there is the capacity to create regulations under the Local Government Act which would allow those issues to be resolved.

The members for Bright, Hartley, Norwood and Unley also made contributions. I think I have covered most of the issues. The member for Newland mentioned a tome of material. I give an undertaking to her that we will try and find that and see if we can make sure it is preserved. There are some amendments raised by the member for Hammond and the member for Mitchell. I acknowledge their sincere attempts to try to improve the legislation through those amendments. I indicate that we do not accept those amendments.

The package we have put to the house is what we believe is the best package for looking after the Parklands. No doubt this legislation, in future years, will be amended and it may well be that some of their matters can be considered at a future time. We have agreement at the moment. This bill has been through the other place. We have agreement. If we can get it through tonight then we have the legislation passed through both houses of this parliament. It is my earnest desire that we move to do that as rapidly as we can. Once again, I thank all members for their contributions.

Bill read a second time.

In committee.

Clauses 1 to 17 passed.

Clause 18.

Mr HANNA: I move:

Page 15, after line 3—Insert:

(9a) A House of Parliament may resolve to disallow a proposal pursuant to a notice of motion given in the House within 14 sitting days after a copy of the management strategy (with any attachments) is laid before the House under subsection (9).

As I indicated in my contribution on the second reading of the bill, I am indebted to the Hon. Ian Gilfillan because he moved such an amendment in the upper house. The principle which I am working on is to give the greatest measure of protection possible to the Adelaide Parklands so that future Adelaide city councils and state governments do not get tempted to alienate more of the parklands. We want to preserve the open space. So, this is a measure which provides an additional hurdle for the Adelaide City Council, for example, if it wishes to alienate part of the Parklands. Whether it be for a sporting club or some other worthwhile purpose on the face of it, this amendment would require the management strategy to be laid before parliament, and for either house of parliament to disallow the management strategy.

The management strategy is important because any specific proposal would have to fit in accordance with that. So, if we are going to have this model whereby an authority is set up with council and state government representatives—it is essentially going to be legally community land but under the care of the council in a sense—then the least we can do is provide this hurdle whereby the management strategy, which could either maximise or minimise commercial development, for example, would be subject to disallowance by either house of parliament. If it was disallowed, because, for example, the people to whom the care of the Parklands is entrusted thought that there should be a lot more commercial development on the Parklands—fitness centres and the like—then either house of parliament could disallow that management strategy and, therefore, a specific proposal, which fitted into such an objectionable management strategy, would itself be unable to proceed. That is the purpose of the amendment.

The Hon. J.D. HILL: I thank the member for his amendment, and I indicated before that we will not be supporting it. This bill currently provides for a management strategy to be developed by the authority then adopted by the council and the minister, and then laid before parliament. The member is attempting to have the parliament have the right of disallowance in relation to that. The management strategy as a strategic policy document guides the drafting of the management plans prepared by the council and the state authorities. The management strategy is not a statutory instrument. It does not create regulatory restrictions. It does not raise a levy and it does not impose statutory conditions. It is not like the development plan, which imposes building restrictions and which parliament can disallow. So, as I understand it, there will be a development plan for the Parklands, which would have to come before parliament, which we would have the right of disallowing. The strategic document is about management generally. It is more like a planning strategy, which parliament cannot disallow. So, that is the basis on which we disagree.

This document cannot allow the building of things. It cannot allow the alienation of land. If the government were of a mind to alienate land by putting another gymnasium on it, for example, that would have to go through the planning process, it would have to be consistent with the development plan, which the parliament would have an opportunity to disallow. If it were consistent, and even if it were not, it would still have to go through the normal planning process

and, because we are removing major development status, the normal planning procedures would apply, so there would be rights of appeal and all the rest of it. So, we believe that there are sufficient safeguards in place.

On the negative side, if this management strategy were to be rejected by the parliament then we would have no management strategy for the Parklands which, arguably, would put the Parklands in a worse place than not. So, I think commonsense says that this is not the right way to go.

Amendment negatived; clause passed.

Clauses 19 to 22 passed.

New clause 22A.

The Hon. I.P. LEWIS: I move:

Page 18, after line 14—Insert:

22A—Certain activities require Parliamentary and Council approval.

- (1) An activity within the ambit of subsection (2) must not be undertaken unless the activity is authorised—
 - (a) in pursuance of a resolution passed by both Houses of Parliament; and
 - (b) in pursuance of a resolution passed by the Adelaide City Council for the purposes of this section.
- (2) The following activities are within the ambit of this subsection:
 - (a) the construction, enlargement or extension of a building or structure on any part of the Adelaide Park Lands, other than—
 - (i) any such work where the total amount to be applied in the performance of the work will, when all stages are completed, not exceed \$100 000 (indexed); or
 - (ii) any such work undertaken for a temporary purpose not exceeding 3 months;
 - (b) the development or alienation of any part of the Adelaide Parklands so as to interfere with the use and enjoyment of the Adelaide Parklands by members of the public, other than—
 - (i) the granting of a lease or licence by the Council in a case where section 21 applies; or
 - (ii) the granting of a lease or licence in place of an existing lease or licence or a lease or licence that has expired within the preceding period of 6 months, or the extension or renewal of a lease or licence, provided that land is not added to the area of the lease or licence; or
 - (iii) any development or alienation that will not interfere with the use or enjoyment of a part of the Adelaide Parklands for more than 3 months.

This amendment defines that an activity must not be undertaken unless it is authorised in consequence of a resolution that has been passed by the House of Assembly as well as the Legislative Council and, more particularly, the Adelaide City Council. It relates to the construction or the enlargement or the extension of a building or a structure on any part of the Adelaide Parklands, unless the work is only going to be worth \$100 000 (indexed by the CPI year on year), or that any such work for a temporary purpose is undertaken for a period or a purpose not exceeding three months.

My proposal also would relate to development or alienation of the Parklands, which would interfere with the use and enjoyment by members of the public unless the granting of a lease or a licence by the council in a case where section 21 applies; or the granting of a lease or licence in place of an existing lease or licence; or a lease or licence which has expired in a preceding period—in recent times, say, six months; or the extension or renewal of that lease or licence, provided the land is not added to the area of the lease or licence. It would apply to any development or alienation that would not interfere with the use or enjoyment of the part of the Parklands for more than three months.

I have made the point in the course of my explanation that the total cost of the development (or whatever else you want to use as a word to describe it) must be greater than \$100 000 for these provisions to effect it. I have made these points for two special reasons. I want to comment on the first one now. That is, whilst you, I and all other members in this place and more especially all members of the general public at present get dinged, pinged or whatever else you want to call it for minor offences against bylaws and regulations and even statutes, notwithstanding that, clearly that marquee erected at the rear of the members' stand at the Adelaide Oval is not dismantled every three months. Its purpose is there to extend the area used by the catering division of the South Australian Cricket Association for the purposes of raising money by that division for the association to augment its sources of income.

Whilst I declare my interest, as I have on my pecuniary interest declaration, being a member of the South Australian Cricket Association—and I realised a couple of days ago that, for some reason or other, I have not seen the renewal form for this current year but have been granted approval to pay my money and intend to do so—which may appear to put me in conflict, indeed, it does anything but, because I do not think that that structure should remain there in that fashion. It ought to be removed and approval provided to the South Australian Cricket Association so that appropriate levels of accommodation can be established at the Adelaide Oval for the purposes of catering for the needs of the general public during test matches and other activities on the oval. Once established there, of course, it will be used for the purposes for which this temporary structure (so-called) is currently being used.

That temporary structure ought not to remain. It is against the law, yet no attempt is made by anyone to prosecute the South Australian Cricket Association for the offence. I do not seek for them to be prosecuted, other than that they should submit an application for development of the permanent nature that this temporary structure has taken on. It has been there for more than three months. In fact, it has been there continuously for more than three years. It is about time we all did away with this hypocritical approach as a society and simply said, 'If you need it and if it is justified, then say so and let us approve a permanent structure that is more appropriate than the current structure.' Aluminium awnings, beams, girders—call them what you like—covered by plastic are not altogether edifying; and they are extremely greenhouse gas inefficient when it comes to regulating the temperature in the cold of winter and the extreme heat of summer.

Do it and do it properly, or stop it now is my point on that matter. It is the substance in no small measure of what this bill seeks to address and my amendment would go to. I do not have a problem with it, but make it decent. Make it architecturally compatible, make it relevant and get on with it. Stop living this fiction and providing the public with the opportunity to criticise you, me, every other member in this place, every other member of the parliament in the other place and whomever, in the past, the present and the immediate future, as well as the Adelaide City Council, for not doing their duty according to law. What example is that? When we expect everyone else to comply with planning law, we allow this unlawful act to continue. We should urge the South Australian Cricket Association to make application and grant approval to enable it to make that structure compatible architecturally with the surroundings and the bowling club next door to it (of which I am also a member and make no bones about that).

I am quite happy, no more or less than the bowling clubs or any other sporting facilities that are open to other people on the Parklands anywhere. I make no bones about that, but it is not appropriate to continue to live a lie, and that is what this city and this state is doing by allowing that approach to planning law. It is improper. I therefore have moved the proposition contained in the amendment on file to add an additional clause 22A in the way in which I have explained where the development or alienation will not interfere with the use or enjoyment of a part of the Adelaide Parklands for three months—I do not mind that, leave that out—but if it is worth over \$100 000 both houses of parliament and the Adelaide City Council should first agree to it. It is not good enough to say that we can rely on the bureaucrats and the government spin doctors to sell the notion to the public at large. It is our capital city, and the public of South Australia, not just the residents of the City of Adelaide, has a right to have its voice heard in determining these matters, hence the reason for my desire to see this in the statute book.

It will not impede; it will not alienate; and it will not detract from our ability as South Australians to use our capital city's Parklands in ways which we see as appropriate, but it will prevent mischief and it will prevent that kind of mischief which was perpetrated during the last parliament when the government sacked the city council and left the Lord Mayor standing alone (the current member for Adelaide and the minister in this place), bereft of any means of doing anything to stop what the government was proposing in the most wicked development that has ever been undertaken. It alienated a chunk of parklands called the Memorial Drive Tennis Club grounds and handed them over to corporate private interests forever.

It enabled over 20 retail premises to be established in that facility for the benefit of the owners—not the club members, but the owners, who were given that title. And the club members, of course, rolled over like puppies, because they were being well fed. They were given cheap membership of the Memorial Drive Tennis Club, as well as occupancy and access to all the facilities in that building. Why would they not agree to it? The deceit of the Hon. Graham Ingerson, in the way in which he put that proposition, along with the Liberal government that supported it, ought never to be countenanced again. Yet that is what is still possible under the bill as it stands, unless my amendment is accepted.

The Hon. J.D. HILL: I indicate that the government, notwithstanding the passion with which the member for Hammond put his argument, does not accept his amendment. I do not believe that the faults he just described are continued in this current legislation, because the way that the sports facility to which he referred was allowed was by the use of major project status. This legislation specifically excludes the government from being able to use that facility. So, the normal planning processes would have to apply. However, in particular, in relation to the member's amendment, there is a development control system established by way of the Development Act. Individual developments are assessed against the development plan, which plan is examined by parliament. As I said in relation to the member for Mitchell's amendment, the parliament can reject that development plan if it so chooses. In addition, of course, the parliament has a role in relation to major public works through the Public Works Committee.

The amount of work that the parliament would have to do if the member's amendment were to go through would be onerous, and it could well mean that a whole range of things

would have to be considered directly by the parliament that are not appropriate to the parliament. For example, the Parklands, under the legislation, includes all the state institutions—not this building, of course, and not the Governor's residence (as the member would understand, for constitutional reasons they have to be excluded from that kind of control), but the university, the hospital, the convention facility and the Festival Centre; all those—

The Hon. I.P. Lewis: The Hyatt?

The Hon. J.D. Hill: All those buildings that are along that stretch. So, any work that involved expenditure of more than \$100 000 would be caught by his legislation. The other question, of course, is: who would determine whether a development or alienation would interfere with use and enjoyment of the Parklands by the public? For example, does it mean that, if just one member of the public believes that their use and enjoyment is adversely affected, parliament and council must approve it? It could result in a huge number of frivolous and vexatious complaints against development on the Parklands.

Despite what some people would want, this bill is not about stopping development in the Parklands. It is about putting so many constraints on development that only developments for which there is a broad community acceptance will succeed. It puts one hand behind the government's back by taking away its powers to use the major project status. It ensures that the council has to reach a consensus with the government, and government with council, over the development of a strategy. It has a whole range of other mechanisms in place to ensure that only developments that are consistent with the overall goals of the Parklands will be approved, and I think that is what every member in this place is saying they want. But it is not saying that there will never be development in the Parklands. That is logical. However, the mechanisms we have put in place makes it very difficult, I think, for the sorts of things to which the member and others have referred in debate to occur again.

The Hon. I.P. Lewis: The very words the minister used are the words that undermine the argument he attempted to put to the house. Indeed, they are the exact opposite, that is, 'broad community acceptance'. What he means by that is that everyone will agree. The present provisions do not provide for that to be assured in a way that I regard as being sufficient. It was, after all, as I recall it, the Bannon Labor government that finally enabled the Hyatt Hotel complex and the Convention Centre to be erected. And, notwithstanding everything south of the river where it abuts North Terrace being alienated from open space as a broad planning principle, the second and most heinous act of all was when, to get his way, the minister, and the government of the day, sacked the Adelaide City Council, and while it was sacked approved what they said was a major development of the land occupied by a tennis club: the Memorial Drive Tennis Club. They split that as a separate development fictitiously from the redevelopment of the Memorial Drive tennis courts, which came in, they said, at just under \$4 million. I have yet to see the truth of that. They split it in halves and they did it in a way that was deceitful. That did not have broad community acceptance, yet it went through the due processes of planning, major development or not.

I still am sceptical of what can be achieved by government spin doctors and a few journalists who agree with them in the print media in this town, as well as the electronic media, in reporting what they want to say, just for the mood of the moment. I have seen too much of that over the 20-odd years

I have been here. It is for that reason that I remind the minister that broad community acceptance is not part of the process that will be obtained in consequence of the process presently contained in the bill without my amendment. My amendment would enable that to occur and everyone to be satisfied with it. He is mistaken in arguing and claiming that it would bog down the parliament. That is nonsense. No-one would come to the parliament with a proposal for a development that was going to cost more than \$100 000 if they did not believe there would be broad community acceptance. It is very unlikely that there would be more than one such occasion every five years or so; and that is a good thing. They would have to be proposals of outstanding merit to get past the Adelaide City Council, as well as both chambers of this place.

The other point he made is of concern to me. He said that the reviews of the Public Works Committee could be relied upon as an agency of the parliament. I am not convinced of that because in the majority of the time I have been here the Public Works Committee has been dominated by members of the government party. If the government decides that it thinks it is a good idea, then the members of the Public Works Committee argue and vote for it; and the Chairman, of course, does the things which enable that committee to get past the embarrassing questions that might otherwise be asked.

Without digressing from the substance of my amendment, I refer to two Public Works Committees in recent times where that has happened. No-one asked what the passenger per kilometre cost was for the tramline; and no-one bothered to discover what the cost benefits were of the opening bridge across the Port River. We cannot rely on the Public Works Committee to do those things, if it is dominated by members of the government who also see themselves at the commencement of their political career, and not wanting to injure it by offending the party to which they belong in government or other members of that party who form their caucus or party room. It is not a safeguard, nor is the process to which the minister refers anything like an adequate safeguard to protect the Parklands.

I cannot understand his aversion to it. He knows full well that no-one would come to the parliament or the Adelaide City Council with a proposal unless they had already been able to convince the public of the wisdom and benefit of it—and win broad community acceptance of that proposal. There would not be a waste of time in parliament, but it would be an absolute safeguard against unwarranted and unnecessary excision from the Parklands, occupation of the Parklands and alienation thereof in the form that those of us who belong to the Parklands Preservation Society, and the far greater number of South Australians who share our values and beliefs, think appropriate. I refer, for example, to people like the Hon. Ian Gilfillan and Kelly Henderson, to mention some in and outside the parliament who understand what I am saying.

I beg the minister to reconsider the position that the government has taken on the measure and allow my amendment to be passed so that the public will know that there will not be any developments, other than those on which there has been adequate debate and in relation to which the broad community accepts the wisdom of doing it.

The Hon. J.D. Hill (Minister for Health): I move:

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

Motion carried.

The committee divided on the new clause:

AYES (2)	
Hanna, K.	Lewis, I. P. (teller)
NOES (36)	
Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brindal, M. K.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Foley, K. O.
Geraghty, R. K.	Goldsworthy, R. M.
Gunn, G. M.	Hall, J. L.
Hamilton-Smith M. L. J.	Hill, J. D. (teller)
Kerin, R. G.	Key, S. W.
Kotz, D. C.	Koutsantonis, T.
Lomax-Smith, J. D.	Maywald, K. A.
McEwen, R. J.	McFetridge, D.
Meier, E. J.	O'Brien, M. F.
Penfold, E. M.	Rankine, J. M.
Rau, J. R.	Redmond, I. M.
Scalzi, G.	Thompson, M. G.
Venning, I. H.	White, P. L.
Williams, M. R.	Wright, M. J.

Majority of 34 for the noes.

New clause thus negated.

Clause 23 passed.

Clause 24.

The Hon. I.P. LEWIS: I have probably missed the opportunity to refer to roads but, with the indulgence of the chair, and for the matter of two minutes, I would like to say that I think that if a road were to be made more narrow and shorter, I would not have a problem, but if it is to be made wider or longer it ought to be subject to the same sort of provisions elsewhere in the legislation. Altogether, I say that because I may yet, in the limited time left available to me on God's earth, become the proponent of a very significant and efficient means by which people can travel from east of the Mount Lofty Ranges into the city of Adelaide. If it is made easier, the out-turn of the traffic from the tunnels so constructed could easily be seen as more beneficially located in the South-East Parklands than in the portals of the Stonyfell quarries.

Clause passed.

Remaining clauses (25 and 26) passed.

Schedule 1.

Mr HANNA: I move:

Page 20, after line 24—Insert:

3A—Amendment of section 38—Public notice and consultation

(1) Section 38(2)—delete 'subsection (2a)' and substitute: subsections (2a) and (2b)

(2) Section 38—after subsection (2a) insert:

(2b) A development within the Adelaide Park Lands is, by force of this section, a category 3 development.

Once again, I am guided by the principle that the maximum security possible should be afforded to the Adelaide Parklands. In order for this to be achieved, interested people need to know whether there is going to be any further development on the Parklands. I am suggesting that any development on the Parklands be categorised as what is known in planning law as a category 3 development. That would mean that it would have to be the subject of a notice to the public, because the Adelaide Parklands are in the special situation whereby it is not only the immediate neighbours to the Parklands but, in fact, all South Australians who have an interest in this

matter. Even a small development such as a shed or an outhouse should be the subject of notification so that interested people, whether they be in the Parklands Association or simply interested members of the public, should have the opportunity to comment. This is an important safeguard.

The Hon. J.D. HILL: I understand that this amendment was moved by the Hon. Ian Gilfillan in the other place and it was not supported there. The government does not support this, although it understands the basis for the argument. The results of supporting this would be that, as the honourable member said, all developments in the Parklands would be category 3, which would affect all developments including toilets, temporary scaffolding and signs for events, and internal fitouts of buildings such as the hospital, for example. Each would have to be advertised and all people who made representations would have to be given the opportunity to appear before the planning authority. It would result in the planning system getting bogged down in frivolous and vexatious representations and appeals.

The appropriate system is the one we are proposing, which is to have a balance between protecting Parklands and an efficient and workable planning system. This means setting out, through the Development Plan, a system of complying and non-complying development and the consultation and appeal rights that go with that. The Development Plan, as I have said before, is subject to parliamentary scrutiny. In addition to that, we are working on having the Parklands classified as a heritage zone, which would impose a series of planning controls in addition to all those, which would have the effect of creating an aesthetic for the Parklands. So, we do not support this amendment.

Mr HANNA: I can understand that the minister does not want the system clogged up with trivialities, but the problem is that what may in the abstract appear fairly minor might actually have a very significant impact, depending on its proposed placement in the Parklands. Something as simple as a tool shed sounds insignificant, but if it were to be placed immediately next to the 19th century building at the corner of North Terrace and Dequetteville Terrace, that could be a very significant impact. At this point, we cannot determine what is going to be complying and non-complying, therefore the amendment seeks to ensure that virtually everything will be non-complying.

The committee divided on the amendment:

AYES (2)	
Hanna, K. (teller)	Lewis, I. P.
NOES (35)	
Atkinson, M. J.	Bedford, F. E.
Breuer, L. R.	Brindal, M. K.
Caica, P.	Chapman, V. A.
Ciccarello, V.	Conlon, P. F.
Evans, I. F.	Foley, K. O.
Geraghty, R. K.	Goldsworthy, R. M.
NOES (cont.)	
Gunn, G. M.	Hall, J. L.
Hamilton-Smith, M. L. J.	Hill, J. D. (teller)
Key, S. W.	Kotz, D. C.
Koutsantonis, T.	Lomax-Smith, J. D.
Maywald, K. A.	McEwen, R. J.
McFetridge, D.	Meier, E. J.
O'Brien, M. F.	Penfold, E. M.
Rankine, J. M.	Rau, J. R.
Redmond, I. M.	Scalzi, G.
Thompson, M. G.	Venning, I. H.

NOES (cont.)

White, P. L. Williams, M. R.
Wright, M. J.

Majority of 33 for the noes.

Amendment thus negated.

Mr HANNA: In order to facilitate progress of discussion in the committee, I have saved a few general questions which could have been attached to clause 1, etc. One of the propositions that has been put to me is that the Adelaide Parklands were given in fee simple to the people of South Australia and, noting that the schedule will essentially change the definition of Adelaide Parklands forever in legal terms, I ask the minister what advice he has had about that proposition and whether it can possibly be sustained after the passage of this bill.

The Hon. J.D. HILL: This bill does not change the title of the land; it just describes what land is within the Parklands. Some land in the Parklands is held by the Crown and some of it is held in fee simple. That which is held by the Crown is either held as land of the Crown or Crown land under the Crown Lands Act. But this legislation does not change title. It does not change ownership, either. It just changes what land is described as Parklands for the first time in legal form. It says what is part of the Parklands.

Mr HANNA: The schedule also deals with the topic of financial contributions. To what extent did financial considerations influence the government's decision to go with the Parklands Authority model rather than a trust which would hold the land on trust for the people of South Australia? While the minister is considering that question, I note that a letter to the minister, as minister for the environment, from the Adelaide City Council, dated 14 April 2003, contains the following paragraph:

It is my expectation that council will require very strong justification for any management model that involves removing the Parklands from council control. As you are aware, council's annual expenditure in the Parklands is considerable and is unlikely to continue at current levels if management control is transferred to another body.

The Hon. J.D. HILL: The model that we came up with was one that really came through the consultation process. One of the original models—one that I proposed and preferred originally—was to set up some sort of independent trust, but it became clear to me that the community, by and large, while they wanted an authority of some sort, also wanted the council to maintain the day-to-day role it had in relation to the Parklands. I believe that there was a risk that, if we were to set up a body over the top of the council without its consent, there was a very real risk that the council would say, 'You set this up. You pay for it.' I think that the council puts in \$10 million or thereabouts each year into the running of the Parklands—a considerable investment—so it seemed totally reasonable to me that they should be actively involved, and encouraged to be actively involved, in the process.

The authority is a strategic body and the day-to-day operations would still be run by the people who are employed by the council. What we are looking for is to have a strategic management plan and a process which guides what they do; in other words, to develop a vision as a result of partnership between the state and council and the community. I am very happy with the model we came up with because I think it addresses all the issues that need to be addressed and ensures that there is a strategic approach, that there is a partnership, and that there is an ongoing commitment from council to resource the Parklands.

The government is putting its resources in terms of cash, rather than in terms of water, which should allow—through proper management—some extra cash to be put into the management of the Parklands. I am also hopeful that some sort of foundation or beneficial trust of some sort can be established so that charitable donations can be given to assist the Parklands as well. The model I had in mind was Central Park in New York, which receives donations from wealthy local residents who want to invest in what is or has been special to them. They are more likely to do that if we have this independent kind of construct.

Mr HANNA: I realise that I am normally only allowed three contributions per clause, but I feel compelled to pick up a point made by the minister that his conversion (if I may call it that) to the authority model rather than a trust occurred as a result of consultation on the bill and yet, as I understand it, the result of consultation with the public was that there was a clear preference for a trust model rather than the model that is set out in the bill. In fact, did not the consultation process point to a different model than what we now have in the bill?

The Hon. J.D. HILL: As I said at the very beginning in my opening remarks, what we have is a consensus piece of legislation. The city council supports it, the government supports it, the opposition supports it and the Parklands Preservation Association supports it. There are—

There being a disturbance in the gallery:

The CHAIRMAN: Order!

The Hon. J.D. HILL: There are unbalanced people who have different points of view, that is true, but the majority of sensible people support this legislation. In any consensus it means everybody gives up a little bit of what they would want to see, but they can all live with what is produced. I think that is what we have here. All I can say is that the broad support that has been exhibited in this place reflects that.

The Hon. I.P. LEWIS: On somewhat similar matters to those raised by the member for Mitchell, I refer to the remarks made by the minister in response to one of the inquiries the member for Mitchell put to the minister about title to the land. What we now see, if you want to put it that way, is the establishment of a clearer definition of the title. Up to this point most of the land which has been part of the Parklands has been properly and rightfully subject to native title claim, because there has been no certificate of title attaching to any of it.

Any native title claim that was made would have succeeded had it been taken to the High Court. It does not matter what anyone else says, there is no certificate which would have extinguished that title. It was land of the crown, alienated in the way in which the entire continent was said to have been alienated under the terra nullius provision of occupancy of the continent and the islands around it.

Having said that, within a matter of hours, if not days, any prospect of any such thing is extinguished, for better or for worse. That is a legitimate observation on my part, but I go further than that and point out to the house (and for the minister's benefit, if he must) that these provisions now make it possible to further alienate pieces of land, such as the land at the rear of Old Parliament House to the west of the House of Assembly and south of the Festival Centre, where it should otherwise be kept for the purposes of the parliament—which the parliament sorely needs for its own archives so that it is not a tenant of executive, with its archival records and so on and which it needs for the purposes of providing secure car parking facilities.

We are hell-bent on trying to make sure that everybody is safe. We all know that the Premier has very special car parking facilities provided to him so that, when his car comes to Parliament House, it is not seen by the public ever, and it comes to the building through a secure route to ensure that it cannot be the subject of ambush or any other kind of attack. All members of parliament at this point are regarded as being at far greater risk in consequence of the threat which international terrorism poses to them.

We need that land just outside the tradesmen's entrance to be properly developed as part of the precincts of parliament, to be a buffer against mischief which can otherwise be easily perpetrated against the parliament from within that site. We need it to provide secure parking for all members of staff, as well as members of parliament, where we are not mendicant to corporate interests and we do not have to go begging to the Festival Centre to have a car park in a building where we have stupidly given away the title of the land and the building to someone else, at whatever cost they want to impose upon the parliament for access to it. More particularly, we need it to provide adequate facilities for the staff who serve the parliament, as well as the members themselves, as part of the overall precinct that the parliament needs to occupy. Unless, of course, you are a centralist, and you want to see the abolition of the states and their parliaments. They are the only people who would oppose what I have just said: anyone else would be a fool to oppose it.

Yet, the government was willing to hand that over—willy-nilly, *carte blanche*—to the Casino because the STA said, 'Well, we own it.' Damn right they do not. It is absolutely wrong. They should never have been allowed to think that they did. In consequence of it, sir, as you stay here almost certainly for much longer than me, I crave your attention to the matter for the next decade and more to try and ensure that parliament secures that land for its purposes. Government agencies that claim ownership as not land of the crown but crown land on these new titles cannot continue to occupy it as part of the alienation of the Parklands. There is no necessity for SA Water to continue to occupy land for a depot in the western suburbs, when it can sell off and profit from the sale of land in Ottoway or anything else.

This is now a sophisticated city with rapid transport across the length and breadth of the city. There is no necessity for offices or anything else to be there. There was one day when we had to ride horses and bicycles to go from the place where we reported for work to the place where the work needed to be done. It was either walk, ride a horse or a bike, but that was over 150 years ago. In the last 100 years, we have made changes to that process, and alienation of the land which was intended for parkland to provide what is now an independent, separate, private sector corporation—accountable as such—with the use of the priceless part of our heritage is ridiculous. It should be told to get off, get out, go. It has been there long enough. It hangs onto it in the same way as the state transport authority does, way beyond its need for it. Rail tracks, tramlines, and roads are a different matter. So are easements for pipelines and powerlines, and whatever else, but to put offices, car parks and other such things on parkland just because you can is like a male dog—you lick yourself because you can—and that is what these people are doing.

That is enough of it. We should see an end to it. This legislation does not provide for it, and I am disappointed that the government does not share that view. But, then, I am not surprised because Sir Humphrey was always able to persuade the minister, and if the minister had no-one putting the case

persuasively in the party room, then nothing would ever be done to do away with those inequities and to restore the land to the children and the adults—indeed, the ordinary people—who richly deserve to enjoy the visage, if nothing else. Equally, they deserve to enjoy the open space and the informal activities that they can engage in in that open space, which are otherwise impossible in cities choked with buildings and private ownership of the title of land in such fashion as sets us aside and makes us different from those other cities elsewhere in this country and the world, which are inferior to us because they were not established with the foresight which the forefathers of the settlement of this province and this city had.

I ask the minister, does the government share my view that we do not really need to have the state transport authority occupying offices on the parklands and, more especially, we do not need to have SA Water continuing to do likewise? Yet, at present, it is possible for them to go and do it, and the provisions of this legislation to which the member for Mitchell referred and the minister responded, would enable them to do so.

The Hon. J.D. HILL: Well, a lot of material was covered there, but, in answer to the particular question, this government is intending, over a relatively short period of time, to leave those parts of the Parklands to which it no longer has a need, in particular, the police barracks and the SA Water land. There is a process outlined in the legislation to facilitate that, and that is our commitment.

Schedule passed.

Title passed.

Bill reported without amendment.

The Hon. J.D. HILL (Minister for Health): I move:

That this bill be now read a third time.

I thank all members for their contribution to the debate. I particularly thank the opposition for its support—lengthy and long-winded as it may have been, but I appreciated its support nonetheless. I also thank the city council for its strong contribution, the Adelaide Parklands Preservation Association, in particular its Chairman, Ian Gilfillan, and the member for Adelaide and the Premier. Prior to the last election, the two of them and I developed a policy to look after the Parklands. With the passage of this legislation, I believe we have fulfilled that commitment, and it will be of lasting benefit to our society for a long time to come. I also thank in particular Russell Starr from the Department for Environment and Heritage who has worked on this now for many years and Richard Dennis of parliamentary counsel.

If I may indulge for a minute, this is the last piece of legislation that I will put through this parliament as the Minister for Environment and Conservation. Can I say what great pleasure and pride I have had in being the Minister for Environment and Conservation over the past four years and putting through a number of important pieces of legislation. I would particularly like to thank the Office of the Minister for Environment and Conservation and all the people who work in it and for the assistance they have given to me; and the public servants in the three agencies which I have looked after, particularly the heads of those agencies: Allan Holmes, the head of the Department for Environment and Heritage; Rob Freeman, the head of the Department for Water, Land and Biodiversity Conservation; and Paul Vogel, the head of the EPA.

Bill read a third time and passed.

**RETIREMENT VILLAGES (MISCELLANEOUS)
AMENDMENT BILL**

The Legislative Council agreed to the bill without any amendment.

ADJOURNMENT

At 10.41 p.m. the house adjourned until Wednesday 30 November at 2 p.m.